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RELIGION AND THE LEGITIMATION OF THE STATE

The Development of Political Thought in Contemporary Shi'ism
(Case Study: Iran 1979-2004)

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Abstract

Since the early 1990s, the Middle East has witnessed a renewed interest in the debate over the role of religion in the process of democratization. This study aims to examine the possibility of developing a democratic discourse within the Islamic context. It focuses on the evolution of the political thought in Shī'ī Islam in the context of Iran after the Islamic revolution of 1979.

The reconciliation between religion and democracy is argued to be a two-phase process: in the first phase, religion is integrated into the state in order to bring about a consensual political system and engage the people in the political process. Then, the religious worldview is developed in line with democracy.

The study examines the socio-economic factors behind the emergence of the reformist discourse in Iran in the mid-1990s. It also reviews the evolution of that discourse compared with its conservative rival and highlights their approximate to the principles of democracy.

Emphasizing the practical side of religion, the thesis concludes that the community's perception and application of the religious teachings have varied over the history to reflect the changing realities of the social life, far from the claim of religion being a fixed order of dogmas. The past twenty-five years witnessed major steps towards adapting the religious values to the modern patterns of socialization and politics. It was set off by the need of unifying the religious and political authorities within the state system. Later, the process was driven by the structural transformations ensued from the revolution and the state policies during the 1980s. The final phase came through the reformist's strategy to democratize the Islamic regime in the late 1990s.

My general conclusion is that despite the tremble of the political reform, considerable works have been done, particularly on the structural level. The experience of the reformist rule indicates the possibility of developing a model of democracy appropriate to the local culture, especially the religious beliefs. It also indicates the capacity of the Islamic Republic to develop a democratic character, at least on the long term.

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A Note on Transliteration

The transliterations of names, terms, and places are based on the system used for the *International Journal of Middle East Studies* (IJMES). In this system, the rules for the Farsi words are similar to that of the Arabic ones except for few cases. I have tried my best however to make them as approximate as possible to the phonetic pronunciation. Names for which there are already established English spellings are spelled without diacritics. Names of authors who chose certain spelling in their published works were put according to their preferences. In the footnotes, I have used the original titles of Farsi and Arabic books and articles to which I referred. The same rule is followed in the list of sources, however with an English translation.

Introduction

Since the Iranian revolution of 1979, the so-called political Islam has been a point of contention among the politicians and political theorists throughout the world. The phenomenal mobilization under the banner of Islam has been a challenge to a common assumption among the theorists of development suggesting that, with the course of modernization, religion will gradually lose its influence in the public arena. In the early 1980s, some researchers predicted a short life for the Islamic revivalism. After twenty five years, that assumption seems far from the realities on the ground. The surprising eruption of religious sentiments at that epoch has gradually evolved into a trans-national movement featuring at least one common character: that is the assertion of the involvement of the religion in national politics. Whether this sentiment represents a revival of a national identity, a reaction to the claimed humiliation at the hands of foreign powers, or a renewed conviction of the viability of the religious cure for the grievances of the Muslim societies, this phenomenon represents a provocative challenge to the study of politics.

The broad religious trend combines a variety of trends including traditionalists, modernists, anarchists and others. Among those, one trend seems to have attracted less attention, that is the one which argues for the possibility of formulation a new discourse bringing together the major principles of democracy and Islam.

This study aims to investigate the viability of this discourse, particularly with regard to its capability of dealing with the religious, cultural, and political barriers which have so far hindered the process of democratization in the Muslim societies. The study focuses on the discursive and doctrinal transformations within Shī'ī Islam in Iran after the 1979 revolution in order to set an empirical framework for the analysis of the said possibility.

The Islamic Republic of Iran represents, as one scholar puts it, “an ever more interesting laboratory for observing political Islam in practice”.¹ This is partially due to the country has already experienced some aspects of modernity including a level of industrialization, constitutionalism, in addition to the fact that the Islamic regime has been brought about by a popular revolution. In such cases, society becomes intensely politicized and its desires profoundly influence the making of the new political system. The Islamic Republic has brought a set of traditional and religious-oriented concepts together with some modern ones, most of which were hitherto unfamiliar to the religious circles including republicanism, election, constitutional rights and so forth. It was assumed that such a combination would feature a profound and positive exchange between the religious-traditional and modern constituents, thus delivers a modern political order inspired by the religious values.

The thesis argues that the religious political thought, like every other aspect of life, does not evolve in a vacuum. Its motion and evolution are closely conditioned by its relations to the other constituents of the surrounding environment. By the same token, the thesis argues that the political engagement of the religion will likely make it more appreciative of the imperative of the modern state. The direction towards which religious thought will evolve, whether be an embracement of democracy or justification of autocracy, is likely to be determined by other factors, namely the influence of the forces within the social structure and the international atmosphere.

To advance the above argument, the study will employ an eclectic approach. A special emphasis however is to be put on the approaches developed by the theories of political development, particularly those which stress the role of political culture. The concept of development is based on the definition advanced by the UN Development Program (UNDP), in which development is viewed as a comprehensive process aiming to enlarge the people's choices. Democratization is conceived with reference to the theories of political culture,

¹ Bullett, Richard, “Twenty Years of Islamic Politics”, *The Middle East Journal*, vol. 53, No. 2, (Spring 1999).

where the vigour or otherwise of the process is ascribed to the hegemonic culture, whether it leans towards participation or self-alienation.

Although the Iranian affairs continued to attract a considerable interest among political researchers, the current debate over democracy, and generally the religion-modernity reconciliation within the country has attracted less attention. In this regard, I would like to refer particularly to the insightful studies of Ansari (2000), Vahdat (2002), and Moslem (2002) which offer valuable information and analysis on the course of change within the Islamic Republic. Nevertheless, their studies stop short of addressing many important questions in this regard. Thus, this study will try to cover some of the areas that, although crucial to an accurate treatment of the issues in question, remain in need of more investigation.

The Structure of the Study

The study is structured in six chapters covering the current debates over democratization, its ideological background, the social forces involved, and the way it affects the political process.

Chapter I charts the course of evolution of the Shī'ī doctrine of authority since it took shape in the eighth century until the emergence of the Islamic Republic in 1979. The chapter presents a background of the questions arising through the ongoing debate over political authority, the sources of legitimacy, and the role of the religious establishment. By locating the major developments of the above doctrine within their historical context, the chapter tries to explore the motives, potentials, and limitations inherent in the established paradigm of authority and the chief concerns of its guardians. The argument there is that the major revisions of the Shī'ī conception of power have been instigated by the change of the sociopolitical conditions of the Shī'a community, particularly after the emergence of Shī'ī dynasties in the tenth century and after. To put it differently, religion's propensity to adapt to the living realities of its followers is largely contingent upon the existence of a helpful environment. This becomes even more likely if the religion gets directly involved in the political process.

Chapter II discusses the extensive revision made by Ayatollah Khomeini on the established Shī'ī doctrine of authority. Khomeini's contribution involves some essential adjustments to both the basic elements and function of the doctrine amounting to a discursive shift within the established paradigm. Khomeini is presented as one of those charismatic leaders whose person and discourse have, in a certain epoch, bridged the gap between the ages of tradition and modernity. He helped his people to rethink their traditions and join the march of modernity without fearing the loss of their identity or cultural specificity as was the case of the Shah's modernising programs of the 1960s. By so doing, religion had had the opportunity to shift from being a pretext for self-alienation on the part of the society into an agent for active participation in the public affairs. The chapter also presents a new approach to Khomeini's notion of "the jurist's absolute authority". While his critics take it as an evidence of his authoritarian tendencies, the chapter will argue that the notion is employed as a means to remove the mystical character of the religious authority and reuniting the hitherto-divided religious and state authorities.

The discussion then focuses on the application of the principle of 'social justice' through the political and economic strategies of the post-revolutionary governments. The aspiration for justice is the axis of the Shī'ī political worldview. Chapter III aims to explore the thread which runs through the constantly changing Iranian political environment. This process is regarded as a quest for identity on the part of the Islamic regime. Since this study is concerned in the first place with the type of transformations which feature durable and far reaching effects, the emphasis here is put on the cultural and institutional changes. It has been quite a long time since the study of development in the Third World shifted from emphasising the role of the so-called modernising elites into focusing on the social structure as a whole as the pivot of development. In this light the chapter goes through some of the major developments since the Islamic Revolution until the present day trying to explore the landmarks which signify the advance of the democratic discourse. In other words, the chapter considers the totality of the political process during the last twenty five years as a laboratory to explore whether the approximate direction of

the Islamic regimes is leaning towards democracy or vice versa. The chapter will use Thomas Kuhn's theory of paradigm shift as a conceptual framework to explain the emergence of the reformist discourse. My aim is to highlight the wide gap between the model of ruling and socialization which prevailed since the revolution and the one advocated by the reformist faction. I argue that the shift of the public opinion towards the reformist paradigm represents a definite disassociation from the established paradigm of religiosity and politics. The chapter will outline the deficits which brought the traditional-revolutionary paradigm to its knees and made the shift of paradigm inescapable. In addition to the authoritarian and populist dispositions of the Islamic regime, the chapter will underline its potential to develop from within.

Chapter IV illustrates the model of state advocated by the conservative faction including its standpoints towards such issues as citizenship and political rights, legitimacy and the rule of law, republicanism and the role of people, as well as the grounding principles of the faction's political ideology. The discussion expands on the main thesis of this study which regards the political involvement of the religious ideology as the determinant factor behind its evolution.

The conservative camp represents mainly the traditional segment of the Iranian society including the clerical establishment and the leading Bazaar traders. It upholds the traditional jurisprudence, and generally the jurisprudential perception of the religion, as the defining framework of the questions which arise in the political and social arena. Nevertheless, the conservative discourse shows a clear deviation from the earlier traditions of the Shī'ī seminaries. This is undoubtedly a consequence of the integration of the religion into the state system and the constant expansion of the modern patterns of administration, socialization, and politics.

Chapter V aims to highlight the intrinsic incompatibility between the conservative and the reformist discourses which permits my assumption that the reformist advent to power in the late 1990s represents a paradigm shift in the sense advanced by Thomas Kuhn. The reformist trend emerged through the thermidorian phase of the Islamic Revolution. Thus it bore, at least partially, a

reactionary feature in regard of the norms, values, and patterns that prevailed during the first post-revolutionary decade. The reformist discourse appeals mainly to the modern segment of the Iranian society and leans towards liberal democracy. The chapter will go through the main themes of the reformist discourse including the notion of religious democracy, the theoretical ground of the discourse and its distinctive conception of secularism.

Chapter VI expands on the assumption that a democratic discourse can make no difference unless it is upheld by influential forces through whose activity the call for democracy shifts from an elitist aspiration into a mobilising appeal embraced by a considerable segment in society. The chapter thus aims to examine the viability of the course of democratisation with regard to the political forces that support it and the ones which oppose it. One of the main arguments of the study is that the evolution of the religious thought towards democracy or otherwise depends to a large extent on the function of civil forces of the society which enlighten the people, mobilise them to exercise their rights and role, and hence enact their preferences. The chapter discusses briefly the relevance of party politics to the Iranian context, and the social background of the major factions. Then, it will introduce the main groups which contest over power in the country.

The concluding section of the study will present a recap on the major points discussed, especially the ones related to the thesis's main arguments. Thus it will include a final assessment on such points as the possibility of religion-democracy reconciliation, the role of the people within a religious-based political system, the capacity of the religion to adapt to the modern patterns of politicization and lifestyle, and so forth.

As stated earlier, the development of political thought in post-revolutionary Iran has attracted only a slight attention among the large body of research which focuses on Iran and the religious politics in general. This study therefore tries to offer an insight into that particular area. It focuses particularly on the reformist trend, its ideology and performance, for the trend is assumed to be pioneering the modernist trend among the wide variety of Islamist groups in the Middle East. The trend can claim an exemplary role for many reasons

including its having a considerable number of well-trained politicians, activists, and intellectuals, its open embracement of democracy as the ultimate goal and the centre of activity, and its capacity to produce a relatively large and high quality literature in the support of its ideology and standpoints. The study will show that despite the failure of the trend to retain power, its eight-year rule has effectively changed the political environment of the country. While he stands down in August 2005, almost everyone feels that Iran after Muhammad Khatami, the reformist president, is far different from what it was at the eve of his election in 1997.

Chapter I

The Foundation of the Doctrine of Authority in Shi'ism

Shi'i political thought is undergoing a major shift. The theory of political authority as it is developing in the context of contemporary Iran is mainly concerned with the ruler's power, particularly his authority to use coercive power in such cases that might result in taking an individuals' life or limiting his right to property.¹ The established belief acknowledges that a divinely-designated imām can enjoy such an immense power, and the debate thus concerns the delegation of the imām's authority to the fallible - i.e. none-divinely- designated leaders. This explains why a good deal of the argument revolves around the source of the ruler's authority. Until recently the issue under question has been the nature of the delegation of authority from the imām to the leader, namely the qualified scholar. Since the early 1980s, however, the debate has come to be concerned with the relative weight of the authority delegated by the imām compared to that entrusted by the people. The shift of concern has been the result of the change of the doctrine's jurisdiction; from being the basis for a communal, mainly spiritual leadership into being the major constituent of a state ideology.

With the emergence of Ayatollah Khomeini's version of *wilāyat al-faqīh* in 1979, the ruler was authorised on both civil and religious ground. The civil aspect is realised through general elections while the religious one is secured through the conferment of the imām's authority onto the highest in rank among the religious scholars. The point of contention thus has been about the implications of that combination and the relative weight of political legitimacy secured by each of the two sources.

This chapter discusses the foundations of Shi'i political thought and the course of development through which the theory of *wilāyat al-faqīh* (=guardianship of the jurist) has emerged and become established as the major

¹ Sachedina, Abdulaziz, *The Just Ruler in Shi'ite Islam*, (New York 1988), p. 231

response to the question of political legitimacy in Twelver Shī'ism. This will provide for a better understanding of the backdrop for many of the current debates. The chapter will start with a brief discussion of the factors responsible for the formation of the school's political thought. Then it discusses how the first version of the doctrine of power has emerged and developed since the tenth century. This will help to understand the primary theoretical challenges to the doctrine of jurist guardianship.

The Foundations of Shī'ism

Shī'ism, the minor of the two main branches of Islam, had shifted from being a mainly political to a mainly religious group to escape suppression at the hands of the hostile rulers². The transformation involved a review of the principles underpinning the group's leadership and its attitude towards the state. At the same time, there was a process aimed to drive the politically-minded and extremist trends out of the school's mainstream. Twelver Shī'ism has emerged in the early tenth century³ within which the Uṣūlī trend has established its dominance only in the late eighteenth century. The more traditional Akhbārī trend was driven to the margin at the hands of Waḥīd Behbehānī, (1705-1803), an influential scholar who challenged its dominance in the Shī'ī school of jurisprudence⁴.

Shī'a religiosity and culture are dominated by three major themes; the tragedy of Karbalā, the doctrine of Infallible Imamate as shaped by the sixth imām Ja'far al-Ṣādiq, and the occultation of the twelfth Imām Muhammad al-Mahdi.

² Kohlberg, Etan, "The Evolution of the Shi'a". in Kohlberg, *Belief and Law in Imami Shi'ism*, (Hampshire, UK 1991) article I, p. 4.

³ Montgomery Watt, William, *The formative Period of Islamic Thought*, (Edinburgh 1973). p. 38

⁴ Morgan, David, *Medieval Persia 1040-1797*, (London 1988), p. 160

1-Karbalā Tragedy:

Shī'a communities start the new year of the Islamic (*Hijri*) calendar with a ten day-mourning ritual, during which professional speakers and eulogists remind their audiences of what happened in Karbalā over thirteen centuries ago. For some Shī'as, the communal service known as '*Ashūrā*' is an expression of grief and mourning, for others, an indication of their readiness to sacrifice for the cause of religion, and universally, it is the way in which Shī'a communities have maintained their distinct culture over centuries and generations⁵.

The town of Karbalā, 60 miles south Baghdad was the scene for a bloody showdown whereby scores of the Prophet's family members and their supporters, led by his grandson Al-Hussayn, were brutally massacred at the hands of the Umayyad forces in 680/60AH. The impact of the massacre remains paramount. None of the many tragedies which Shī'as have endured in their history has been as influential as '*Ashūrā*'.⁶ There are certain events, Welhausen suggests, which exercise an amazing effect, not because of the events themselves and their inevitable consequences, but because of their memory in men's hearts⁷. '*Ashūrā*' is, undoubtedly, one of these events, for it has been symbolised as a myth of heroism, purity, and self-sacrifice for a good cause.⁸

Politically, '*Ashūrā*' was reproduced as the cultural foundation for renouncing the legitimacy of all forms of temporal rulership. Soon, it would bring about an aspiration for an ideal form of justice that could be realised only by the Prophet's descendents taking over power.⁹ Post-'*Ashūrā*' Shī'ism has not consisted of a clearly definable group. It was the debates over leadership and the extent of political involvement that raised the need for definition, and divided

⁵ For a detailed account on the annual commemorial ceremony (*Ta'zia*), see Halm, Heinz, *Shi'a Islam : From Religion to Revolution*, Translated by A. Brown, (Princeton, 1996) chapter II, pp. 41-85

⁶ Richard, Yann, *Shi'ite Islam*, Translated by A. Nevill, (Cambridge, USA. 1995) p. 29

⁷ Welhausen, J., *The Religio-Political Factions in Early Islam*. Ed. R. Ostle. Trans. R. Ostle and S. Walzer. (Amsterdam, 1975). p. 116

⁸ Kohlberg, op. cit., p.3

⁹ Sachedina, op. cit., p. 26

Shī'ias into many branches, including the Zaydis, the Ismā'īlīs, and the Imāmī Shī'as.

The latter trend was comprised of the followers of the fourth imām Zayn al-'Abidīn, the grand son of 'Alī bin Abī-Tālib, the first Shī'ī imām, and his successors. The trend would later evolve as the Twelver Shī'ī sect, whose position was mainly apolitical¹⁰. The attribution of Twelver Imāmis relates to the particular paradigm of religious leadership that became the chief feature of communal belonging. However it had to wait for Ja'far al-Ṣādiq (702-765) to put the notion of the centrality of leadership in a definite religious form.

2-The Legacy of Ja'far al-Sadiq

The sixth imām assumed the office of imamate in 733 until his death in 765. This epoch was characterised by the decline of the Umayyad power. In contrast, the move towards politicisation with the revolt of Zayd, the uncle of al-Ṣādiq, against Caliph Hisham in 739 gave rise to Shī'ism.¹¹ After the Umayyad dynasty collapsed in 750, the Islamic Caliphate was taken over by the 'Abbasids, a branch of the Hāshim clan of the Prophet Muhammad. Many historians, such as Welhausen, believe that the 'Abbasids reaped the benefit of the struggles made by Shī'ī factions to depose the Umayyads.¹² The last two decades of the Umayyad reign, and the first decade of the 'Abbasid reign provided an interval during which the rulers were busily defending their power. Therefore, al-Ṣādiq and almost all other scholars of different schools in Islam had the opportunity to pursue without interruption their cultural and educational causes.¹³

Al-Ṣādiq was famous for his thorough and hard work. He is said to have had hundreds of disciples¹⁴. Such claims by Shī'ī narrators are hard to verify since many of their written works are said to have been lost.¹⁵ However the

¹⁰ Kohlberg, op. cit., p. 4

¹¹ Ya'qūbī, Aḥmad, *Tārīkh al-Ya'qūbī*, (Qum 1984). v. 2, p. 325

¹² Welhausen, op. cit., p. 165

¹³ Ḥassan, Ḥassan, *Tārīkh al-Islām*. (Cairo 1964) vol. 3, p. 193

¹⁴ Al-Ḥasanī, Hashim M., *Sīrat al-Āyymnah al-Ithnai 'Ashar*, (Beirut 1990) vol. 2, p. 246

¹⁵ On the works of al-Ṣādiq and his disciples, and especially the so-called 400 sources (*aṣṣ*), see Kohlberg, Etan, "Al- Uṣūl al-arbaumia", in Kohlberg, op. cit., article VII, pp. 128-166

significance of al-Ṣādiq's work is evident by the sizable body of traditions he left. According to some sources, the whole body of traditions of the twelve Shī'ī imāms was narrated by 5415 actual witnesses among whom 3217 narrated only al-Ṣādiq's teachings.¹⁶ This indicates the amount of time he had dedicated to teaching, and the variety of religious subjects with which he dealt. Today, almost two thirds of jurisprudential rules common among Shī'as are referred to al-Ṣādiq's traditions which explains why the Shī'ī legal school was named after him as the 'the Ja'afari School'.¹⁷

It was al-Ṣādiq's efforts which transformed the Shī'ī faith from a sense of political or social affinity with the Prophet's family (*Ahl al-Bayt*) into a distinct religious school. In this regard, al-Ṣādiq has elevated the community leadership to a theological level. It was exclusively attached to the divinely-designated persons whose role was regarded as an embodiment of God's grace and continuity of the Prophet's mission. Therefore, obedience to the leader would be, literally, linked to that of God and the Prophet, regardless of any political or social considerations¹⁸. Such an extremely high regard was necessary in order to distinguish religious grouping under the God-ordained leadership (infallible Imamate) from the politically-motivated groups that were widespread during that epoch.

Al-Ṣādiq's commitment to theological causes was evident in his renouncing of all revolutionary movements including the Hāshimite movement which wanted to nominate him as caliph.¹⁹ His approach was even tougher when it came to those who claimed a religious-based right of leadership²⁰. Nonetheless, al-Ṣādiq welcomed with reservations those revolutionaries whose claim was limited to political leadership as was evident in his treatment of Abu Muslim al-Khurāsānī, the 'Abbasid commander. According to Ṭabarsī, the Shī'ī narrator, Abu Muslim who helped the 'Abbasids to take over Persia, had sought the

¹⁶ Al-Faḍlī, Abdul Hadī, *Tarīkh al-Tashrī'c al-Islamī*, (London 1992). p. 206

¹⁷ Hahn, op. cit., p. 24

¹⁸ Ḥillī, 'Allamah Jamāl al-Dīn, *Al-Alfain*, (Kuwait 1985) p. 200

¹⁹ Ya'qūbī, op. cit., p. 349

²⁰ Al-Mufīd, Shaikh Muḥammad, *Al-Irshād*, (Tehran, n. d.) vol. 2, p. 185. See also Al-Iṣfahānī, Abu al-Faraj, *Maqātel al-Tālibyyīn*, (Beirut 1987), p. 140

support of al-Ṣādiq against his rival 'Abbasid leaders. Al-Ṣādiq did not want to interfere, nevertheless, he gave him a warm welcome²¹, far different from his treatment of his own revolutionary relatives who claimed a divine right of leadership including his cousin Muhammad bin 'Abdullah bin al-Ḥasan, known as al-Nafs al-Zakiya (the pure sole).²²

Al- Ṣādiq's Concept of Religious Imamate

As Montgomery Watt rightly put it, up to the year 750, the proto-Shī'ī idea of charisma was in an extremely fluid state²³. The charismatic figures of the house of Hāshim were popular among the Muslim masses during the period from 700 to 850.²⁴ The Shī'ī community became the major source of recruitment for the militant groups struggling for power. Due to the political chaos, al-Ṣādiq concluded that the time was not right to engage in political activity. Given the revolutionary situation, his withdrawal could not have been easily accepted by the Shī'ī community. Hence, he had to redefine the concept of leadership on a different basis. His new conception makes a clear-cut distinction between political leadership and religious Imamate with regard to the following principles:

a) **Denouncing political leadership as lacking morality**, compared to the religious imamate which is based on pure religious values. Religious sanctity was exclusively assigned to the special concept of imamate, which was no longer associated with a political role.²⁵ This principle has brought about the dichotomy of Imamate-usurpation that dominated the Shī'ī political thought for quite a long time²⁶ and, effectively, hindered the apprehension of politics as a sphere of continuous change.

²¹ Al-Ṭabarsī, Al-Faḍl, *I'lām al-Warā* (Najaf, n.d.) p. 279

²² Al-Ṭabarī, M. ibn Jarīr, *Tārīkh al-Umam wa al-Mulūk*, (Beirut, 1967) , vol. 7, p. 601

²³ Montgomery Watt, "The Significance of Early Stage of Imami Shi'ism", in N. Keddi (ed), *Religion And Politics In Iran*. (New Haven, 1983) p. 23

²⁴ Montgomery Watt, *The Formative Period*, p. 54

²⁵ Kulainī, Muhammad bin Yaqūb, *Al-Kāfi*, (Beirut 1990) vol. 2, p. 287

²⁶ Sachedina, op. cit..., p. 90

b) Ridiculing the struggle for power as futile. To advance this argument, al-Ṣādiq employed the doctrine of divine predestination (*qadar*), according to which the timing of the rise and collapse of dynasties is pre-determined by God.²⁷ Its implication is that the size or strength of opposition cannot determine the fate of dynasties and rulers whose deposition was not due. This notion was previously utilised by the Umayyad dynasty to frustrate their opponents. Here it is noteworthy that the doctrine of predestination was discredited by al-Ḥassan, the second Shī'ī imām.²⁸ Goldziher suggests this tendency has been common among Muslims during most of the Umayyad and 'Abbasid eras during which the rulers encouraged people to be indifferent towards politics.²⁹ Apparently al-Ṣādiq's argument intended to extract Shī'as out of the revolutionary groups, without being obliged to offer a political alternative. It became, however, the basis for a wide range of anti-activist traditions in the Shī'ī school.

c) Modifying the pre-requisites for leadership and its outcomes. In the new concept of Imamate, the leadership is no longer a public office. The imām is designated by God through the words of the Prophet (*naṣṣ*) regardless of the will of the community members.³⁰ Accordingly, the authority is no longer given by contract (*bai'a*) nor is the imām accountable before the public.³¹

The tendency to differentiate political from religious leadership was apparently intended to break the linkage between religious-based legitimacy and the struggle for power. This revolutionary tendency was common among Shī'as, especially the revolutionary trends such as the Zaydis. The separation of the two scopes, though never plainly acknowledged as Sachedina argues³², became an established principle among Shī'ī scholars. Similarly, the qualification for

²⁷ Kulainī, op. cit., vol. 1, p. 430

²⁸ Rahman, Bodiur, "Responsibility for Action in an Early Historical Document of Islam", *The Islamic Quarterly* vol. 34, no. 4, 1990. pp. 235-245

²⁹ Goldziher, Ignaz, *Muslim Studies* (London 1971) Translated by C. R. Barber & S. M. Stern, edited by Stern. Pub. George Allen & Unwin. pp. 93-4

³⁰ Murtadā, al-Sharīf 'Alī al-, *Rasā'el al-Sharīf al-Murtadā*, (Qum 1984) vol. 2, p. 264. On Shī'ī theology of the designated imam, see 'Allāma Ṭabāṭabā'i, "The Imams and the Imamate", in Nasr, Dabashi and Nasr (ed.), *Shi'ism: Doctrine, Thought and Spirituality*, (New York, 1988), pp. 156-167

³¹ Kulainī, op. cit., vol. 1, p. 433

³² Sachedina, op. cit., p. 62

leadership was linked to the possession of infallible knowledge as distinguished from interpretive knowledge acquired by fallible scholars.³³ Al-Ṣādiq's special conception of leadership has served to change the Shī'a attitude from being in opposition to the state to being apathetic³⁴ as a means of consolidating the school and preserving its distinctiveness. As suggested by Hodgson, the emphasis on infallible knowledge and designated succession has crucially aided the consolidation of the school behind al-Ṣādiq and his line.³⁵

3- The Occultation of the Twelfth Imām (260/874)

According to the Shī'ī sources, the eleventh imām, al-Ḥassan al-'Askari, had a son, Muḥammad, born in 869 but he was not allowed to appear in public in order to protect him from the 'Abbasid caliph al-Mutawakkel (847-861)³⁶. Only a few of the close members of the family had seen the heir of the Imamate before he went into hiding. Apparently, the earlier Shī'ī scholars supposed that the hiding would not last long³⁷. Nevertheless, as the years went on, the hope for the early return of the imām gradually dimmed and the community divided over the viability of Imamate³⁸. A traumatic state went on for years. As the notable scholar 'Alī Ibn Bābwayh, known as Shaykh al-Ṣadūq wrote in 979, people were still doubting the case of occultation and seeking an explanation³⁹.

The occultation has symbolised the absence of the possibility of reinstating justice and legitimate government in the world.⁴⁰ One day, Twelver Shī'as believe, the savior Mahdi will appear, summon the believers to arms,

³³ Kulainī, op. cit., 294

³⁴ Arjomand, *The Shadow Of God and the Hidden Imam*, (Chicago, 1984), pp. 58-9

³⁵ Hodgson, Marshall, "How did the Early Shī'a Become Sectarian". *Journal of the American Oriental Society*, 75, No. 1, January-March 1995. (pp. 1-13), p. 12

³⁶ Ṭūsī, Muḥammad, *Al-Iqtisād fīma Yata'allaq bi al-'Itiqād* (Beirut 1986) pp. 233-4

³⁷ This supposition was implied in many rules endorsed by early Shī'a jurists. For instance, religious taxes (*zakāt*) and (*khums*) were advised to be reserved until the hidden imam re-appeared, and followers were to retain swords to show their readiness to join the imam's army, and so on. See al-Shaykh al-Mufīd, *Al-Muqne'ah*, (Qum 1990) p. 286

³⁸ Hussain, Jassim, *The Occultation of the Twelfth Imam*, chapter 3, c. edition, retrieved on Oct. 7, 2003 from: www.yamahdi.com/books/pdf/occultation

³⁹ Al-Ṣadūq, Muḥammad bin 'Alī, *Kamāl al-Dīn*, (Qum 1995) the preface, and v.1, p. 126.

⁴⁰ Algar, Hamid, "The Oppositional Role of the ulama in Twentieth-Century Iran", in N. Keddie, *Scholars, Saints, Sufis*, (Berkeley 1972), p. 232

destroy all tyranny, and fill the earth with justice even as it has been filled with injustice. No one can guess the time or place in which his triumphant reappearance will take place.⁴¹ For Shī'a scholars the occultation means that bidding for power is no longer legitimate since such endeavor lacks the potential to succeed. If the case was not as such, the imām would have reappeared⁴². Accordingly, the religious rules whose enforcement requires the state power would be suspended⁴³ or entrusted to temporal rulers.⁴⁴ By so doing the aspiration for social justice was given an idealistic character and dealt with as a theological rather than a practical concept.⁴⁵

Post-Occultation Challenges

Despite the turmoil on the religious front, the Shī'a community saw an overall improvement in its fortunes aided by the decline of the 'Abbasid power throughout the greater part of the tenth century.⁴⁶ In many regions, the 'Abbasid caliphate had its power taken over by local commanders including Shī'i tribal lords. In North Africa, Isma'īlī Shī'as established a counter-caliphate in 909. Northern Iraq and then Syria came under the control of the Ḥamdanids in 944. The Buyids were able to take control of Baghdad, the centre of the Islamic caliphate. It is not surprising, Kohlberg suggests, that the tenth century has come to be known as the Shī'i century⁴⁷. The rule of the Buyids (945-1055) was characterised by tolerance and respect to all schools of thought. Their reign saw the emergence of some important theories regarding the relationship between religion and state in Islam, notably the theory proposed by Mawardi the notable Shāfi'i scholar and the one proposed by Sharīf al-Murtaḍā, the Shī'a leader. Both scholars draw a clear line between the legitimacy acquired through public

⁴¹ Ṭūsī, op. cit.

⁴² Najafī, Muhammad H., *Jawāhir al-Kalām*, (Tehran 1988) v. 22, p. 182

⁴³ Anṣārī, Murtaḍā., *Kitāb Al-Makāsib*, (Qum 1999) v.3, p. 554

⁴⁴ Al-Baḥrānī, Yousif, *Al-Ḥadāeq al-Nāzerah*, (Beirut 1993) v. 25, p. 488

⁴⁵ Algar, op. cit..

⁴⁶ Kohlberg, "The Evolution of the Shi'a", op. cit.. p. 14

⁴⁷ Kohlberg, op. cit.. p. 15

consent (*bai'a*) and the permissible obedience to the ruler who acquires power by the means of usurpation as in the case of the Buyids.

During the first half of the eleventh century, religious scholars have emerged as a major force in the Shī'a community. The evolution of their role was aided by the recognition of relative knowledge, hence, independent judgement, or *ijtihād*, as a proper source for authoritative rulings in religious affairs.⁴⁸ Ijtihad gives a role to rational judgment (*'aql*) almost on par with the imāms' traditions (*naql*) when giving religious rulings relevant to the realities of social life⁴⁹. Through the process of ijtihad, the scholar abstracts the principle embedded in a contextual judgement previously made by an infallible imām and applies it to the other contexts which bear similarities to the previous one. In respect of political thought, ijtihad has helped to remove the limitations inherent in the traditional theology which, effectively, restricted Shī'ī political thought to the narrow framework of the doctrine of Imamate. It must be recalled that the model of leadership adopted after al-Ṣādiq was tailored to fit exclusively the holders of divinely ordained knowledge, namely the infallible imāms⁵⁰. With the relative knowledge being recognised, the office of communal leadership would be perceived impartially whereby every Shī'a individual could qualify for the office through the acquisition of fallible knowledge.

Ijtihad was first employed in the Shī'ī school by Ḥassan al-'Umānī and Ibn al-Junayd al-Iskāfī. The two scholars have lived in Baghdad in the late tenth century and were famed for pioneering the call to integrate reason as an independent source for religious ruling⁵¹. The initiative of 'Umānī and Iskāfī was pursued by Muḥid, Murtaḍā, and Ṭūsī whose influential works have earned them

⁴⁸ Akhavi, Shahrugh., *Religion and Politics in Contemporary Iran* (Albany, 1980), p. 11

⁴⁹ Halm, op. cit., p. 99

⁵⁰ Moezzi, Mohammad., *Divine Guide in Early Shi'ism* (Albany, 1994) p. 125

⁵¹ Al-Qummī, 'Abbās, *Al-Kunā wa al-Alqāb*, (Tehran. 1989) vol. 1 p. 199. Both 'Umānī and Iskāfī lived in the second half of the tenth century, there is no definite date for their death, yet Tehrani reluctantly puts Iskāfī's death at 381 AD/991. see: Tehrani, Aghā Buzurg, *Al-Thari'ah ala Tasañif al-Shī'a*, (Beirut 1983) vol. 14 p. 259). For more information on the two scholars, see al-Amīn, Muḥsin, *A'yān al-Shī'ah*, (Beirut 1986) vol. 2 p. 212

the spiritual leadership of the community and signalled the emergence of the earliest form of religious establishment in Shī'ism.⁵²

The First Approach to the Issue of Authority

The Shī'as rise to power was an upsetting blow to the dogma of passively awaiting the return of the Mahdi (*intizār al-faraj*), an integral principle of the belief in his occultation. According to the doctrine of Mahdism, the possibility of a just rulership has disappeared from the world. Thus all forms of cooperation with temporal rulers were seen as an affirmation of injustice and usurpation, hence they were impermissible. The latter assumption was affirmed by the inherent tendency of the Imāmi Shī'as to dissociate themselves from all ruling powers as a result of the lack of any prospect of taking political power.⁵³ In contrast, the new socio-political developments have made the dogma to appear irrelevant. This challenge has prompted the scholars to rethink the old doctrine of leadership.⁵⁴ The problem posed here was how to allow people to take part in the state affairs without damaging the bedrocks of the doctrine of Imamate, which has been so far the major agent of communal cohesion.

The approach of the three scholars, Mufīd, Murtaḍā, and Ṭūsī involved a revision of the doctrine of Imamate whereby the office of rulership was differentiated from the person of the imām. Shaykh al-Mufīd (d-1022) was taught by 'Umānī. Sharīf al-Murataḍā (d-1044) was the son of a notable family. Abu Ja'far al- Ṭūsī (d-1076) is known for establishing the religious school of Najaf. All the three have assumed the leadership of the Shī'a community in Baghdad and were famed for being the fathers of the Shī'ī jurisprudential school.

Theoretically, it was said that the imām in person is the appointee of God to care for the interests of the umma. If the imām is not available, the office of Imamate is to be suspended. On the other hand, the interests of the umma are to

⁵² Halm admits that Shī'a scholars were spiritually influential during this period, however, its institutional form has emerged only during the Safavid era. Halm, op. cit., p. 108. This assumption has also been held by other writers (see for example the account of Arjomand, op. cit., p. 211).

⁵³ Halm, op. cit., p. 88

⁵⁴ Halm, ibid. p. 94

be administered in the best possible manner by other people. The focus here is on public order and other material interests rather than the righteousness and the quality of the ruler which is the focus of the doctrine of Imamate.

To effect that change, the scholarly discussion over the state was transferred from the domain of theology to the domain of jurisprudence, where the formulation of religious rules follows reason-based criteria. The function of the state was attached to the conceptual framework of commanding good and prohibiting evil (*al-amr bi'l-ma'rūf wa'al-nahy 'an al-munkar*). In this framework, the focus is on the state's objectives and performance. On the same basis, the state institution came to be seen as being independent from the person of the ruler. Employing Plato's explanation of the emergence of the state, Ṭūsī holds that:

The presence of an obeyed ruler would effectively balance the relationship between people, by deterring heedlessness, punishing felons, and helping weaker people to recover the rights abused by stronger ones. Thereby the community would more likely be virtuous. In contrast, the absence of an effective leader would result in the spreading of corruption, indiscipline, disorder, and in general, a hardship of livelihood. This is an established and indisputable fact.⁵⁵

Ṭūsī concludes that the assumption of power, if helpful to achieve the said objectives, is desired by God. Mufīd outlines a set of norms to be observed by state officials in order to ensure the legitimacy of their rule. In his view, a legitimate official should commit himself to preventing injustice, helping powerless people achieve their rights, and ensuring the good of the community. Upon the observation of these norms, individuals are allowed to cooperate with temporal rulers.⁵⁶ Mufīd's approach was enriched and methodologically reaffirmed by his two disciples Murtaḍā and Ṭūsī⁵⁷. In his *Mas'ālah fi'l-'amal ma'a al-Sultan* (=A treatise on working for the ruler) Murtaḍā justifies political participation on an ethical basis, which is clearly distinguished from the

⁵⁵ Ṭūsī, *Al-Iqtisād*, p. 297

⁵⁶ Al-Mufīd, *al-Muqne'ah*, p. 810

⁵⁷ Arjomand, *op. cit.*, p. 63

normative principles legitimating political domination⁵⁸. His thesis was written in 1025, but it still dominates Shī'ī jurisprudential debates over the relationship with illegitimate rulers⁵⁹.

This conciliatory approach was aided by the notion of *ḥisba* as conceptualised by Abu al-Ḥassan al-Mawardī, the notable Sunnī scholar (d.1058). *Ḥisba* provides an operational framework for carrying out the range of duties under the category of the commanding of good and the prohibiting of evil. It aims mainly to maintain social order and general welfare.⁶⁰ In this view, the responsibility for fulfilling those duties is borne by the society as a whole. An individual can undertake the responsibility within his capacity as a member of the society, i.e. an actor in the public sphere⁶¹. According to the prominent Iranian scholar Ayatollah Montazerī, most of the duties categorised as *ḥisba* are identical to the public services undertaken nowadays by the various branches of the modern state⁶².

The new approach has benefited Shī'a laymen, and helped to enhance the role of the scholars. On the intellectual front, it was a remarkable step towards a new paradigm of authority in Shī'ism concentrating on achievable and rationally-defined objectives rather than idealistic ones. From then on, most of the debates over the religious-based authority would revolve around the extent of correspondence or differentiation between this approach and the old one.

The Emergence of the theory of Jurist's Guardianship

The rise to power of the Seljuq Sunni warlords in Baghdad in 1055 signalled a reversal in Shī'a interests in politics. Ṭūsī, the community leader,

⁵⁸ This treatise was translated into English by Wilferd Madelung: "A Treatise of the Sharif al-Murtada on the Legality of Working for the Government (Mas'ala fi 'l-'amal ma'a 'l-sultan)", *Bulletin of the School of Oriental and African Studies*, , vol. 43, no. 1, (1980), pp. 18-31

⁵⁹ Arjomand, op. cit., p. 65

⁶⁰ Mawardī, Abu al-Ḥassan, *Al-Aḥkām al-Ṣultāniyyah wa al-Wilāyat al-Diniyyah*, (Qum 1986) p. 247

⁶¹ Kāshif al-Ghiṭā, 'Ali, *Al-Nūr al-Satī'*, (Najaf 1961) vol. 1, p.504

⁶² Montazerī, Ḥussayn , *Dirasāt fi Wilāyat al-Faqīh*, (Beirut 1988) vol. 2, p.259

moved from the capital to the peripheral village of Najaf. His death in 1076 was followed by a century of decline in Shī'ī educational institutions.⁶³ During the fourteenth century, a revivalist movement emerged by the students of the school of Ḥilla, 20 miles south Baghdad including al-Muḥaqqiq al-Ḥillī (1205-1277), 'Allama al-Ḥillī (1250-1325) and 'Amilī, known as the First Martyr (1333-1384). Their intellectual work made a significant breakthrough in the religious studies and helped to revitalise the rationalistic methodology of Shī'ī jurisprudence.⁶⁴ While kept aloof from politics, the school of Ḥilla has made an important contribution to the religious debate over leadership, notably the formulation of notion of deputyship of the imām.

The term 'the imām's deputy' (*nā'ib al-imām*) was first employed, in a limited sense, by Abu al-Ṣalāḥ al-Ḥalabī (d-1055) who permitted the qualified scholar to assume the office of judge under the usurper's rule. In his view, the judge acts on behalf of the absent imām and in the capacity of his deputy notwithstanding his apparent submission to the usurper.⁶⁵ In contrast, the notion proposed by al-Muḥaqqiq al-Ḥillī suggests that every qualified jurist is a potential deputy of the absent imām, hence authorised to oversees the tasks falling within the imām's competence.⁶⁶ Compared to the approach of Mufīd and Murtadā which aimed to facilitate the participation in the state affairs by the Shī'a laymen⁶⁷, Ḥillī's approach aims to consolidate the position of mujtahid as the source for emulation and the responsible for spiritual affairs of the community. Ḥillī's disinterest in politics is evident in his skeptical approach to political issues such as the enforcement of laws by fallible rulers⁶⁸. Nevertheless, his work has effectively helped the rise of the qualified scholars (*mujtahid*) to the highest authority in Shī'a community.

⁶³ Ṣadr, M. Bāqer, *Al-Ma'ālīm al-Jadīdah li'l-Uṣūl*, (Beirut 1981), p. 62

⁶⁴ Halm, op. cit., p. 101 A

⁶⁵ Ḥalabī, Abu al-Ṣalāḥ, *Al-Kāfī fī al-Fiqh*, (Isfahan 1983) pp 420-423

⁶⁶ Al-Muḥaqqiq Al-Ḥillī, *Sharī' al-Islam*, (Tehran 1990) vol. 1, p.138. This assertion concerned particularly the authority of the mujtahid to manage the religious taxes (*khums*) in his capacity as deputy of the imam.

⁶⁷ Arjomand, op. cit., p. 141

⁶⁸ Al-Muḥaqqiq Al-Ḥillī, op. cit., p. 260

The Rise of the Safavid Dynasty (1501-1722)

The rise of the Safavid dynasty in Iran marked the most significant event in the pre-modern history of Shī'ism since the Occultation. From 1501 onward, Iran and Shī'ism became inextricably associated. Shī'ism gave the new state its national identity and earned the political power it needed to forge a committed society.⁶⁹ Declaring Shī'ism as the official religion, and the decisive efforts which were made to incorporate the population within the school, has served the emergence of the school's spokesmen as a powerful force in the public sphere.⁷⁰

Shaykh 'Alī al-Karakī (d- 1534) was the first eminent Shī'ī mujtahid serving at the Safavid court. Politically-minded, Karakī was keen to establish his status as a 'partner' in the king's authority. In his lengthy book *Jāmi' al-Maqāṣid* and other treatises, he asserts that the imām's deputy is the only holder of legitimate authority.⁷¹ Enayat suggests that Karakī had a great conviction in the jurist's guardianship.⁷² This suggestion is arguable. An analysis of his various works shows that he was not decisive when it came to the political aspect of the jurist's authority. Nevertheless he empowered the imām's deputy with two important privileges, namely the endorsement of the ruler's authority and the assumption of all religious functions initially assigned to the infallible imām.⁷³ Karakī's proposals were initially disputed by his peers⁷⁴, but gradually gained wide currency in the religious circles. Embracing a realistic view, Karakī has acknowledged the division of labor between state and clergy, yet he tended to re-balance the share of power possessed by the two sides. For him, the imām's deputy was independent and his department was by no means subject to the rule of the king⁷⁵. In Arjomand's account, the recognition of Karakī as the imām's

⁶⁹ Richard, op. cit..., p.78.

⁷⁰ Halm, op. cit..., pp. 106-8

⁷¹ Karakī, 'Alī, *Jāmi' al-Maqāṣid fi Sharḥ al-Qawā'id*. (Qum, 1988), v. 11, p. 266

⁷² Enayat, Hamid, "Iran: Khumayni's Concept of the Guardianship of the Jurisconsult", in James Piscatori (ed.), *Islam in the Political Process*, (Cambridge 1984), 160-180: p. 161

⁷³ Karakī, 'Alī, "Qaṭi'at al-Lijāj", in Bustani, Maḥmūd (ed) *Al-Kharajāt* (Qum, n. d.), p. 56

⁷⁴ Arjomand, op. cit..., p. 136

⁷⁵ Romlo, Hassan, *Aḥsan al-Tawārīkh*, (Tehran 1978) v. 12, p. 249

deputy by Tahmasb, the second Safavid king, could be regarded as the milestone marking the creation of a Shī'ī hierocracy in Iran.⁷⁶

During the interval of chaos following the demise of the Safavids in 1722, the 'ulamā lost their political influence but retained stronger positions at the local level. Shortly after the rise of the Qajar dynasty in 1794, the 'ulamā recovered much of the influence they had lost⁷⁷ and were ready to play a wider role in national politics⁷⁸. The Qajar era was characterised by state impotence and increasing foreign interference.⁷⁹ Both factors have contributed to the rise of the political role of the 'ulamā, especially during the reign of Fath 'Alī Shāh (1797-1834).⁸⁰ The decisive moment came in 1808 when the king sought the support of the 'ulamā against the Russian encroachment in the northern territory. Three of the eminent mujtahids wrote theses endorsing the authority of the king and asking people to stand by him.⁸¹ Ja'far Kāshif al-Ghiṭā, the great mujtahid of the time seized the opportunity to outline his proposal on legitimate authority. Kāshif al-Ghiṭā (d.1813) was known for his great interest in reasoning and rationalistic derivation of religious rules. He was described by his biographers as politically minded and famed for his efforts to mobilise people to defend Najaf against the Saudi-Wahabi assaults (1801-1806), as well as mediation between the Ottomans and the Qajars in 1812.⁸²

In comparison to preceding scholars, Kāshif al-Ghiṭā dealt with the question of political authority in a relatively precise manner. He firstly defines the main point, namely the issue of political leadership "which needs an effective, intelligent, and decisive ruler".⁸³ Then he states the problem pertaining

⁷⁶ Arjomand, op. cit., p. 130

⁷⁷ Cole, Juan R., "Imami Jurisprudence and the Role of the Ulema", in N. Keddi, *Religion And Politics*, p. 40

⁷⁸ Morgan, op. cit., p. 159

⁷⁹ Keddie, N., "The Roots of the 'ulamā's Power in Modern Iran" in Keddie, *Scholars, Saints, Sufis*, p. 213.

⁸⁰ Hairi, Abdulhadi, "The Legitimacy of Early Qajar Rule Viewed by the Shi'i Religious Leaders". *Middle Eastern Studies*, vol. 24, 1998, p. 272

⁸¹ Raḍawī, Mahdī, in Mirzā Qummī, *Jāme'-al-Shetāt*. (Tehran 1991) vol. 1, p. 24

⁸² Amīn, op. cit., vol. 4, p. 99

⁸³ Kāshif al-Ghiṭā, Ja'far, *Kashf al- Ghiṭā*, (Isfahan, n. d.), p. 394

to rulership, namely the state suppression of individual whereby, he argues that: “Initially all human beings are equal. No one is superior to any other, unless he is authorised by God, the master of all”.⁸⁴ His aim was to assert the legitimate objectives of state and its performance as a sufficient basis for claiming obedience. His proposals came through comparing the obedience to the imām and to the king, where the former is ascribed to God ordinance whereas the latter is linked to the legitimate objectives pursued by the state.⁸⁵ Kāshif al- Ghīṭā was among the few scholars who acknowledged the conventional basis of the state and set aside the theological dichotomy of Imamate-usurpation. For him, the best ruler is the imām or his appointee, including the qualified jurist,

Should they be unavailable, incapable, or reluctant to undertake the responsibility, any fair-minded and skillful Muslim might take over. Accordingly people should give him full obedience. Insurrection is tantamount to opposition to God and the Prophet.

Finally he concludes that “provided the authority of the king has to be endorsed by the imām’s deputy, I hereby, endorse the authority of king Fath ‘Alī Shāh”.⁸⁶

In a sense, the assertion of Kāshif al-Ghitā has effectively extended the authority of the mujtahid to the political domain. While Ḥilli focuses on the religious aspect of the imām’s deputyship, and Karakī employs this prerogative to claim a kind of partnership in power with the king, Kāshif al-Ghitā takes the matter to its logical conclusion by claiming the right of religious leader to rule or otherwise endorse the authority of the incumbent ruler. Apparently, he was the first eminent mujtahid to claim such authority in plain words. In my opinion, his proposal is tantamount to the prototype of the theory of jurist’s guardianship (wilāyat al-faqīh), however without putting forward this particular term.

The doctrine of jurist guardianship was finalised and methodologically established by Aḥmad Narāqī, the religious leader of Kashān, central Iran (1771-1828). Unlike Kāshif al-Ghitā, the political application of the theory does not

⁸⁴ Kāshif al- Ghīṭā, *ibid.*

⁸⁵ Kāshif al- Ghīṭā, *ibid.*

⁸⁶ Kāshif al-Ghitā, *ibid.*

seem to have concerned Narāqī. In the preface to his thesis, he ascribes his concern with the issue to the irregularities committed by non-qualified judges who unlawfully claim the position of imām's deputyship, i.e. the authority to act independently.⁸⁷ He also gives numerous examples to illustrate the scope of the authority enjoyed by a qualified faqīh, none of which relates to the political sphere.⁸⁸ Nevertheless, his formulation he made has provided later scholars with a ready formed theory to be employed in the political sphere. The spectrum of the faqīh's authority in the thesis of Narāqī falls into two categories:

All functions attached to the office of imamate unless they are assigned to the imām in person.

The duties concerning public interest under the category of *ḥisba*. They are to be fulfilled by the faqīh or other individuals with his consent.⁸⁹

To establish his proposal theoretically, Narāqī referred to a number of narrations attributed to the imāms, none of which is sufficient to support such a radical conclusion. Admitting this problem, he argues that they all voice the same idea, namely the authority of faqīh and that none of the preceding scholars have denied their authenticity.⁹⁰ In a previous work, I have made an extensive examination of the narrations adopted by Narāqī focusing on their authenticity and reliability with reference to both the criteria of Shī'ī jurisprudence and the opinions of a number of eminent scholars. My conclusion is that Narāqī's thesis cannot be firmly grounded on the imāms' traditions.⁹¹ However, it could be legitimized on a rationalistic basis, as Ayatollah Khomeini did later,⁹² which effectively takes the theory into another territory, but, absolutely not the traditional platform.

⁸⁷ Narāqī, Aḥmad, *'Awā'id al-Ayyām*, (Qum 1988) p. 186

⁸⁸ Narāqī, *ibid.* pp. 190-192

⁸⁹ Narāqī, *ibid.* pp. 188-9

⁹⁰ Narāqī, *ibid.* p. 189

⁹¹ Alsaif, Tawfiq, *Nazariyat al-Ṣulṭa fī al-Fiqh al-Shī'ī*, (Beirut 2002) pp. 172-6, 185-91

⁹² Khomeini, Ayatollah, *Kitāb al-Bay'*, (Qum 1985) vol. 2, p. 461. The weakness of the above narrations was admitted by Khomeinī in his study of the principles of jurisprudence. See: Subḥānī, Ja'far (ed.), *Taḥṭhīb al-Uṣūl* (Qum, 2000), p. 85

Narāqī's proposal gained currency in the scholarly circles only after it was challenged by his disciple Murtaḍā al-Anṣārī in 1862. Anṣārī (1799-1864) was probably the first leader recognised by Ūṣūlī Shī'as as a universal exemplar (*marjī' al-taqlīd*).⁹³ His theoretical work enjoys considerable authority in the Shī'ī school of jurisprudence. His work on the religious accommodation of worldly affairs, entitled *al-Makāsib*, has been commented upon, and elaborated by most of the later great mujtahids. Of these works, there are at least twenty published books. One of Anṣārī's most important legacies has been his review of the theoretical basis of the relationship between the religious leader and individual members of the community. After him, Cole argues, the office of exemplar introduced the possibility of a strong and centralised leadership⁹⁴. Although Anṣari refrained from political activity, the structure he helped to establish had a great potential for mobilising the Shī'as in political causes.⁹⁵

Anṣārī was not satisfied with the extensive powers invested in the faqīh by Narāqī's theory of jurist's guardianship. He fundamentally challenged its basis and applications and concluded that none of them could be safely established on the basis of the imāms' traditions. Unlike his predecessors, Anṣārī took the doctrine of Imamate as the only criterion for correcting the delegation of power from the imām to fallible persons. He acknowledges the absolute authority of the imām but firmly rejects a fallible person's eligibility to hold such immense powers.⁹⁶ In his view, the powers of mujtahid are restricted to the instruction of religious laws (*fatwā*) and judgement (*qaḍā*).⁹⁷ Here, it is noteworthy that Shī'a scholars are in agreement on the absolute nature of the imām's authority in the broad sense,⁹⁸ yet some of them are sceptical about its applicability in the cases that involve a clear curtailment of the basic rights of individuals. Baḥr al-'Ulūm, for instance, argues that it is almost impossible to

⁹³ Halm, op. cit., p. 120

⁹⁴ Cole, op. cit., p. 34

⁹⁵ Cole, ibid. p. 46

⁹⁶ Anṣārī, op. cit., p. 553

⁹⁷ Anṣārī, Murtaḍā, *Kitāb al-Qaḍā wa al-Shahadāt*, (Qum 1993) p. 47

⁹⁸ Khurasanī, Ākhūnd M., *Hashiat al-Makāsib*, (Tehran 1986) p. 92

find any indisputable evidence in the entire history of the imāms proving that they have actually exercised the claimed absolute authority.⁹⁹

In Anṣārī's view, the powers of the imām cannot be delegated simply because they either stem from his infallibility or because infallibility is a prerequisite for exercising them.¹⁰⁰ He argues that there is no undisputable means to distinguish those particular powers that pertain to infallibility from the ones pertain to his office as ruler. Therefore, the only practical way to avoid violating the imām's sanctity would be to restrict the faqīh's authority to the scope of non-disputable cases. Having done so, Anṣārī says, we would not have the imām's authority invested in the mujtahid, but rather a number of tasks that could be independently based upon general or specific principles available in Shari'a. Such a basis is different from the one upon which the imām's authority is based.¹⁰¹

One of Anṣārī's significant innovations was his differentiation between two aspects of the imām's authority: the first is the power based on infallibility or, as he puts it 'power upon'. The second is the power attached to his office as ruler, or, as he puts it 'power for'.¹⁰² The former cannot be invested in a fallible person since it is of an absolute nature. The latter type of power is applied to meet 'the need for supervision' in particular cases where individuals such as orphans, people with a mental disability and so on, need to be supervised. In such examples, Anṣārī suggests, the authority is of fostering. The authorised guardian has the power to care for the dependent individual including the management of his properties but not the power over his person. This type of authority could be obtained by every trustworthy adult with the consent of mujtahid in his capacity as judge¹⁰³.

Despite Anṣārī's discontentment with the theory of jurist's guardianship, his profound argumentation with regard to its bases and applications has drawn

⁹⁹ Baḥr al-'Ulūm, Muḥammad, *Bulghat al-Faqīh* (Tehran, 1984) vol. 3, p.215

¹⁰⁰ Anṣārī, *Kitāb al-Makāsib*, v.3, p. 556-7

¹⁰¹ Anṣārī, *ibid*, p. 553

¹⁰² Anṣārī, *ibid*. p. 560

¹⁰³ Anṣārī, *ibid*. p. 552

the attention of the religious seminaries to the focal questions of authority and its implications. It could be said without reservation that almost all subsequent debates about authority in the Shī'ī seminaries have, by and large, revolved around the assumptions and conclusions laid out by Anṣārī. On the other hand, the political developments during the following years have fueled the debate about the political application of the theory. From the Tobacco Revolt on, the involvement of the 'ulamā in politics intensified, which brought into question the nature of this involvement, its basis and limits.

Towards the Twentieth Century

The Tobacco Revolt of 1891 was the first opportunity to demonstrate the political potential of the exemplary institution established by Anṣārī. The revolt was triggered by a concession given by Nāṣir al-Dīn Shāh, the fourth Qajar king (1848-1896) to a British company involving a monopoly of the local tobacco trade. Mirza Shirāzī (d-1895), the successor of Anṣārī, has protested and issued a religious decree (*fatwā*) prohibiting tobacco trade and usage. The decree was observed throughout the nation and forced the king to back down.¹⁰⁴ Despite its limited purpose, the Tobacco Revolt was the first mass mobilization against the state. It has also facilitated a special role for the clergy who appeared as the most likely candidate to represent the people and their interests¹⁰⁵. In his correspondence with the king, Shirāzī did not deny the king's authority but reminded him of its 'limits' as well as his duty to safeguard the national independence and the rights of the nation. Apparently Shirāzī is the first Shī'ī grand mujtahid to use the concept of 'nation' in the political sense. Before that, mujtahids tended to use the term of 'subjects' rather than nation or people.¹⁰⁶

Fifteen years later, there was another showdown with the state over the limits of the king's authority. On both sides, the Constitutionalist and the

¹⁰⁴ On the career of Mirzā Muḥammad Ḥassan Shirāzī, see: Litvak, Meir, *Shi'i Scholars of 19th Century Iraq*, (Cambridge 1988), p. 84

¹⁰⁵ Keddie, N, "Iran, Understanding the Enigma: A Historian's View", *Middle East Review of International Affairs Journal*, V 2, No. 3, September 1998. retrieved from (www.ciaonet.org/olj/meria/meria98_keddie.html)

¹⁰⁶ Kadivar, Jamilah, *Tahavūlc Gofṭamān Siāsī Shī'a dar Iran*, (Tehran 2000) p. 208

royalist, there were clerics, traders, and secular intellectuals.¹⁰⁷ The Constitutional Revolution was the threshold that Iran crossed to join the modern world. Since 1906 the country had a constitution, a parliament and, above of all, a nation aware of its rights and role.

It is noteworthy that the doctrine of wilāyat al-faqīh was not a prominent issue during the Constitutional Revolution despite the fact that many high ranking clerics, including grand mujtahids, have played major roles in the revolution¹⁰⁸. There are, however, various explanations for this. According to Maḥallātī, a Constitutionalist cleric, the question of jurist's governorship had not been raised by the public. The 'ulamā used to address questions only when they were raised by the public.¹⁰⁹ Na'inī, another Constitutionalist mujtahid, expresses doubts about the theory's efficacy in curbing state tyranny. Instead, he argued that only a well-defined set of institutions, rules, and procedures can do that job.¹¹⁰ Na'inī's treatise on the constitutional government is the earliest scholarly work of its kind from the religious seminaries.¹¹¹ The highest-ranking mujtahid of the time, Ākhūnd Khurāsānī, rejects many of the arguments supporting the theory and suggests that the authority of the faqīh is limited to the religious affairs.¹¹² Fazlullah Nūrī was the only eminent mujtahid to uphold the idea of the faqīh's political authority. Unfortunately, he stood by the king against the constitution which effectively invited accusations that his argument came from political, rather than purely religious, motives. With the

¹⁰⁷ For a background on the positions of the clerical groups, see Arjomand, Said, (ed.), *Authority and Political Culture in Shi'ism*, (Albany 1988), p 180.

¹⁰⁸ Lahidji was among few researchers undervalued the role of the clergy in the Constitutional Revolution. He argued they were not the leaders nor were they informedly constitutionalist. Lahidji, Abdol Karim, "Constitutionalism and the Clerical Authority" in Arjomand, op. cit., pp. 133-158

¹⁰⁹ Maḥallātī, M. Ismā'il, "Al-La'ālī al-Marboutah fi Wujūb al-Mashrūṭah", in Zargarinajād, G. (ed.), *Rasāel Mashrūṭiat*, (Tehran 1995) pp. 495-549: 525

¹¹⁰ Na'inī, M H, "Tanbīh al-Umma wa Tanzīh al-Millah" in Tawfiq Alsaif (ed.), *Dhidd al-Istibdād*, (Beirut 1999) pp. 252-9

¹¹¹ The treatise of Na'inī (= An Admonishment to the Nation and Exoneration of the Faith) was first published in 1908-9 in Najaf, Iraq. On the major elements of the book, see: Algar, op. cit., p. 238

¹¹² Khurāsānī, op. cit., p. 92

Constitutional Revolution, the ‘ulamā have gained more political power and their role was formally acknowledged in the constitution¹¹³.

Conclusion

Imāmi Shī‘ism emerged as a political trend but developed into a religious school with mainly apolitical tendencies in the eighth century. Until the occultation of the twelfth imām in 874, the Shī‘ī worldview was dominated by the dichotomy of imamate/usurpation in which all forms of rule other than the infallible imamate were regarded as illegitimate. The improvement of the socio-political circumstances in the tenth century had incited a shift in the Shī‘ī thought and reflected on three aspects: a) the fallible knowledge was established as an authoritative source of the religious ruling, b) the religious scholars emerged as a communal leadership, and c) cooperation with temporal rulers was permitted.

A formal Shī‘ī religious establishment emerged in Iran during the Safavid reign, and acquired more influence on public affairs at the late nineteenth century. With the Tobacco Revolt of 1891, the religious establishment emerged as a major political force and had its role recognised in the Constitution of 1906. Although the doctrine of wilāyat al-faqīh has appeared since the early nineteenth century at least, the religious establishment did not seriously seek to establish an exclusively clerical government. It was the ripening of the general circumstances in the late twentieth century that enabled the doctrine and its major advocate Ayatollah Khomeini to emerge as the determinant force on the political arena in Iran, a development that led to the Islamic revolution in 1979.

The long debate over religious authority has been centred on three points:

- The source of authority, whether it is based on divine designation or objective considerations
- The extent of power wielded by a fallible person, particularly when it involves a curtailment of individual rights and property,

¹¹³ Halm, op. cit., p. 126

- The role of the religious scholars as the source of religious teachings.

Successive modifications throughout a long history have culminated in a paradigm of authority different from the one fostered by the doctrine of imamate. The two paradigms agree in some respects and differ in others, including:

1- Legitimacy: In both paradigms, Imamate is the only legitimate form of government. Nevertheless, the new one acknowledges a kind of provisional legitimacy based on the competence of the temporal ruler to promote the public interest. Thus, unlike the doctrine of Imamate, political participation within temporal rule is permitted.

2- Obedience: In the old paradigm, individuals were asked to obey their rulers in order to avert oppression, whereas in the new paradigm, the conformity with state regulations was permitted on rational grounds, i.e. to enforce public order. This came through the acknowledgement of the secular nature of the state which effectively took society-state relation out of the religious framework.

3- The role of people: Compared to Sunni scholars, Shī'ī fiqh has largely ignored the contractual aspect of legitimacy namely the *bai'a*. Murtadā was among the few scholars who indicated the possible role of the people in generating legitimacy. He suggests that a usurper's rule can acquire legitimacy if it satisfies the public.¹¹⁴ Along the same line, 'Āmilī, the First Martyr (d.1384), and Miqdād al-Sayūrī (d.1425) suggested that a legitimate ruler should step down if people are no longer satisfied with his rule. He rules on their behalf and must not impose himself upon them.¹¹⁵ However, these ideas remain isolated in Shī'ī jurisprudence in general. During the Constitutional Revolution some scholars came to regard the people as an essential part of the political system and their participation as the guarantor of justice.

¹¹⁴ Murtadā, *Tanzīh al-Anbiā*, (Beirut 1989) p. 139

¹¹⁵ 'Āmilī, Muhammad, *Al-Qawā'id wal-Fawā'id*, (Qum, n.d.) v. 1, p. 406. Sayūrī, Miqdād, *Nadhed al-Qawā'id al-Fiqhia*, (Qum 1982) p. 492

Chapter II

The Project of Ayatollah Khomeini

The emergence of Ayatollah Khomeini's version of the doctrine of jurist guardianship (*wilāyat al-faqīh*) signifies a sharp discursive shift in Shī'ī political thought. It involved an overhaul of the established paradigm of authority based upon the theology of infallible leadership (imamate). By delegating the imām's political authority to the state, Khomeini put an end to the confusion in which Shī'ī political thought had been caught up for centuries.

Khomeini undertook the challenge to politicise a doctrine that was never meant to work in real politics, or, at least that was not sufficiently equipped to do so. His treatise on Islamic government provided a unique approach, applying the principle of jurist guardianship to the broader political crisis over how to provide a religious-based solution in Muslim society. The short book entitled *al-Hukūma al-Islamiyah* (Islamic Government) was the only precise treatise on legitimate government that Khomeini wrote. It was delivered in January 1970 as a part of his study on the jurisprudential issue of authority.¹ Although the treatise was meant to address the jurisprudential aspects of the doctrine, it went far beyond this limit and dealt with some theological, political and cultural questions related to the subject. Later, Khomeini elaborated on the jurisprudential aspect as part of his research on earning and contracts entitled *Kitāb al-Bay'* (firstly published in Najaf, 1971) where he dealt with the various sources of earning and authority.

Most of Khomeini's views in this book resemble those common to the religious seminaries. In his argument regarding jurist political authority, Khomeini candidly observed his peers' reservations towards the technical

¹ This treatise was proposed in form of thirteen scholarly lectures given in Najaf in January and February 1970. Shortly later, it was published and smuggled into Iran. In 1977 it was published in Iran under the title of *Letters from Imam Mosavi Kāshif al-Ghiṭā* without stating the author's name.

weaknesses of the texts and the chains of narration of the imām's traditions.² He relied heavily on rational reasoning in his discussion of legitimate authority in order to skirt around the weak points that earned Aḥmad Narāqī, the founder of the doctrine, a great deal of criticism. Khomeini attached his concept of religious leadership to the principle of the continuity of religion on the one hand, and to the rational justifications of state authority on the other. Apart from the two books mentioned above, Khomeini's political views were expressed mainly through his many speeches and letters, the majority of which were published in a twenty-two-volume compendium entitled *Ṣaḥifeh Nūr*.³ Khomeini's other works include forty books and treatises on various religious subjects, most of which remained unnoticed except *Kashf al-Asrār* (1945) which was seen by some scholars as his first political proclamation.⁴ Nevertheless, his arguments therein are hardly relevant to his later thought.⁵

Khomeini's thought has been carefully examined by many researchers. Hamid Enayat takes a comparative approach, aiming to locate Khomeini's views within the broader scope of Islamic political thought in the twentieth century.⁶ Ervand Abrahamian, while a critic of Khomeini, challenges the common perception of him as a traditional fanatic or fundamentalist and argues that he was a populist leader representing the aspirations of Iran's petite bourgeoisie.⁷ Moḥsen Kadivar has examined the idea of the faqīh's absolute authority and its claimed divine source, with reference to Shī'ī jurisprudence and modern political

² Subḥānī, Ja'far, *Taḥthīb al-Uṣūl*, (Qum, n.d.), vol. 3, p. 146.

³ Khomeini, Rohollah, *Ṣaḥifeh Nūr*. Compiled by the Institute for Compilation and Publication of the Works of Imām Khomeini, (Tehran 2004). An e. version is available on the web address: www.ghadeer.org/index.html

⁴ Algar, Hamid, *The Fusion of the Gnostic and the Political in the Personality and Life of Imam Khomeini*, retrieved on Oct.20, 2003 from: www.khomeini.com/GatewayToHeaven/Articles/PersonalityofImam.html. A list of Khomeini's works is available on: www.ghadeer.org/iman/iman.html

⁵ On the development of Khomeini's political thought, see Nabavī, S. A., 'Taṭavūr-e Andishah Imām Khomeini' *Faslnamah Imām Ṣādiq*, no. 6, (Summer and Autumn 1998). e. edition, retrieved on Jun., 3, 2004, from: www.hawzah.net/Per/Magazine/IS/006/is00604.htm

⁶ Enayat, Hamid, 'Iran: Khomeini's Concept of the Guardianship of the Jurisconsult' in Piscatori, *Islam in the political process*, (Cambridge, 1983), pp.160-180.

⁷ Abrahamian, Ervand, *Khomeinism: Essays on the Islamic Republic*, (Berkley, 1993)

thought. He has taken a normative approach and made an exhaustive critique on both ideas.⁸

In this chapter, I will outline the unique contribution made by Khomeini, namely his attempt to alter the role played by religion, from being an agent of alienation between the public and the state to an agent of association, which effectively facilitated the emergence of a consensual political system, probably for the first time in Iran's modern history. My assumption is that a lack of national consensus has been a symptom of a cultural split brought about by the ruler's disregard for the role of religion on the one hand, and by the theological limitations inherent in the religious worldview on the other. The reconciliation between religion and state is crucial for ensuring both the coherence and efficiency of the political system.

I will start by highlighting the relevance of consensus to the stability and development of the political system and the role of religion in this regard. After a brief account of the reflections of modern trends upon Khomeini's thought, I will highlight the theoretical barriers with which he had to negotiate in order to advance his arguments.

Consensus and Stability

Throughout the twentieth century, the dualism of authority - religion on the one side and state on the other - has made it difficult to reach a national consensus over the conceptual foundations of Iran's political order. Consensus is essential for nation-building and political development. It serves to form the national will, remove tension from state-society relations and facilitate peaceful participation of the population in political activities. As Binder holds, the developed political system is characterised by an historical-cultural consensus which lends stability and continuity to what would otherwise be a chaotic, characterless system which is always in flux.⁹ Lack of consensus is partly a symptom of cultural fragmentation where the state and the majority of the

⁸ Kadivar, Mohsen, *Hukumat-e Walāi-e*, (Tehran, 2001)

⁹ Binder, Leonard, *Islamic Liberalism*, p. 41.

population act politically with reference to different, even contradictory, conceptual frameworks.

For the state to perform in a smooth and consistent manner, there has to be a universally agreed normative structure to legitimise the political process. That is particularly important, for the affairs of state represent a realm of conflict emanating from the incongruity between the public's expectations and the state's response.¹⁰ Easton's 'input-output' model provides a practical method for examining the state's performance as the prime factor for maintaining legitimacy. He holds that the complexity and diversity of state affairs make the division of labour, and therefore structural differentiation, indispensable. This division could endanger the harmony within the political system unless there is a mechanism observed by both the state and society to ensure an orderly exchange of demand and response.¹¹ Consensus, according to Tsurutani, signifies the willing adherence on the part of both government and population to a mutually agreed set of procedures for decision-making which is recognised by both sides as necessary and appropriate for maintaining public order, general well-being, the resolution of issues and conflicts, and the elicitation of social goals.¹² An agreement of this kind accredits the political system with legitimacy which Almond likens to a thread running through the system's input-output process, endowing it with its special quality and coherence.¹³

Likewise, consensus is indispensable for sustainable development. Tension is seen as a concurrent associate of the process of modernisation in developing nations, mainly because of the constant change of structures, roles and procedures. Such a problem has been shown to have been understood in the classical studies of development, although it is perceived as a feature of a transitional stage whereby the traditional value system breaks up in order to pave

¹⁰ Held, David, *Political Theory and the Modern State*, p. 120.

¹¹ Easton, David, 'An Approach to the Analysis of Political Systems', *World Politics*, vol. 9, issue 3 (Apr., 1957) pp.383-400: pp.386-7.

¹² Tsurutani, Taketsugu, 'Stability and Instability', *The Journal of Politics*, Vol. 30, No. 4. (Nov., 1968), pp. 910-933: p. 911.

¹³ Almond, G., 'A Developmental approach to Political Systems', *World Politics*, vol. 17, issue 2. (Jan., 1965) pp. 183-214: p. 192.

the way for a new system that is relevant to modernity. In the period of conversion, says Apter, values of the community remain in a constant flux, the socialisation process becomes a tension-creating system, inciting all kinds of conflicts in respect of status, value and roles. He regards such tension as a key feature of the development process and a prelude to the prevalence of modern patterns of social behaviour. This shift involves status-based relations being supplanted by contractual forms, organic by mechanical solidarity, instrumental by conclusive ends, sacred by secular beliefs and traditional by legal-rational authority.¹⁴

The process of modernisation is said to be a success only if it breaks through the trenches of traditions. In this sense, the process has a twofold function which is destructive in respect of the traditional elements of the social institutions and constructive in respect of new ones. The classical assumption regarding the displacement of value systems seems to have ignored the contingent nature of such a process:

First: Since we are dealing with non-material objects, the process of replacement cannot be taken as an orderly and inevitable operation; indeed we are talking about the *degree of penetration* of modern values into the social-cultural web. New patterns can either touch the heart of social system or be confined to the surface.

Second: The assumption that society undergoes a process of value adaptation after it receives the shock of modernisation disguises the consecutive impact, i.e. the polarisation of the social system into pro-modern and pro-traditional spectrums. The extent and permanence of dissension depends upon the function of the penetration noted above. During the intervening period of polarisation, the old patterns of behaviour, that is, the norms, values, roles and institutions upon which political action is based, cease their legitimising function. The ability of the political system to shorten the period of polarisation

¹⁴ Apter, David. *The Politics of Modernization*. (Chicago, 1965). pp. 66-8.

and restore its legitimacy by relying on the modern classes or by integrating the traditional ones would be at stake.¹⁵

The actual experiences of modernisation in the Middle East show that fragmentation has persisted, and in some cases it has endangered the political system and the modernisation process altogether.¹⁶ Such events as the Islamic Revolution in Iran brought a number of researchers to question the assumption that industrialisation and social change would necessarily result in the traditional elites and belief systems giving way to the modern state elite, and in religion being relegated to the private realm.¹⁷

The idea of the degree of penetration indicated above suggests that the resilience on the part of traditional patterns is a determining factor in respect of the length of the transitional period and the level of social consciousness affected by the new patterns. To put it in a different order, the willingness of the population to adapt to modern patterns is determined by two factors: a) whether or not the people will perceive the new patterns as a worthy alternative to what they are asked to abandon, and b) whether or not the offer proves to conform to the people's common belief. Whereas the first point is directly related to the efficiency of the state's performance, the latter is related to the appeal of the offer to the cultural orientation of the population. For many researchers, this point partially explains why modernisation in the Middle East has stumbled, and has caused many theorists in recent years to question the sharp division between tradition and modernity and the assumption that religion cannot help the process of development.¹⁸

Religion, State and Modernisation

After the rise of the Pahlavi regime in Iran, the social role of the clergy was perceived as the salient challenge to the coherence of the state, which calls to mind the assumption advanced by Max Weber regarding the inevitable clash

¹⁵ Held, D., *Political Theory and the Modern State*, (Cambridge, 1989) p. 88.

¹⁶ Razi, G., 'Legitimacy, Religion, and Nationalism in the Middle East', *The American Political Science Review*, vol. 84, no. 1 (Mar., 1990) 69-91: p. 72.

¹⁷ Heywood, Andrew, *Political Ideologies*, (New York, 1998), p. 291.

¹⁸ Eickelman, D. and Piscatori, J., *Muslim Politics*, (Princeton 1996), p. 24.

over authority between state and hierarchy. The double function of religion is well acknowledged by sociologists: as an apology and legitimisation of the *status quo*, and as a means of protest and liberation.¹⁹ Reza Shāh, the founder of the Pahlavī dynasty, was an admirer of the model established by Mustafa Kemal Atatürk of Turkey which associates modernisation with consolidating the state structure and secularising the public sphere.²⁰ During the 1960s and 1970s, the government undertook a large scale program to modernise industry, education, transportation, communication systems and a land reform program, all of which aimed to bring about a new public order based upon secular principles.²¹ The assumption was that the reconstruction of the economy, public services and the education system would necessarily help the hegemony of modern patterns of socialisation and eventually curtail the political power of the traditional forces, notably the clergy.²²

The modernising project has proven to be a relative success, resulting in a considerable improvement of state administration, public services, as well as the economy. Nevertheless, it has evidently failed to achieve its core objective, namely the assurance of long-term political stability. The relative stability felt in the 1970s was largely indebted to the strict policies implemented by the security apparatus, notably the secret police (SAVAK). This could not compensate for the lack of legitimacy and harmony between the state and society, reflected in the persistence of the feeling of insecurity among the ruling elite.²³

According to Bashiriyyeh, an Iranian sociologist, modernisation in the form adopted during the Pahlavi reign (1925-1979) effectively worsened social

¹⁹ Billings, D., and Scott, S., 'Religion and Political Legitimation', *Annual Review of Sociology*, vol. 20 (1994), pp. 173-202; p. 173.

²⁰ Omid, Homa, *Islam and the Post-Revolutionary State in Iran*, (New York 1994), p. 20.

²¹ For a brief assessment of the said program, see Bill, James, 'Modernization and Reform from above : The Case of Iran', *The Journal of Politics*, vol. 32, , issue 1 (Feb., 1970), pp.19- 40.

²² Tabari, Azar, 'Shi'i Clergy in Iranian Politics' in Keddie, N. (ed.), *Religion and Politics in Iran*, (London 1983) p. 60

²³ Cottam, Richard, 'The Islamic Revolution' in Keddie, N., and Cole, J. (ed.), *Shi'ism and Social Protest*, (New Haven, 1986), pp. 76-7.

fragmentation,²⁴ although it helped to improve the standard of living. Bashiriyeḥ's account is in line with the concerns expressed by many theorists regarding the impact of Western-modelled modernisation on Third World societies. As for Binder,

The most conspicuous manifestation of the impact of the West has been the creation of gaps in social communication, in stratification, in values, in economic orientation, and in political techniques among the various sectors of society.²⁵

The exacerbation of social divisions in the context of Iran suggests one of two possibilities: either the processes of nation-building and modernisation have actually failed to proceed from the first stage, i.e. the disintegration of the traditional structure into the final stage and the restructuring of a modern one, or the assumption of adaptation was not applicable in this particular context. In my opinion, both possibilities have some relevance, but the major problem appears to be the misconception of the role of religion and its relevance to national consensus.

The state's endeavors to contain the political influence of the religious establishment evolved into an indirect confrontation with religion itself, leading to determined efforts to manipulate religious activities. On their part, the 'ulamā, who claim the authoritative representation of the nation's culture, turned to their old means of confrontation: politicising religious symbols and mobilising the population against the state. The predisposition of religion to function for or against the state and its modernising policies is fairly understandable. After the sixteenth century, Shī'ism became a major part of Iran's national identity, therefore any national agreement over public order has to consider a satisfying role for religion and its representatives. However, the established Shī'ī doctrine of authority lacked a definite and up-to-date formulation for the state-religion relation. The misconception of the nature and role of the state and the lack of a normative basis for political participation created a sense of alienation among the majority of the population. On the part of the state, the lack of public support

²⁴ Bashiriyeḥ, H., *Mavane' Tawse'ah Siāsi dar Iran*, (Tehran, 2001), p. 133.

²⁵ Binder, L., 'National Integration and Political Development', *The American Political Science Review*, vol. 58, issue 3 (Sep., 1964) pp. 622-631: p. 631.

gave rise to a sense of insecurity among the ruling elite, prompting it to rely on mainly coercive means to maintain the political system.

In brief, the function of religion throughout most of the twentieth century has been seen as more of a hindrance to the course of modernisation. On the other hand, the dual structure of religious and political power has provided the potential for destabilising the political system.²⁶ Therefore, reconciliation between religion and state is not only indispensable for ensuring stability and public order, but also for forming the kind of consensual political order that allows the population to embrace the state and interact positively with its institutions, helping it to achieve its objectives. The role of Ayatollah Khomeini concerns this very point. He was the one who helped to transform the established Shī'ī doctrine of authority so that it was able to interlink with the state, and by so doing he facilitated the integration of the masses into national politics.

The Effects of Social Change

Khomeini's discourse features a combination of traditional and modern political notions. His affirmation of religious principles alongside the modern notions of republicanism, the nation's right to self-determination, public liberties and so on, has earned him attention among both the modern and traditional spectrums of the nation.

The traditional elements were, however, the original constituents of his thought and discourse. Ayatollah Khomeini started his learning career in Qum in 1920, an epoch characterised by a clerical withdrawal from politics due to the failure of the Constitutional Revolution of 1905-6. Until 1962, his circle was largely limited to the traditional clerical spectrum. His first master was 'Abdul-Karīm Ḥairī, an apolitical scholar who chose to distance himself from the clerical arguments over constitutionalism. Professor Algar made a detailed survey on Khomeini's teachers,²⁷ none of whose names is familiar among the Constitutionalist clergy. The latter group was representative of the modern trend in the religious community in the early 20th century. During the political fray of

²⁶ Arjomand, S., *The Turban for the Crown*, (New York 1989), pp. 77-8.

²⁷ Algar, H., *The Fusion*, op. cit.

the 1950s, Khomeini's name did not appear among the clergy members who allied with the liberal reformist group of the National Front against the Crown.

Generally speaking, the effective communication between Khomeini and the modern intellectual movement probably dates back to the period of his residency in Najaf (1965-1978).²⁸ Although he continued to identify with the traditional spectrum, Khomeini had to consider the changing conditions of Iranian society since he had left the country. The change in social relations and realities was evident throughout the society, including the spectrum upon which he relied for political and material support. It is well-known that Khomeini had no support among the traditional clergy, especially those belonging to the upper echelons.²⁹ His faithful followers came mainly from two major camps: the first includes students, political activists, and junior clerics who identified mainly with the Islamic left. The second includes fragments of the modern Islamic intellectual trend represented mainly by *Nehzat-e Āzādī* (Iran Freedom Movement). Both camps were familiar with constitutionalist ideas and deeply influenced by the anti-traditionalist views of 'Ali Shari'atī. Indeed, it was the supporters of Shari'atī, not the clergy, 'who took the somewhat blasphemous step of endowing him with the title of Imām'.³⁰ To this we have to add the fact that during the 1970s, the notion of human rights also gained currency in Iran with the election of Jimmy Carter as president of the United States in 1977, and his proposals concerning political reform in the allied governments.³¹ It is not an exaggeration to claim that up to the decade preceding the Revolution, the majority of Iranians, especially those who were expected to be active in any major political fray, were far from being acquainted with the traditional clergy, both in the sense of communal loyalty or intellectual affinity.

With the above considerations in mind, Ayatollah Khomeini would not have had such a tremendous appeal if he had limited his discourse to traditional religious language. There is no doubt about the originality of his political

²⁸ Cottam. op. cit., p. 78.

²⁹ Parsa. Misagh, *State, Ideologies, and Social Revolutions*, (Cambridge, 2000), p. 140.

³⁰ Brown, Carl, *Religion and State: The Muslim Approach to Politics*, (New York, 2000), p. 169.

³¹ Cottam. op. cit., p. 82.

approach; however, the issue in question is his modernist tendency, given his career in traditional learning. Therefore, his embracing of modern notions could be explained as a reflection of his alliance with the modernist trend. On the other hand, Khomeini's denouncement of religious apathy brought him to rethink a great deal of the principles and traditions established in the religious community. Here, it is worth noting that pragmatism and openness towards non-traditional notions were often seen among the politically-minded scholars. This leads to the conclusion that a greater involvement in public life is directly translated into a greater desire to ease the rigidity inherent in the traditional paradigm of authority. By the same token, it could be said that Khomeini's determination to achieve his objective, namely the establishment of an Islamic modern state, effectively put him face-to-face with the impediments that sprang from the conflict between the contextual considerations of the old paradigm and contemporary realities.

Compared to his peers among both Shī'a and Sunnī scholars, Khomeini is in fact closer to the modernist trend, although, in a broad sense he is hardly considered as a modernist. Unlike many of the Muslim scholars who considered a restored caliphate as the likely form of an Islamic state, Khomeini advocated a republican system. Within this form, he endorsed the legislative role of parliament, popular will as the source of authority, universal suffrage for all citizens and the priority of public interests over some fixed religious rules. These notions were previously rejected by most of the religious scholars for their Western orientation and incompatibility with the principles of Sharī'a.³²

Some analysts doubt the originality of Khomeini's advocacy of republicanism.³³ These doubts could be supported by the fact that he did not establish his proposals within the Shī'ī theological framework, neither did he make sufficient effort to integrate them with the established jurisprudence. Apparently, Khomeini was aware of this theoretical weakness, but did not seem to have had a solution other than his own assertion of their authenticity and

³² Abed, S., 'Islam and Democracy', in Garnham, D. and Tessler, M. (ed.), *Democracy, War and Peace in the Middle East*, (Indianapolis, 1995) p. 121.

³³ See for example: Enayat, op. cit., p. 172.

compatibility with the ethos of religion. In his view, there was nothing wrong with religion or with the modern notions he advocated. The problem lay in the failure of the religious seminaries to grasp the changes in the surrounding world. Khomeini argued that the religious seminaries (*hawza*) had alienated themselves from the real world and consequently were no longer able to explore how religion could possibly interact with the realities of the time and society.³⁴ He often censured the traditional scholars for what he described as the failure to grasp the adaptability and all-embracing nature of religion which enables modern notions to be fairly accommodated within a religious framework.³⁵

Khomeini thus perceived the problem as methodological in the sense that a solution would be possible if an updated methodology was employed. In contrast, Ayatollah Shabestari, a Reformist scholar, saw the problem as being within the paradigm itself, rather than its methodology. He argued that the notion of republicanism and its related principles are impossible to establish within the traditional paradigm, simply because they pertain to a different discipline, namely, political philosophy. However, he insisted that they can be firmly grounded on the general principles of Islam.³⁶

The Impediments of an Out-dated Doctrine

I have already mentioned in Chapter One that, according to the established Shī'ī doctrine of authority, the state was deprived of legitimacy in the sense that it could not be legitimised while the infallible imām was absent. Although, thanks to the establishment of Shī'ī states, the rigid limitations in this regard were relatively eased, there remained in Shī'ism a strong tendency towards apathy, and participation in state affairs was never acknowledged as being fully appropriate for the community of believers.³⁷

³⁴ Khomeini, Rohollah, *Sahīfah Nūr*, vol. 21, p. 34.

³⁵ Khomeini. *ibid.*, p. 88

³⁶ Shabestari, Muhammad, *Naqdi bar Qara'āt-e Rasmi az Dīn*, (Tehran, 2000), pp. 168-71.

³⁷ In comparison, Arjomand argues that no doctrine of illegitimacy of government during the occultation can be found in Shī'ī legal literature for the entire period of the eighteenth and nineteenth centuries. Arjomand, Said, *The Shadow of God and The Hidden Imam*, (Chicago, 1984), p. 234.

The exaggerated emphasis placed upon the office of leadership, especially its attachment to the person of the imām, made it impossible for the doctrine of imamate to engage with political realities. This problem has been detected by many scholars throughout the history of Shī'ism. Only a few of them, however, have dared to address the key issues in relation to this. The majority have contented themselves with the established assumption which takes it for granted that no one is obliged to help with the establishment of a just government while the infallible imām was absent.

During the twentieth century, Iranian society saw the revival of Shī'ī activism through the Constitutional Revolution and the movement for oil-nationalisation, neither of which achieved their goals, partly because the 'ulamā stayed away from the fray. In Arjomand's account, the failure of the 'ulamā to properly conceive the secular implications of constitutionalism led to that retreat.³⁸ I would like to see the problem from the other side: the absence of an alternative doctrine capable of embracing constitutionalism without infringing the religious basics could be seen as the reason for the withdrawal of the 'ulamā from political arena in the early 20th century. During the 1950s there was a similar cycle: a considerable segment of the 'ulamā supported the reformist movement led by Mohammad Moṣaddaq,³⁹ yet they failed to mobilise the clerical mainstream led by Ayatollah Burūjerdī, the great exemplar of the time (d. 1961). The lack of a normative standpoint to justify political participation effectively resulted in the break-up of the clerical, and hence the public, support of the movement. In brief, it can be seen that the degree of public involvement in politics in Iran was directly affected by the behaviour of the 'ulamā. In the meantime, there was no consensual framework for regulating the political behaviour of the 'ulamā. As a result, there were different approaches, each of which refers to a distinct interpretation of the doctrine of imamate.⁴⁰

³⁸ Arjomand. *ibid.*, p. 267.

³⁹ Akhavi, S., *Religion and Politics in Contemporary Iran*, (Albany, 1980), p. 60.

⁴⁰ For more details on the topic, see Alsaif, T. *Nazariāt al-Sulṭah fī al-Fiqh al-Shī'ī*. (Beirut, 2002) pp. 135-46.

This is, however, an intrinsic problem within the traditional paradigm. The Shī'ī doctrine of leadership emerged and evolved as a theological notion intending mainly to justify a communal type of leadership concerned with spiritual, rather than political, affairs. As suggested by Momen, while Sunnī scholars were concerned with developing an applicable political theory, their Shī'ī peers had an absent imām who could only be a subject of theological speculation, rather than of political theory.⁴¹ Shī'a 'ulamā addressed the question of leadership and authority within one of two frameworks. The first was theological, concerning the lives and qualities of the imāms, obviously a restatement of what had been repeatedly said in the past, with no relevance whatsoever to any actual situation. The second was jurisprudential, focusing on the relationship between the exemplar and the follower with regard to spiritual, mainly personal, affairs.⁴² Here too, politics was not a matter of concern. Khomeini's project to politicise the traditional doctrine came through a careful handling of the theoretical barriers residing in the two frameworks, the theological and the jurisprudential. Here are some details:

First: the Theological Problem

The theological debates over authority were meant to address the question: is it possible for fallible people to bring about a just government? In the traditional paradigm, justice was conceived in an ideal sense that could be realised only under a divinely-ordained ruler, i.e. an infallible imām.⁴³ All other forms of government were regarded as illegitimate. With the imām in hiding since 874, Shī'as were supposed to await his return when he would supposedly fill the earth with fairness and justice. 'Allāma Na'inī, an eminent scholar,

⁴¹ Momen, M., 'Authority and Opposition in Twelver Shi'ism', in Burrell, R. M. (ed.). *Islamic Fundamentalism*, a paper read at a seminar held at School of Oriental and African Studies, March 10th, 1988, pp. 48-66: p. 53.

⁴² Ṣadr, Muhammad B., 'Al-Ittijahāt al-Mustaqbaliyah le-Harakāt al-Ijtihād', *Al-Hādī*, (Qum), vol. 2, no. 3, March 1973. Retrieved on Aug., 22, 2003 from: http://209.61.210.137/uofislam/behoth/behoth_isol/06.htm

⁴³ Sachedina, A., *The Just Ruler in Twelver Shi'ism*, (New York 1988) p. 26.

argued in 1908, that the stipulation of the imām's personal leadership, while beyond the reach of the people, endows the idea with hope.⁴⁴

Khomeini's project started by denouncing the applicability to the political realm of the theological notion of passively waiting for the absent imām (*intizār al-faraj*). His revivalist interpretation of the notion implies a separation between the duties and rights of the imām, which can be addressed in theological terms, and those of ordinary Muslims, whose rights and obligations are understood in regard of the actual requirements of their lives. He argued that passively awaiting the imām conflicts with the ethos of religious teachings. While the imām is expected to return some time in the future to bring about ideal justice in a global context, Khomeini maintained, a faithful follower would rather struggle to help realise the objectives of the religion, namely a just government, wherever possible.⁴⁵ He strongly criticised the linkage between the two aspects as it inevitably facilitated the suspension of the sacred law and frustrated the people's desire to improve their lives. His main argument suggests that sacred law was prescribed by the Prophet to accommodate the life of the Muslims. Since religion transcends time and place, none of its rules can be arbitrarily suspended.⁴⁶ Khomeini dismissed the idea that the absence of the imām justifies the suspension of the ordinances concerning or requiring state power⁴⁷ and insisted that the obligatory nature of those rules places a responsibility upon the Muslims, the religious leaders in particular, to do their utmost to have them realised, i.e. to help the establishment of a religious state.⁴⁸ The suspension of those rules, he argued, was the fruit of indifference on the part of the Muslims and the tyrannical nature of their governments.⁴⁹ By this argument, Khomeini

⁴⁴ Na'inī, 'Allāma, 'Tanbīh al-Ummah wa Tanzīh al-Millāh', in Alsaif, *Dhidd al-Istebdād*, (Beirut, 1999) p. 255.

⁴⁵ Khomeini, *Islamic Government*, (Tehran, n.d.), translated by Hamid Algar, p. 25. e. edition, retrieved on Mar., 5, 2003 from: http://users.fmg.uva.nl/rsetoc/pdfs/velayat_faqqeh.pdf

⁴⁶ Khomeini, *ibid.*, p. 19.

⁴⁷ This argument was held by many scholars including M. H. Najafī, *Jawāhir al-Kalām*, vol. 21, p. 397, and M. Anṣārī, *Al-Makāsib*, vol. 1, p. 410.

⁴⁸ Khomeini, *Kitāb al-Bay'*, (Qum 1994) vol. 2, p. 461.

⁴⁹ Khomeini, *Ṣaḥīfeh*, op. cit., vol. 18, p. 181

meant to circumvent the traditional assumption by which the Shī'a clergy cleared itself from the responsibility of enforcing the religious law or struggling for political power,⁵⁰ a tendency that had remained prevalent since the occultation of the Twelfth Imām.

Khomeini also argued that justice in the relative, rather than ideal, sense is an acceptable criterion for legitimising power, and that the presence of the infallible imām is no longer a stipulation for securing the religious character of the state.⁵¹

Second: the Jurisprudential Problem

The jurisprudential debates concern mainly the source and extension of powers retained by the ruler. The 'ulamā's involvement in politics since the Safavid era made it possible to consider the faqīh as a potential vicegerent of the infallible imām. Yet, to what extent the imām's powers should be delegated to the faqīh remained a controversial point. The core argument concerns the right of a fallible person to use coercive power, i.e. to take people's lives and property by inflicting physical punishments or by confiscating or limiting individual property rights.⁵² To understand the irony of the argument, we have to look back to the logical formulation which the earlier Shī'a theologians developed to defend their particular doctrine of imamate. One of the major arguments advanced in this regard was the notion of divine grace (*al-luṭf al-ilāhī*) according to which the designation of the imām was conceived of as an expression of such grace. 'Allāma Ḥillī, the prominent scholar, suggests that divine grace is realised through the exemplary function of the prophets and imāms. Such a function, he contends, must be of a propagating and convincing rather than an enforcing nature. The application of religious rules by force cannot be regarded as grace.⁵³

⁵⁰ See for example Najafī, *op. cit.*

⁵¹ Khomeini, *Kitāb al-Bay'*, *op. cit.*

⁵² Sachedina, *op. cit.*, p. 231.

⁵³ Ḥillī, 'Allāma Jamāl al-Dīn, *Al-Aḥqān*, (Kuwait, 1985), p. 65.

Bearing this in mind, the authority of the imām to dispose of people's lives and property remained open to contrasting interpretations; some scholars implicitly denied such a generalisation,⁵⁴ others accepted it on the basis that an infallible imām would only do what was right,⁵⁵ while a third group stipulated that there should be public consent before the said powers take effect.⁵⁶ The debate concerned mainly the person of the ruler, i.e. the imām or the faqīh, rather than the institution of the state. This is obviously not alien to the context within which the doctrine has evolved. Throughout the entire history of the Muslim community, the state has never been independent from the ruler; all the material means of control and sources of power have been in the ruler's hands. There were no institutionalised restrictions on his powers, nor any effective means to hold him to account. State actions were driven by his whims and desires, rather than by rational calculations relevant to the public interest. With these considerations in mind, the 'ulamā were anxious that a fallible ruler empowered with the imām's authority could not be controlled; in addition to the material means that he would already possess, he would be able to have his whims sanctioned on a religious basis. As Na'inī argues, tyranny and corruption are the likely consequences of the monopoly of power by the ruler, whether he is a pious faqīh or anyone else. He suggests that only institutionalised restrictions on power can block the tyrannical tendencies of the rulers.⁵⁷ Na'inī's argument is not, however, unfamiliar to the Islamic culture; a Quranic verse explains the tendency of man to transgress all bounds as a consequence of his 'feeling of self-sufficiency' (Holy Quran 96:6-7).

This argument explains why the 'ulamā disagreed over the idea of power delegation. There are, however, other arguments concerning the nature of the imām's authority and its basis. Some scholars held that the divine designation of imām provided him with a supernatural character which bestowed upon him a kind of existential authority transcending the realm of man (*wilāyah*

⁵⁴ Baḥr al-Ulūm, M., *Bulghat al-Faqīh*, vol. 3, p. 215.

⁵⁵ Ḥilfī, op. cit., p. 200.

⁵⁶ Montazcrī, H., *Dirasāt fī Wilāyat al-Faqīh*, (Beirut, 1988), vol. 1, p. 527.

⁵⁷ Na'inī, op. cit., p. 256.

takwīnīyah). Thereby, the imām would exercise his authority as if the world was of his belongings.⁵⁸ The crux of this argument is that since a fallible person can by no means claim such an exceptional privilege, he is necessarily incapable of assuming the imām's authority. Another argument suggests that the imām's authority stems from his infallibility which is realised in his knowledge and inner piety.⁵⁹ Accordingly, the two qualities – knowledge and piety- are taken as criteria which are to be met, in a relative sense, by those who seek the deputyship of imām. The former requirement has had more advocates among the Iranian scholars, especially those with esoteric tendencies.⁶⁰ The majority, however, emphasise the latter one.

As mentioned in chapter one, tenth century scholars differentiated between the office of imamate and the person of the imām and the state's function came to be seen as indispensable for securing the common good which is defined in conventional terms.⁶¹ Khomeini took the argument further and suggested a differentiation between two connotations embedded in the notion of *wilāyah*. Acknowledging the claimed supernatural qualities of the imāms,⁶² he argued that those qualities are irrelevant to the actual role which is meant to be undertaken by the imām in the capacity of political leader.⁶³ His *wilāyah* (authority) in the political sense is of a rational and conventional nature, therefore it is linked both to his human qualities and to the particular requirements of the office. In other words, the overall authority of the imām is to be understood in two senses: it is existential (*wilāyah takwīnīyah*) and associated

⁵⁸ See for example the account of Āgha Rizā Hamadānī on public resources (*kharāj*) in his *Miṣbāḥ al-Faqīh*, (Qum, n.d.) vol. 3, p. 108.

⁵⁹ Anṣārī, Murtaḍā., *Kitāb Al-Makāsib*, vol. 3, pp. 553-4.

⁶⁰ Soroush has made an interesting differentiation between the esoteric and political connotations of the term of *wilāyah*. He argues that the latter connotation is a mistaken derivation from the term. Soroush, 'Abdol-karīm, *Baṣṭ-e Tajrebah Nabavī*, (Tehran, 1999) pp. 278-80.

⁶¹ Murtaḍā, *Rasāel*, v. 2, p. 90.

⁶² Khomeini, R., *Miṣbāḥ al-Hidāyah ela al-Khilāfat-e wa al-Wilāyah*, p. 76, c. edition, retrieved in Mar., 5, 2003, from:: www.al-kawthar.com/kotob/mesbah.zip

⁶³ Khomeini. *Islamic Government*, p. 35.

with his person⁶⁴ and it is relative or conventional (*wilāyah i'tibānīyah*), concerned with society's religious and political affairs.⁶⁵ For Khomeini, the assumption of power is conceived under the latter category where the focus is placed on the objective requirements of the office, namely to have relevant knowledge and personal piety rather than divine sanction.⁶⁶ The two qualities, in addition to public consent, were adopted by the constitution of the Islamic Republic as prerequisites for holding the office of the supreme leader (article 107-9).

The crux of Khomeini's argument is that the imām's authority does not belong to his person in the strict sense but to the office of ruler that he is supposed to occupy. Khomeini's account of the legal status of the public funds (*kharāj*) sheds more light on his firm belief in the conventional nature of the state and religious rule. Kharāj was the main source of the treasury in the traditional Islamic state, hence Shī'a scholars tended to restrict its administration to the legitimate ruler, namely the imām. A few of them went even further to equate kharāj with the imām's private property.⁶⁷ In contrast, Khomeini took a strong position and ridiculed the latter claim as irrational and an insult to the ethos of the Ja'afarī school. His account suggests that kharāj belongs to, and is managed by the state.⁶⁸

Grasping the fact that, in the modern state, authority is no longer centred on the office of the ruler, Khomeini came to realise that the extensive authority presumed for the imām can take effect only if it is conferred upon the government as a whole:

Government, which is an offshoot of the absolute authority of the Prophet, peace be upon him, is one of the prime ordinances of

⁶⁴ For an esoterically-oriented definition of existential authority, see Khomeini, *Miṣbāḥ*, op. cit., pp. 84-90.

⁶⁵ Khomeini, *Kitāb al-Bay'*, vol. 2, pp. 466-7. In this argument, Khomeini elaborates on a narration attributed to the first Imām, 'Alī ibn Abī-Tālib. See Shareef Al-Raḍī, *Nahj al-Balāghah*, p. 80.

⁶⁶ Khomeini, *ibid.*

⁶⁷ For details on the topic and the various opinions of Shī'a scholars, see Alsaif (2002), p. 273.

⁶⁸ Khomeini, op. cit., vol. 3, pp. 13-6.

Islam preceding all secondary ones including prayer, fasting, and pilgrimage... The government can unilaterally suspend any legitimate contract or course of action, religious or worldly, if it is seen against the interests of the Islamic country.⁶⁹

In another statement, he advised that the authority of the faqīh is to be understood within the framework of an Islamic government. This authority comes into effect only if it secures public consent.⁷⁰ The essence of the two ideas suggests that the imām's powers are not delegated to the person of the faqīh but to the state as a whole.⁷¹ In this sense, the faqīh functions as a medium through which authority is legitimately transferred from the imām to the state. Accordingly, there is no sufficient basis for arguing over the extent of powers that might be delegated. The role of the state, whether it is legitimate or illegitimate, is to manage the affairs of its citizens and their property: judges give rulings for punishing crimes, the army sends soldiers to war where they may be killed, financial departments impose taxes and other laws that limit people's rights to manage their property, and so on. Therefore, the transferability of the imām's authority should be thought of in terms of the state's functions whereby the point is that either government is empowered with the said authority or it is not a government at all.⁷²

This approach has provided a well-argued solution to the controversy over the delegation of power and the nature of the faqīh's authority within a modern state. It must be said, however, that it is not yet a universally agreed solution among Shī'a scholars. In chapter four, I will introduce some contrasting opinions in this regard, many of which contest this concept of relationship between the faqīh and the state, and the degree of legitimacy secured through this course.

⁶⁹ Khomeinī, *Ṣaḥīfah*, op. cit., vol. 20, p. 170.

⁷⁰ Cited in Arustā, M., Ehtemām beh Ārāy-e 'Umūmī, *Hukūmat-e Islami*, no. 17, Autumn 2000.

⁷¹ Qāemmaqānī, 'Abbās, *Qudrat wa Mashrou'iat*, (Tehran, 2000), p. 116.

⁷² Khomeini. op. cit.

The Primacy of the State

There are many understandable reasons for Ayatollah Khomeini's absolutist tendency: his charismatic character, being a leader of a transformative revolution, and being a religious exemplar. An absolutist government has a lot of negative implications, but it has also some important positive ones. The European absolutist state of the seventeenth and eighteenth centuries served as a unifying force in the preparation for the emergence of the 'bourgeois' constitutional state.⁷³ Although this was usually applied to political and economic aspects, the unificatory function could be seen as an appropriate role wherever the problem of social fragmentation exists and harms national unity. I have already noted that Iranian society was characterised by a discrepancy between the conception of political order held by the state and the one held by the population. I have argued there that such a discrepancy was due to the problematic role of religion.

Ayatollah Khomeini wanted to reconcile religion with the state as the only way, at least in his view, to bring together the state and the society. He would not have succeeded in overcoming a long-established tradition of apathy by referring to the same traditions. Therefore, he had to enforce a revivalist reading of these traditions in order for them to serve his project. This was possible by employing his personal charisma to convince the community of the validity of his proposals. Charisma is viewed by Max Weber as probably the greatest revolutionary force in periods of established tradition.⁷⁴ In such periods, Ake suggests, the hegemony of traditional institutions makes it unlikely for the population to accept, without hesitation, the state's claim to their loyalty unless it is put forward by someone whom the masses respect and trust. Therefore, 'this personal respect can be used to buttress the state until it wins its own legitimacy'.⁷⁵ The problem of political integration in new states is understood in

⁷³ Hall, S., 'The State in Question', in Hall, S., Held, D. and McLennan, G., *The Idea of Modern State*, (London, 1984), p. 7.

⁷⁴ Bendix, Reinhard, 'Reflections on Charismatic Leadership', *Asian Survey*, Vol. 7, No. 6 (Jun., 1967), 341-352; p. 343.

⁷⁵ Ake, Claude, 'Charismatic Legitimation and Political Integration', *Comparative Studies in Society and History*, Vol. 9, No. 1 (Oct., 1966), 1-13, p. 2.

terms of the population refraining from identifying themselves with the new system. The charismatic leader is therefore a major instrument for bridging the gap; in a sense, to make the population 'think of the state as "we" rather than "they"'. For Wallerstein (1961), 'political integration can only be presumed to have taken place when the citizen accepts the state as the legitimate holder of force and authority, the rightful locus of legislation and social decision'.⁷⁶

Because of the emphasis placed on the person of the leader, and the impediments of the transitional period, charismatic rule can hardly be other than arbitrary and absolutist. In the context of Iran, this issue came to the fore in the post-revolutionary period when government policies were opposed by many religious scholars, especially with regards to the codification of laws. To handle this problem, Khomeini advanced the two correlating notions of the absolute authority of the ruling faqīh and the superiority of the state over all other institutions including religious ones.⁷⁷

The Absolute Authority of the Faqīh

For Ayatollah Khomeini, the maintenance of the Islamic regime is the primary obligation of all Muslims, well ahead of most religious duties including those that are seen as essential to the faith. His argument seems logical: the state is a powerful means for creating the environment necessary to enable Islamic laws to be applied.⁷⁸

Apparently, Ayatollah Khomeini was not fully acquainted with the compelling requirements of state affairs when he took power. In a rare testimony, he told an audience of senior judges of the lack of administrative skills among the revolutionary elite and the experimental nature of some policies adopted after the Revolution.⁷⁹ There was initially a kind of simplistic attitude towards state affairs, as Khomeini had repeatedly suggested that the available jurisprudence would be sufficient to satisfy the state requirements when a new

⁷⁶ Cited in Ake, *ibid.*, p. 1.

⁷⁷ Hajjarian, S. *Az Shāhed-e Qudsī ta Shāhed-e Bazaarī*, (Tehran, 2001) pp. 113-4.

⁷⁸ Khomeini, *Islamic Government*, p. 23.

⁷⁹ Khomeini, *Ṣaḥīfah Nūr*, vol. 13, p. 9

political system was installed.⁸⁰ Shortly after the erection of the Islamic regime, its leaders found that the kind of state conceived by clerics was, to a great extent, alien to the actual reality of the situation. According to the former president Hashemī Rafsanjānī, the legislative business of the parliament was a difficult experience due to the constant pressure from senior clerics in the Qum seminaries: 'The parliament could hardly pursue its business, for there was always a point seen by the 'ulamā as incompatible with a certain religious rule'.⁸¹

The turning point came apparently in 1983 when Khomeini determined to free the state from the constraints of traditional jurisprudence. Until then, the parliament had resorted to the notion of secondary rules (*aḥkām thanavīyah*) to handle the conflict between religious rules and public interests as identified by the various branches of the state. The term 'secondary rule' denotes a reasoning methodology employed on a temporary basis as a way out in exceptional situations.⁸² A common instance of such a notion is the right of the state to temporarily dictate the pricing of scarce goods, even though it violates the basic religious principles fostering private property. The repeated utilisation of this methodology came under attack from some scholars, including Ayatollah Golbaigānī, the second highest ranking religious leader after Khomeini, who wrote to Khomeini and to the parliament in March 1982 protesting against the employment of secondary rules, as it represented a deliberate negligence of the established primary rules (*aḥkām awālīyah*).⁸³ In 1983 there was another controversy over the penal code between the clerical members of the Guardian Council and the parliament for the same reason. Similar arguments arose in the following years which brought Ayatollah Khomeini to rethink the foundational principles regulating the interaction between state and jurisprudential institutions. In this regard, he developed the notion of *maṣlaḥat-e nezām* (the

⁸⁰ Khomeini, *Islamic Government*, p. 86.

⁸¹ Cited in 'Fatawā-ye Imām', (editorial) *Hawzah*, issue 23, (Dec., 1987).

⁸² Kalantari, 'Aliakbar, *Hukm Thanavī dar Tashrī'e Islāmī*, chapter II, c. edition, accessed (Feb., 8, 2004) www.balagh.org/lib/farsi/08_fcqh/01/hokm-i-%20thanavi%20dar%20tashri-i-%20islami/04.htm

⁸³ Hajjariān, op. cit., p. 120.

regime's interest) as a framework for conceptualising the authority of the state in dealing with the public interest. The new concept held that the application of religious rules should be dictated by their capacity to safeguard the public interest. Consequently, the role of the legislators, both the mujtahids and the members of the parliament, came to be defined in terms of identifying the common good rather than expressing the will of God, or delivering religious obligations. He also re-defined the faqīh's authority as absolute (*al-wilāyah al-muṭlaqah*) and the nature of his ruling as an authoritative command (*ḥukm welācī*). This ruling sought to override an established notion in the old paradigm suggesting that a mujtahid is superior to the state, and is not obliged to obey its rules if they do not satisfy his own judgment (especially because the majority of the officials are laypersons). The idea of the faqīh's 'absolute authority' was meant to emphasise the encompassing nature of the state's authority, and that all citizens are subject to its rule. The principle of the 'regime's interest' was meant to establish the state's interpretation of the public interest as a criterion for justifying its action, on a par with the established concept of religiously-defined interests. The 'authoritative command' or *ḥukm welācī* was meant to emphasise the coercive nature of government rulings; the government has the right to initiate compulsory orders in its own right, unlike a non-ruling mujtahid whose directive is one of instruction (*fatwā*).

Conclusion

Ayatollah Khomeini's project sought to adapt the established Shī'ī paradigm of authority to the modern state. Given his religious orientation and the fact that he belonged to the traditional spectrum, Khomeini was not expected to disassociate himself from the tenets of the established paradigm. However, his acquaintance with philosophy and his interest in politics led him to consider the time gap that made the political aspect of the old paradigm largely irrelevant to the contemporary culture of Iran. Khomeini was probably aware that the strict limits inherent in the paradigm would not allow for the historical change that he helped to bring about. Thus, his reworking of the paradigm would concern mainly those principles that hindered his project. The extent of such a revision

was conditioned by his cultural background, his intellectual capacity and the compelling requirements of the actual politics in the field.

The major adjustments he made included a new definition of the notion of justice in relative terms whereby the personal leadership of the infallible imām was no longer a stipulation for a legitimate state. Having done so, Khomeini put an end to the idea that the Shī‘as could not consider having a state of their own before the return of their absent imām, a notion that had remained intact since the late ninth century. To deal with the legal ramifications of his new definition, he entrusted the qualified faqīh with the office of the imām and conferred upon him the same extensive powers claimed for the infallible imām. This is one of the notions that earned Khomeini a great deal of criticism from both religious and secular parties due to its authoritarian implications.⁸⁴ Nevertheless, a careful examination of Khomeini’s writings and political behaviour would help to clarify that such a formulation was necessary for handling the theological impediments noted above. Khomeini was fairly aware of the conflict between the traditional concept of the state where the person of ruler was the most important issue, and the modern situation, where the issue of authority is concerned with the political system as a whole. What was important for him was the political system rather than the ruling faqīh. This is evident by his endorsement of the constitutional amendment of 1989 which made administrative qualifications superior to religious scholarship as a criterion for candidates for the supreme leadership of the regime.

Khomeini linked the religious character of the regime with the faqīh assuming its leadership, but on the other hand he stipulated the political authority of the faqīh upon the existence of the political system. In other words, he did not consider the political authority of the faqīh to be realisable outside of the state, since the powers presumed for the imām require a state in order for his powers to be conferred upon it. In this sense, the imām’s powers are to be entrusted to the state institutions in which the faqīh takes part. The faqīh thus symbolises the religious aspect of the state and functions as a conduit for

⁸⁴ Enayat, *op. cit.*, p. 168.

channeling the imām's authority through to the state system. It is this rather complex formulation that enabled a modern political system to become integrated into the broad traditional value system and earn legitimacy on religious grounds.

In addition to his adjustment of the old Shī'ī paradigm, Khomeini introduced a number of notions derived from modern political thought, among which the most important is the notion of republicanism. His advocacy of the republic as a modern form of Islamic state earns him a unique position among Muslim scholars, not only for his acceptance of the notion in theory, but also for his positive treatment of its implications and his facilitating its application in real life.

With the Revolution of 1979, the compelling requirements of state affairs brought more challenges to the old paradigm, and again Ayatollah Khomeini was the one who took up the challenge. Among his significant contributions was his endorsement of the legislative role of parliament (which had a lay majority) even in subjects with purely religious bearings, such as the codification of the Penal Law.⁸⁵ This shows, on the one hand, Khomeini's decisiveness when dealing with unforeseen theoretical challenges, and, on the other hand, the secularising power of bureaucracy as stated by Max Weber.

Although the Islamic Revolution has generated a wave of radical trends throughout the Muslim world, the ideas that Khomeini introduced to Islamic thought have revitalised the debate over the relationship between religion and democracy. Following Khomeini, ideas such as the equal participation of women, universal suffrage, legislation on the basis of popular will, the separation of powers, and so on, seem to have had more currency among Islamist groups, in contrast to earlier periods when most of the above notions were regarded as incompatible with the teachings of Islam. Here it is noteworthy that Ayatollah Khomeini was not the first Muslim scholar to introduce these ideas; nonetheless, his assumption of power in 1979 bestowed on his reforms the authority that they would not have gained otherwise.

⁸⁵ On the jurisprudential implications of legislation by fallible man, see Sachedina, *op. cit.*, p. 25.

Chapter III

The Rise of the Reformist Paradigm

This chapter discusses the implications of the emergence of the reformist faction. It argues that the said development was influenced by the failure of the model of governance which prevailed after the Islamic revolution. The reformist model involves a serious deviation from the revolutionary one, thus I explain its rise as a paradigm shift in the sense proposed by Thomas Kuhn in his famous book *The Structure of Scientific Revolutions*. Obviously, Kuhn's theory meant to analyse the development of knowledge and focused mainly on the course of progress of the natural sciences. Kuhn himself was not convinced of its applicability to the field of human sciences.¹ I use it here to analyse not scientific, but political, progress. I believe that the theory provides a proper framework for investigating post-revolutionary transformations and especially the emergence and prevalence of the progressive force. In this respect, I would like to stress particularly the following aspects of Kuhn's theory:

1- A paradigm is a 'disciplinary matrix' for its adherents; everyone takes for granted the doctrines, presuppositions and methods of investigation offered by the paradigm as a real image of the world.²

2- The fault-line, i.e. the weakening factors, of a paradigm lie within its own system; that is its failure in solving puzzles that arise within the environment which it has created.³

3- Progress is not a cumulative evolution but a paradigm shift. A paradigm breaks down through a sudden, widespread and emotional movement. Kuhn likens that shift to a 'gestalt switch' by the adherents of the old paradigm towards an alternative, characteristically incompatible one.⁴ The change does not

¹ Kuhn, Thomas, *The Structure of Scientific Revolutions*, (London, 1970), p. 160.

² Kuhn, *ibid.*, p. 80

³ Kuhn, *ibid.* p. 84

⁴ Kuhn, *ibid.* p. 150

limit itself to the solution of the particular problems that instigated the change, but undermines the credibility of the whole paradigm.⁵

The course through which the reformist model emerged and was established bears many of the features described in Kuhn's notion of a paradigm shift, nevertheless, with some adjustment concerning his assertion that only one paradigm can prevail at a given time.⁶ This adjustment was actually suggested by many of the researchers who elaborated on his theory.⁷

The chapter will begin by describing the revolutionary paradigm, how it emerged and prevailed, and the fault-line that instigated its crisis. It proceeds by describing the context within which the adherents of the paradigm started to rethink some of its major elements. And finally it shows how the new paradigm emerged, and where it succeeded or failed to deliver on its promises.

I consider that development as the most important one since the Islamic Revolution. It involves a wholesale conversion from the classic theory of power established in Shī'ism to a new theory, more in tune with liberal democracy. Given the course of political change common in the Middle East, it is distinguished for its being led by committed Muslims, openly supported by a considerable segment of the society, and implemented through democratic means. It is particularly significant, for it involves fresh approaches to such issues as the role of religion, secularism and other issues that have long been issues of contention among politicians and researchers of political development in Muslim societies.

The Revolutionary Paradigm

The fault-line of the paradigm which prevailed after the Islamic Revolution lies in its very foundations, notably the ideological justifications of post-revolutionary rule, and the heterogeneity of the elite which led the country

⁵ Kuhn, *ibid.*, p. 98.

⁶ Kuhn, *ibid.*, p. 160.

⁷ Smith, Mark, *Social Science in Question*, (London 1998), p 198.

during that phase. The chapter will show that the Islamic Republic emerged without an articulate definition of rulership within the newly-born political system. Thus, most of the strategies adopted in that formative period were based on practical considerations. They were put in place so as to deal with the compelling and changing requirements of the new political arena, and also to satisfy the multi-directional pressures exerted by the newly-emerged political and social forces. The constant switching of major strategies indicates the absence of a solid and articulate political ideology which would otherwise have ensured consistent strategies in the middle and long terms.

My argument does not deny the post-revolutionary elite's faithfulness to their ideological orientations. Obviously, every group has a kind of ideology to guide and justify its actions. The ideology can be comprehensive, so to provide the background for all types of political and non-political actions or can be limited to certain aspects of political life. What I emphasise in this argument is that, first: the post-revolutionary elite were heterogeneous, thus, what we call a post-revolutionary political ideology was in fact a combination of sub-ideologies. Second: the dominant sub-ideology, that is the one held by the clergy, lacked the sophistication necessary for handling the complexities of state politics, especially for a period of extensive transformation such as that which ensued from the revolution.

1) The Heterogeneous Elite:

The Islamic revolution 'brought together a diverse cross-section of religious and secular lay leadership, social classes, and political parties as well as guerilla movements'⁸ all of which joined forces to bring down the monarchy. What lay beyond that phase was unclear to most of them, given that Ayatollah Khomeini, the leader of the revolution, had not defined the type of government he favoured.⁹ Like many other Muslim scholars, he spoke of 'general principles and specific traditional Islamic institutions which provided the basis for an

⁸ Esposito, John, *Islam and Politics*, (New York, 1987), p. 194.

⁹ Mohaddessin, Mohammad, *Islamic Fundamentalism: The New Global Threat*, (Washington, D.C., 1993), p. 19.

Islamic state'.¹⁰ The leading role in the revolution and the revolutionary government was held by the Islamic trend which consisted of both traditional and modern segments. According to Nikpay, an Iranian sociologist, the evolution of political religiosity during the pre-revolutionary era was substantially influenced by the challenge of modernisation, whereby the response of the religious community oscillated between the call to modernise Islam and the call to Islamise modernity. There emerged three types of religiosity:

- a. an instrumental type, which took Islam as merely an anti-imperialist ideology.
- b. an ideological type, which emphasised Islam as a basis for political and social reform, and
- c. a jurisprudential-political type, which focused on the religious attitudes and behaviours.¹¹

To locate the three trends within the social structure: the first was embraced by the nationalists or the so-called 'Pan-Iranists'. The second was embraced by both the Islamic intellectual trend and the young followers of the late 'Alī Shari'atī. The third trend was mainly represented by the clergy. Renānī, a professor at Esfahān University, places that division within the broader process of transition from traditionalism to modernity which, according to some writers, was the major source of discontent in modern Iranian society.¹² He argues that in the course of the revolution 'two different sectors of the society revolted against two different sectors of the old regime'; for the traditional sector, the revolution was meant to stall the modernising process fostered by the Shah's regime. In contrast, the modern sector revolted against the persistence of the traditional patterns of politicisation within that regime, despite its claim to modernity.¹³ The worldviews of these trends differ from each other so deeply that the plurality of opinions has served to create disharmony among the political elite instead of

¹⁰ Esposito, op. cit., p. 195.

¹¹ Nikpay, A., 'Ideology, Dīn, va Enqelāb-e Iran', *Matīn*, nos. 3 & 4, (Summer, 1999), c. edition, retrieved on Mar., 10, 2003, from: www.hawzah.net/Per/Magazine/mt/003/mt00316.htm

¹² See, for example, Bashirich, H., *Mavane' Tawse'ah Siāsi dar Iran*, p. 133.

¹³ Renānī, 'Tāthīr-e Qanūn-e Asāsi bar Sakhtār-e Eqtesād-e Siāsi-e Iran', *Iran* (May, 5, 2004).

enriching a multi-dimensional, hence unified, approach to how the new political system would be constructed.

On the other hand, on the political scene there were so many political and ideological groups which, although not represented in the post-revolutionary government, were actively trying to take part in the making of the new political system. It is an inherent characteristic of revolutions that, with the collapse of the old regime, social energies are released and a wide variety of groups and organisations emerge 'seeking to reap maximum benefits from the emerging political vacuum'.¹⁴ Therein, a good deal of the views which were adopted by the ruling elite at that period and prevailed in the following years did not develop through informed debate but through the means of pressure and personal influence. In this respect, 'Ezzatollāh Seḩābī offers an insider's testimony on the political process during the formative period of the Islamic Republic. Seḩābī was a member of various post-revolutionary institutions, including the Revolutionary Council that led the revolution, the Council of Experts, which drew up the Constitution, and the first two governments. His account includes details of the personal, ideological and cultural quarrels within the ruling elite and how the political factions outside the government substantially influenced the government's policies. In this testimony, Seḩābī claims that the first draft of the Constitution was drawn up after the model of France's Fifth Republic and envisaged a liberal democratic system, but was gradually changed towards social democracy and eventually towards theocracy.¹⁵ The course of change was substantially influenced by that kind of pressure and to a lesser extent by informed debate.¹⁶

2) Inadequate Ideology

Despite their being politically active long before the Islamic revolution, Ayatollah Khomeini and his religious alliance did not have a political ideology that was sophisticated enough to handle the difficulties which arose in the course

¹⁴ Kamrava, Mehran, *Revolutionary Politics*, (London 1992), p. 67.

¹⁵ Seḩābī, E., in Amavī, B., *Ekteṣād-e Siāsī-e Jumhūrī-e Islamī*, (Tehran, 2003) 9-58., pp. 42-6.

¹⁶ Seḩābī, *ibid.*, p. 51.

of its transformation from being an ideology of socialisation to an ideology of a state. Shī'ism has emerged and developed to accommodate and justify an 'out of state' type of socialisation. The anti-political character of Shī'ism did not change after its engagement in modern politics. Dabashi holds that since the early nineteenth century, and 'as anti-colonial resistance began to gain momentum in Iran, Shī'ism was effectively implicated in the nationalization of that resistance'.¹⁷

The historical antipathy of Shī'ism towards the state has materialised in an inherent tendency to ignore the state and politics at a scholastic level. Thus the Shī'ī experience of state politics within such governments as the Sarbedarān, Safavids, and Qajars is completely disregarded by the religious seminaries. These states have not only been denied legitimacy, but also ignored as if they never existed. Jurisprudential textbooks and the interpretive studies of the 'ulamā barely mention the many Shī'ī states which emerged both in and outside Iran, even when they deal with topics related to state and authority.

Given that path of development, Shī'ī jurisprudence became evidently impoverished in respect of the rules and regulations related to state and power. Books concerning political theory and current affairs which were published within the religious community in the pre-revolutionary era were negligible, both in number and quality. It is useful to mention here that that kind of neglect was common among both major branches of Islam, Sunnī and Shī'ī. The clerical contribution to the political knowledge of the Muslim community was described by Ridwān al-Sayyid as very limited.¹⁸ The reason, according to al-Sharafī, lies in the earlier scholars' preoccupation with the ideals of the formative period of Islam as embodied by the government of the Righteous Caliphs and 'the complete neglect of the government within its historical context, as an entity subject to change in nature and dynamics'.¹⁹ For Ayatollah Montazerī the

¹⁷ Dabashi, H., 'The End of Islamic Ideology', *Social Research*, vol. 67, no. 2, (Summer, 2000), c. edition, retrieved on Mar., 5, 2003, from: www.findarticles.com/p/articles/mi_m2267/is_2_67/ai_63787340

¹⁸ Al-Sayyid, R., *Al-Jamā'ah wa al-Mujtama' wa al-Dawlah*, p. 364.

¹⁹ Al-Sharafī, A., 'Mushkelat al-Hukm fī al-Fikr al-Islamī al-Ḥadīth', *al-Ijtihād*, no. 14, (Winter 1992) 69-93, p. 70.

‘ulamā's unawareness of the multi-dimensional nature of the political process is to be blamed on their self-alienation from politics.²⁰ The same explanation is held by Hassan al-Turabī, the Sudanese scholar,²¹ and to some extent al-Sayyid who argues that the antipathy between the religious and political institutions appeared long before the first encounter between the Muslim world and Western culture.²²

The lack of a proper awareness of the imperatives and mechanisms of state politics appears to have resulted in the religious activists ignoring the complexity of the process through which the political system should be transformed. Prior to the Islamic Revolution, the prospect of political engagement had been swinging between two extremes: a traditional trend thought that state business was too complicated, tricky and even dirty to be undertaken by pious men.²³ The activist trends, on the other hand, thought that the state could be Islamised if the ‘bad’ holders of the key positions were replaced by good ones. Ayatollah Khomeini, for instance, tells his disciples:

Once you have succeeded in overthrowing the tyrannical regime, you will certainly be capable of administering the state and guiding the masses.

The entire system of government and administration, together with the necessary laws, lies ready for you. If the administration of the country calls for taxes, Islam has made the necessary provisions, and if the laws are needed, Islam has established them all.²⁴

Ayatollah Khomeini envisaged an Islamic state with a very simple system of organisation. He deemed large institutions for legislation or judiciary unnecessary. In an Islamic government, he holds, ‘a simple planning body takes the place of the legislative assembly... This body draws up programs for the different ministries in the light of the ordinances of Islam’.²⁵ A large

²⁰ Montazerī, H., *Dirasāt fī Wilāyat al-Faqīh*, vol. 2, p. 300.

²¹ Turabī, Hassan, *Hewarāt fī al-Islam, al-Dimuqratiyya, al-Dawlah, al-Gharb*, (Beirut, 1995), p. 151.

²² Al-Sayyid, op. cit., p. 412.

²³ Khomeini, *Islamic Government*, p. 88.

²⁴ Khomeini, *ibid.*, p. 86.

²⁵ Khomeini, *ibid.*, p. 29.

bureaucracy does not help the state to be more efficient; rather, it consumes time and money while failing to ensure the fair administration of public affairs.²⁶ I have already noted in the previous chapters that one of the deficiencies of the Shī'ī theory of power, and hence the doctrine of wilāyat al-faqīh, lies in its underestimation of the part played by state institutions in comparison to the exaggerated significance given to the person of the ruler.

In addition, there has been a commonly held perception that the establishment of the rule of faith will be rewarded with the grace of God, as the Holy Qur'ān says: 'If the people of the towns had but believed and feared Allah, We should indeed have opened out to them [all kinds of] blessings from heaven and earth' (Holy Qur'ān, 7:96). In general, the state as an independent institution, its requirements, dynamics and its limitations related to its international relations, were largely disregarded by the religious community. According to Ibrāhīm Yazdī, who was a member of the Revolutionary Council and the interim government:

Prior to the revolution, all of us thought that, as Muslims, we had the answer to every question. [We thought that] the Islamic Republic would ensure both freedom and justice; such an issue was taken for granted. No one, including the religious intellectuals and clergy, had had any doubts about that. After twenty years of experience, we see that those questions are not as easy and basic as we have anticipated.

We thought of a state which was not against the religion, observant of the people's faith... We did not think of [such questions as] what Islamisation means exactly.²⁷

The above argument will certainly bring to the fore a legitimate question: how can it be said that the post-revolutionary Islamic elite lacked an adequate political ideology, whereas we acknowledge their embracing of Islam, and while the Islamic Sharī'a is deemed by the elite, and indeed by many others, as a sufficient ideology in its own right, an ideology comparable to Marxism and liberalism?

²⁶ Khomeini, *ibid.*, p. 31.

²⁷ Yazdī, Ibrāhīm, *Seh Jumhuri*, p. 404.

To answer this question, we have to distinguish between Shari'a in the abstract sense and Shari'a in the ideological sense, which is perceived and interpreted by the religious elite. In the former sense, Shari'a is supposed to outline a normative scheme of values and principles upon which practical rules and regulations can be grounded. For this scheme to apply to the realities of social life, there have to be efficient methods of interpretation and application. The efficiency of interpretation is contingent upon a set of factors outside Shari'a itself, including the scientific competence of the interpreter, the proper understanding of the subject matter and its location within the web of social life, as well as the implications and ramifications which would ensue from the application of certain rules to that subject. Thus my argument does not extend to question the adequacy of Shari'a *per se*, although there is room for such a question, as will be indicated in chapter five. My discussion is limited to the adequacy of the ideological sense of Shari'a, namely the notion of traditional jurisprudence, or *fiqh sunnatī*, which emerged through the process of regime consolidation as the ideological framework within which state policies would be formulated.²⁸

Shari'a has been absent from real life for centuries and the traditional fiqh is said to have lost touch with the actual realities of modern life and government.²⁹ As Hakimi, a senior teacher at Qum seminaries, says:

One who goes through the jurisprudential textbooks will probably think that Islam is an outdated religion, a religion disconnected from the progression of human life, from politics, administration, and the constructive movements in such realms as science and economy.³⁰

²⁸ Rafsanjani, Hashemi, *'Ubūr az Buhrān*, (Tehran, 1999) p. 60.

²⁹ Shabestari, M., *Naqdī bar Qarāāt-e Rasmi az Dīn*, p. 65.

³⁰ Hakimi, Muhammad, Muhammad & 'Ali, *Al-Hayāt*, (Qum, 1987), vol. 2, p. 356.

The Paradigm Shapes Up

Kamrava categorises the Islamic Revolution among the spontaneous, as distinct from the pre-planned, variety.³¹ With this type, the ideology of the revolution takes shape only after 'the ultimate winners of the revolution have become clear and have established their reign over the country'.³² What appears in the aftermath of the revolution to be the ideals and objectives of the revolutionary movements are, at best, vague promises open to differing interpretations. They are even contradictory in their eventual outcomes, 'a contradiction which is more the result of the inherent looseness of the revolutionary process itself rather than the sinister manipulation of revolutionary turn-faces'.³³ The Islamic Revolution was no exception; it emerged suddenly with no plan or preparation, says Nourbakhsh, the former director of the Iranian Central Bank:

No one had foreseen that the revolution would succeed in such a short time. Thus we did not seriously seek to prepare a set of theories which would guide the administration of the country. Mostly, it was the personal desire of some fellows to inquire into the theories of economy, and into some aspects of Islamic economics, but nothing serious.³⁴

The new system took shape through the process of trial and error.³⁵ To make things worse, that process took place while the country endured the effects of enormous economic and political pressures from the United States, alongside a full-scale war with Iraq. Ayatollah Khomeini was probably the one who recognised the long-term implications of that deficiency, and thus rejected the proposal by some members of the Revolutionary Council for a twenty-year period of dictatorial rule in order to build the new political system before putting a constitution in place.³⁶ Khomeini's swift pursuit of the process of the state-building earned the Islamic regime its formal frame of identity and the crucial

³¹ Kamrava, *op. cit.*, p. 27.

³² Kamrava, *ibid.*, p. 35.

³³ Kamrava, *ibid.*, p. 73.

³⁴ Nourbakhsh, Mohsen, in Amavī, *op. cit.*, p. 62.

³⁵ Rafi'pour, *Tavse'ah va Tazadd*, p. 124.

³⁶ Yazdī, *op. cit.*, p. 421.

basis for stability. Within less than two years, there was a new constitution, a president and a parliament, all of which came through popular ballot.

If that process continued in the same manner, the regime would probably have accomplished the remaining mission, which is the formulation of its political ideology, thus acquiring a final identity. This was a crucial task, for it would have helped the consensus on the legal form of the new political system to evolve into a consensus on its cultural and political essence. Throughout the twentyfive-year experience of the Islamic Republic, the major hindrance to political development has been the lack of consensus upon the identity of the Islamic regime. Despite the consensus on the religious character of the regime in the broad sense, it could not provide for a similar agreement on what is meant by each of the principles furnished by the Constitution, including the realisation of religious ideals in the public sphere, constitutional rights, the sources and limits of authority, and so on. It is because of these shortcomings that factional rivalries in today's Iran are not limited to the normal differences over power distribution or the different provisions of policy-making, as is the case in the democratic systems. They extend down to the very bedrock of the regime.

From 1981 the clergy-dominated alliance of 'the Line of the Imām' commenced a process aiming to consolidate its rule through suppressing or marginalising its political rivals. The Line of the Imām combined three groups: a small but powerful number of pragmatic politicians, a pro-tradition group of middle ranking clerics and Bazaar traders and guilds, and a broad, but disunited leftist collection of groups and activists. The process of regime consolidation helped the third group to claim the strongest position in the political theatre, thus its tendencies had the most influence on the political process in the formative period of the Islamic regime. The reference to some groups as leftist or pragmatic must be considered within the Iranian context, since there is a common scepticism towards the relevance of such descriptions.³⁷ Similarly, the inclination towards a controlled economy should not be mistaken for the

³⁷ Buchta, Wilfried, *Who Rules Iran*, (Washington DC, 2000), p. 11.

advocacy of a socialist ideology, since socialism has never been accepted by the religious community.³⁸

The hegemony of the Left was the fruit of the combination of activist interpretations of Shī'ism with anti-imperialist sentiments which engulfed Iranian society in the 1970s. The leftist inclination became established after many of its principles were included in the Constitution.

The Constitution of 1980 represents the first and most comprehensive documentation of the political ideology of the Islamic Republic. The features of the new political system as envisaged by the ruling elite in the early post-revolutionary period were illustrated in the preamble and throughout its 175 articles (177 after the amendment of 1989). The ultimate objective of the Islamic system was defined as 'to create conditions conducive to the development of man in accordance with the noble and universal values of Islam'³⁹. This objective takes effect by liberating man from all forms of tyranny and 'entrusting the destinies of the people to the people themselves in order to break completely with the system of oppression'. In political terms, people are to have full-scale participation in the political process:

The Constitution provides the basis of such participation by all members of society at all stages of the political decision-making process on which the destiny of the country depends. In this way during the course of human development towards perfection, each individual will himself be involved in, and responsible for the growth, advancement and leadership of society. Precisely in this lies the realisation of the holy government upon earth (in accordance with the Quranic verse 'And we wish to show favour to those who have been oppressed upon earth, and to make them leaders and the inheritors.' [28:5]).

The Constitution extends the mission of the Islamic Revolution beyond Iranian territory. It asserts the 'continuation of the Revolution at home and abroad', the striving with 'other Islamic and popular movements to prepare the way for the formation of a single world community', and 'the struggle for the

³⁸ Hunter, S. & Newsom, D., *Iran after Khomeini*, (New York, 1992), p. 63.

³⁹ This phrase and all the coming phrases between two brackets and the quotation are from the Constitution's preamble. For more details, see Amuzegar, Jahangir, *Iran Economy under the Islamic Republic*, (London, 1993), p. 26.

liberation of all deprived and oppressed peoples in the world'. Article Three states various objectives to be pursued by the Islamic state, including:

- the elimination of all forms of despotism, autocracy, monopoly of power, as well as foreign influence.
- ensuring political and social freedoms; the participation of the entire people in determining their political, economic, social and cultural destiny.
- the elimination of discrimination and the provision of equal opportunities for all.
- a just economy compatible with the Islamic criteria, aiming to create welfare, eliminate poverty, and abolish all forms of deprivation with respect to food, housing, work, health care, and the provision of social insurance for all.
- the pursuit of self-sufficiency in scientific, technological, industrial, agricultural and military domains.⁴⁰

The Paradigm in Action

Throughout the Constitution as well as the speeches and communiqués by Khomeini and other leaders, there appears a scheme of five notions which make up the essence of the ideology of the revolutionary elite. These notions include: Islam, justice, public participation, independence and renovation. While in the abstract, that scheme seems a meeting point for the entire revolutionary elite, this agreement could not, unfortunately, extend to the practical level. From the early 1980s until now, the differing interpretations made each of the above principles a pivot for contention instead of functioning as an agent of ideological harmony. In the following pages I will discuss how the principle of justice was conceived and applied through two major aspects of public life, namely the management of the economy and political participation. The discussion provides an example of the way in which the revolutionary paradigm evolved and became established.

⁴⁰ The whole clause is a summarised text of Article Three of the Constitution of the Islamic Republic.

Social justice has represented a prominent theme in political and philosophical debates since ancient times. As a normative principle, it validates the processing of such major pursuits in the social life as the distribution of common resources, privileges, the organisation of public institutions, and so on. There appears to be no single definition of social justice; however, Miller suggests that it is better understood as a part of the broader concept of justice in general.⁴¹ The early accounts of social justice are generally based on the idea that a just society is the will of God. Later accounts treated the notion in the frame of natural law and the social contract. Recently, the debate on social justice came to be dominated by the contest between various socialist visions and the liberal model, most notably the contractual theory of justice, advocated mainly by John Rawls in the frame of his 'justice as fairness' model.⁴² Miller holds that the conception of social justice is highly conditioned by the way in which a society is organised. He considers three social types, namely the primitive, the hierarchical and the free market-based society as distinctive frames of organisation, each with a different conception of justice:

The social structure of a particular society generates a certain type of interpersonal relationship, which in turn gives rise to a particular way of assessing and evaluating other men, and of judging how benefits and burdens should be distributed.⁴³

The market model conceives the free economic market as a just system for distributing goods and services. Rawls criticises the utilitarian character of the model as it fails to satisfy its individualistic foundation, wherein 'each person possesses an inviolability founded on justice that even the welfare of society as a whole cannot override'.⁴⁴ Alternatively, Rawls holds that a just society must involve two basic criteria: basic liberties are the same for each citizen, and when social or economic inequalities do exist, the distribution of social goods must benefit the least favoured:

⁴¹ Miller, David. *Social Justice*, (Oxford, 1979), p. 17.

⁴² Iatridis, Demetrius, *Social Justice and the Welfare State in Central and Eastern Europe: The Impact of Privatization*, (London, 2000), p. 8.

⁴³ Miller, op. cit., p. 255.

⁴⁴ Miller, *ibid.*, p. 40.

The basic structure of society is arranged so that it maximises the primary goods available to the least advantaged to make use of the equal basic liberties enjoyed by everyone. This defines one of the central aims of political and social justice.⁴⁵

Similarly, the principle of justice occupies an exalted position in Islamic thought. In Shī'ī belief, justice is one of the five primary principles (*usūl*) of the religion.⁴⁶ According to Moṭahhari, justice is the essence of all religious teachings; it has an equal rank to the belief in the oneness of God, it is the basis for belief in resurrection, the reason for sending the prophets and assigning the imāms, and the canon of individual perfection and society's safety.⁴⁷ Along the same lines, the leader of the Islamic Republic holds that ensuring justice and fairness is the most urgent incentive for the emergence of the Islamic regime.⁴⁸ Khamenei maintains that a just system must be based on three foundations: just laws, just executives and an active role by the people. According to this view 'the only just laws are those of Islam, since Islam receives its laws from God who has absolute knowledge of the world'.⁴⁹

Despite the said exalted position of social justice in the religious traditions, its application does not match the rhetorical emphasis put on it. That is an outcome of the absence of a sophisticated ideology which otherwise would have ensured a cumulative process towards institutionalising social justice in the Islamic system. In the following pages, I will discuss how the principle was applied within the two areas of economy and political participation.

⁴⁵ Rawls, John, *Political Liberalism*, (New York 1993), p. 326.

⁴⁶ The other four include belief in the oneness of God, in the Prophethood, Imāmate and the Resurrection.

⁴⁷ Moṭahhari, Murtazā, *'Adl-e Elāhī*, (Tehran, 1993), p. 37.

⁴⁸ Khamenei, Ayatollah, communiqué on the first anniversary of the death of Ayatollah Khomeini (May, 31, 1990). Retrieved on Nov., 2, 2004 from: www.wilayah.net/pr/bayanat/speeches/68-69/bayan342.htm#link1439

⁴⁹ Khamenei, Ayatollah, Friday Prayer Speech, (Mar., 27, 1980). Retrieved on Nov., 2, 2004 from: www.hwzah.net/pcr/e/ef/efc/efcb/efcbw/efcbw.htm

Management of the Economy

Three factors are said to have influenced the provision of the fair distribution of income in the post-revolutionary era: first: the traditional patterns of socialisation in which society is conceived of as a collection of 'small producers, where everybody owns his own workshop and where production on a mass scale and the relations of wage-labour do not arise'.⁵⁰ Second: the outrage regarding the royal regime's favouring of the upper class and major cities in the distribution of national resources. This is to be understood with reference to the fact that the major source of national income, namely oil exports, was in the hands of the state. According to Parsa, in 1974, forty-seven of the wealthiest families controlled around 85 percent of the large firms, among which ten families owned from ten to 74 businesses for a total of 390 corporations. The royal family owned 137 of the 537 largest corporations and financial institutions.⁵¹ Third: a common illusion links the lack of fairness under the former regime to its fostering of a free market economy and strong ties with the international market.⁵²

It appears that the profound influence of the three factors on both the elite and ordinary people took place because of what I take as an ideological vacuum, – that is the absence of any other ideology capable of offering a better way through which the Iranian society could emerge from its difficulties. This vacuum is described by Roganī Zanjānī, an economist and former cabinet member, as follows:

In addition to the lack of administrative skills among the revolutionary forces, we had a more fundamental defect in a theoretical respect. The capitalist system evolved through systematic dialogue between theory and reality. The socialist system followed the same course. In comparison, Islamic economics as furnished by the Constitution of the Islamic Republic had never interacted with real life, neither the theories

⁵⁰ Bashirych, Hossein, *The State and Revolution in Iran*, (London 1984), p. 174.

⁵¹ Parsa, Misagh, 'Economic Development and Political Transformation', *Theory and Society*, vol. 14, no. 5, (Sep., 1985) 623-675, p. 668.

⁵² Khamūshī, A. N., (President of Iran Chamber of Commerce and a former MP), interview, *Iran*, Aug., 3, 2002

nor the people who proposed and implemented them. As a result, it was abstract and divorced from the actual executive and administrative realm of the country.⁵³

For a short while, the doctrine of 'Monotheist Economy' proposed by Abulhassan Bani Sadr, the former president, gained huge popularity as a possible model for the Islamic economy, but faded away in the political chaos. The doctrine, however, is more of a critique of the single crop and dependent economy than a foundation for an economic model. Bani Sadr dismisses the Western emphasis on absolute property as contradictory to the Islamic notion of the absolute ownership being the exclusive privilege of God. He holds that 'in Islam there is only the right to ownership of labour and its product and this right is relative'.⁵⁴ There were also various writings about Islamic principles in relation to the economy, none of which, however, is tantamount to a distinct model comparable to others common in the world.⁵⁵

The lack of a coherent economic theory gave rise to the favouring of a state-controlled economy whereby the pursuit of economic equality took the form of direct redistribution of wealth from the wealthiest to the poorest segments of society. This tendency was easily accepted by the clerical circles, for it recalls a widely-cited tradition attributed to 'Ali ibn Abī Ṭalib, the first Shī'ī imām, suggesting that: 'Allah, the Glorified, has fixed the livelihood of the destitute in the wealth of the rich. No destitute person would starve if the rich did not consume the resources at their disposal excessively'.⁵⁶ It also has some similarities with the established mechanism of social solidarity embedded in the religious duties of *zakāt* and *khums*. Through these two forms of financial duties, between five and twenty percent of added profits on an annual basis is redistributed from the wealthy to their impoverished fellows. It is not clear whether this idea was put forward in that early period. Nevertheless, in a statement by Ayatollah Khomeini, there was a criticism of some jurists who

⁵³ Zanjānī, in Amavī, op. cit., p. 144.

⁵⁴ Cited in Bashiriyeh, op. cit., p. 72.

⁵⁵ Sadrī, M., 'Dastān-e Degargūnī dar Iran-2', *Donya-e Eqtesād*, (Sep., 19, 2004), e. edition: www.donya-e-eqtesad.com/83-06-29/070629.htm

⁵⁶ Al-Sharīf al-Radī, *Nahj al-Balāghah*, edited by F. Tabriziān, p. 855. E. edition, retrived on Nov., 1, 2004 from: www.aqacd.com/shialib/books/07/nahj/nahj-28.html

opposed a government plan to introduce a new tax code on the basis that all forms of tax other than *khuums* and *zakāt* were illegitimate.⁵⁷

The move to control the market was opposed by the traditional clergy and the leading Bazaar traders, for it implicitly violates the right of property and free contract, both of which are established principles in the Islamic traditions and defined on an individual basis. In order to manage this difficulty, the ruling elite relied heavily on the *ahkām-e thanavich*, or the secondary rules that allow the ruler recourse to his personal judgment of the public interest in a state of emergency. It is obvious that such a tendency was motivated by the elite's certitude that the established jurisprudential doctrines were not sufficient for addressing the urgent needs of the state at that time. Hence they wanted to impose their personal judgment directly on the management of the transformation of what was thought of as an unjust and dependent economy into one that was Islamic, just and self-sufficient. Ayatollah Golbaigānī, the second ranking source of emulation (*marje' al-taqlīd*) in the religious establishment, warned Khomeini and the MPs that the excessive use of secondary rules would probably ruin the integrity of the Shari'a.⁵⁸

The centralist tendency came into effect through the nationalisation of the major economic sectors and land re-distribution. In June 1979, the government took over the country's thirty-six banks, followed by the confiscation of nearly all the major firms in the engineering, agriculture, construction, insurance and distribution sectors.⁵⁹ The nationalised industrial firms totalled 580 by March 1983.⁶⁰ According to one report, the Organization for National Industry acquired 564 units with around 185,000 employees in 1980.⁶¹ *Buniād-e Mostaz'afān* (Foundation for the Disinherited), the body

⁵⁷ Tabrizī, Mosavī, 'Jiegāh-e Hukūmat dar Andisheh Eṣmā', *Matin*, (Winter 1998) c. edition, retrieved on Mar., 10, 2003, from: www.hawzah.net/Per/Magazine/MT/001/mt00116.htm. See also Khomeini, *Saḥīfah Nūr*, vol. 18, p. 186.

⁵⁸ Hajjariān, *Az Shāhed-e Qudsī*, p. 296.

⁵⁹ Rashīdī, 'Ali, *Eqtesād-e Mardum-salār*, (Tehran, 1997), pp. 58-63.

⁶⁰ Rashīdī, *ibid.*, p. 69.

⁶¹ Jenān-sefat, M., 'Şun'at-e Iran pas az Bahān 57', *Hamshahrī*, May, 20, 2002. www.hamshahrī.net/hamnews/1381/810230/econw.htm

responsible for the administration of the properties of the ousted royal family, held 400 firms in 1982.⁶² Another 177 firms were held by *Buniād Shahīd* (Martyr Foundation), a revolutionary agency responsible for the welfare of the families of the revolutionary martyrs.⁶³ The total confiscated assets were estimated at around 31.2 percent of the entire private investment in the country.⁶⁴

The policy of land re-distribution provides another example of the ideological confusion as well as the political chaos that characterised that period and resulted in many major policies being adopted without appropriate consideration of their implications. The course of land re-distribution was initiated by the peasants at the peak of the revolutionary process and probably was a surprise to the political leaders. Many provinces saw peasants and workers seizing lands, factories, buildings and other properties of the figures of the ousted regime or, in general, those who were identified as wealthy or influential under the previous regime.⁶⁵ It is not clear whether the ruling elite was supportive of this type of action. Nevertheless, it brought them face to face with a drastic challenge to identify their concept of social justice, whether it rests on the respect for personal property or fosters the redistribution of private large holdings.⁶⁶

To deal with the widespread seizure of the property of absent landlords, the government issued the 'Law for the Transfer and Revival of Land' in April 1980, promising a wide re-distribution of state and privately-owned barren lands.⁶⁷ The latter category outraged the traditional clergy, voiced notably by Ayatollah Golbaigānī and resulted in Khomeini stopping any more

⁶² Jenān-sefat, *ibid.*

⁶³ Madanī, Amīr, *Mavāne' Tavse'ah Eqtesādī Iran*, (Tehran, 1995), p. 142. In 2003, the assets of Buniād Mostaz'afān included 384 firm active in industry, transport, civil engineering, tourism, agriculture, trade and finance, with a workforce of 60.000 employees. Āl-lṣḥāq, the director of the corporation, cited in *Iran*. (Jan., 4, 2003).

⁶⁴ Jenān-sefat, *op. cit.*

⁶⁵ Farazmand, 'Ali, *The State, Bureaucracy, and Revolution in Modern Iran*, (London, 1989), p. 206.

⁶⁶ Hunter and Newsom, *op. cit.*, pp. 62-3.

⁶⁷ The text of the law is available on the official site of the Ministry of Jchād-e Keshāvarzī (Agriculture), www.frw.org.ir/fa/saruqz/darbure_suzinun/majmooc_qavunin/1359.htm

confiscation.⁶⁸ The controversy over agrarian reform went on for years. Some of the seized lands were retained by the peasants, others were returned to their owners by the courts. The fate of agrarian reform remained unclear until 1983 when the Parliament approved a moderate law observing, to a fair extent, the reservations of the landlords and the religious leaders.⁶⁹ The distribution of land partially resolved the problem of landlessness on the part of the poor peasants whereby, according to official reports, around one million hectares of land were distributed among eligible families.⁷⁰ The World Bank described it as a moderate step in the right direction, but not sufficient to sort out the agrarian problem.⁷¹

In general, the centralist policies of the post-revolutionary government, particularly its favouring of the less advantaged and rural areas, have resulted in some tangible improvements, at least in the short term. Iran's human development rating, according to UN human development reports, rose from 0.57 in 1980 to 0.61 in 1985 and 0.65 in 1990.⁷² The UNHD rating index measures each country's average achievement in three basic areas of human development: a long and healthy life, education and a decent standard of living. The rating of income equality on the basis of the Gini coefficient model gives another indication of the said improvement. According to official statistics, Gini rate has dropped from 0.512 in 1979 to 0.437 in 1989. This model supposes a five-layer pyramid of incomes where, in the ideal situation, each group should receive a share of the entire income of the society corresponding to its relative size. Since that is not the case in the real world, it calculates the rate of equality by comparing the distance between the actual share of income retained by each of the five layers with the presupposed ideal point, i.e. 20 percent. The rating ranges from zero (equal) to one (unequal). A society with a fair income distribution

⁶⁸ *Vaqc'iat-ha va Qazavat-ha*, a book by an anonymous assistant of Ayatollah Montazeri in defense of his position, c. edition, retrieved on July 2004 from: www.Montazeri.ws/farsi/vagciat/html/0010.htm0078

⁶⁹ For some details on the related controversy, see Baktiari, Bahman, *Parliamentary Politics in Revolutionary Iran: The Institutionalization of Factional Politics*, (University Press of Florida, 1996), pp. 84-92

⁷⁰ Farazmand, op. cit., p. 213.

⁷¹ The World Bank, *Islamic Republic of Iran: An Agricultural Policy Note*, Report No. 29428-IR, (Jun., 22, 2004), p. 5

⁷² UN HDR 2004, http://hdr.undp.org/statistics/data/indic/indic_10_1_1.html

would be in the range of 0.4. In the case of Iran, during the first post-revolutionary decade, the share of the 40 per cent with a low income rose from 12 to 14.05 percent of the total income, the 40 per cent with a middle income from 30 to 37.42 percent, while the income of the richest fifth dropped from 58 to 48.53 percent.⁷³

Public Participation in Politics

Political participation is the principal feature of democratic political systems. Nie and Verba define it as the 'legal activities by private citizens which are more or less directly aimed at influencing the selection of government personnel and/or actions they take'.⁷⁴ The degree of participation is to be assessed against the rate and scope of the government actions that articulate the expressed will of the citizens. Political participation takes different forms, the most notable of which is voting in periodic and freely contested elections.⁷⁵ In addition to its instrumental definition, 'electoral participation is conceptualised as a form of symbolic action which lends generalised support to the political system'.⁷⁶

After the emergence of the Islamic Republic, elections were held periodically and attracted wide participation, indicating that the regime was fairly stable and popular.⁷⁷ Yet, it is hardly deemed a democratic system. The reason is obvious: despite the instrumental and symbolic significance of elections, this does not suffice by itself to deliver a democratic system. First, elections have to be grounded in a conceptual basis appropriate to democracy; that is, the people being the sovereign and source of authority. Second, for elections to manifest the will of the people, rulers have to facilitate the legal and political environment so as to ensure equal opportunity for all citizens to take part in a fair and free contest.

⁷³ Rustā, M., & Ramazānī, M., 'Barraṣi Vaz'iat-e Tavzi' Darāmad dar Iran', *Ettela'at Siāsi Eqtesādī*, no. 177-178, (May-Jun., 2002) 250-263, p. 257. The figures are based on the statistics of the Centre for Statistics of Iran, but disputed by other sources. Compare with Rafi'pour, *Tavse'ah va Tazadd*, pp. 177-9.

⁷⁴ Cited in Robinson, Mark, 'Democracy, Participation, and Public Policy: The Politics of Institutional Design', in Robinson, and White (eds.), *The Democratic Developmental State: Politics and Institutional Design*, (Oxford, 1998), p. 156.

⁷⁵ Robinson, *ibid.*, p. 157.

⁷⁶ Topf, Richard, 'Electoral Participation', in Fuchs, and Klingemann (eds.), *Citizens and the State*, (Oxford, 1995), p. 29.

⁷⁷ Kamrava, *op. cit.*, p. 112.

The history of political participation in post-revolutionary Iran shows that the electoral process has evidently failed to meet the said criteria. This does not mean that the elections were forged; it means precisely that the plurality of opinions and the different segments of Iranian society were not given an equal opportunity to express themselves through the elections. Thus, the outputs of the elections might have expressed some of the various interests in Iranian society, a small or a large proportion, but definitely not all of them.

In each of the elections held throughout the twenty-five years that elapsed from the Islamic revolution, there was political conflict over the rules of access and participation. In the legislative election of 2004, nearly all the non-conservative candidates were excluded from the contest, which was just a repetition of what happened in 2000, 1996, 1992 elections. The recurrent conflicts, I argue, imply an inherent misconception of the notions of 'people' and 'political participation' in the revolutionary paradigm. The theoretical ground of the said misconception will be discussed in the next chapter. The following pages will illustrate the context within which the idea of participation emerged and took its current shape.

After the Constitutional Revolution of 1905-6, the Majlis became a symbol of the public yearning for a representative government⁷⁸ and, at the same time, the medium through which the secular rule is legitimised. During the Pahlavi regime, both religious and secular forces would have been ready to take part in the political process had the regime limited itself to the boundaries of the Constitution. In his *Kashf al-Asrār*, Ayatollah Khomeini indicated that the Shah could have his rule legitimised in exchange for the restoration of the Constitution, notably Article 2 which provided for a clerical body to monitor compliance of laws with religious principles.⁷⁹

Given the exalted position of the Majlis in Iranian culture, it was taken for granted that an elected Majlis would be at the centre of the political process in the new regime. Makārem Shirāzī, a conservative scholar, while holding that there is no reference to the electoral process in the Shī'ī school of

⁷⁸ Menasheri, *Post-Revolutionary Politics in Iran*, p. 68.

⁷⁹ Martin, Vanessa, *Creating an Islamic State: Khomeini and the Making of a New Iran*, (New York, 2003) pp. 105-6.

jurisprudence,⁸⁰ acknowledges its validity on a rather instrumental basis. According to this view, public participation is accepted for it serves

to counter the accusation of tyranny or dictatorship ... In addition, by holding elections, people's support and trust can be secured and the temptations of the evils and enemies of the Islamic government would be beaten back.⁸¹

Other than the said reservation, it is obvious that the post-revolution elite were in agreement that the new political system should involve broad political participation. It appears thus that the issue was dealt with on a practical rather than a theoretical basis. In other words, the course of the revolution and its immediate outcome left no other choice. Here are three possible explanations:

First: given that the regime was born out of a popular revolution, the role of the people was impossible to deny. The masses not only brought down the former regime, but also took over the government and created an order of their choice to administrate day-to-day affairs long before the new regime stood on its feet.⁸²

Second: despite the old regime falling apart, the revolutionary leadership did not have all the threads of power in its hands. A sense of insecurity was heightened by the emergence of separatist movements in the provinces bordering the western frontiers, and suspicions over a possible intervention by the army, or probably a plot by the United States, similar to the one which brought down the national government of Muṣaddiq in 1953. In an atmosphere full of suspicion and fear, the revolutionary elite had no real force upon which to rely, other than the ordinary people who gave it faithful support.⁸³

Third: it was natural for a new regime to try to introduce a better form of government than the ousted one. Pahlavi rule was associated with many unpopular policies, the most notable of which was its disregard for the parliament and public opinion.⁸⁴ Thus, it was natural for the new regime to take the opposite stance. Fundamentally, Kamrava maintains, the legitimacy of the

⁸⁰ Shirāzī, Makārim, *Buḥūth Fiqhiyah Muḥemmah*. (Qum. n.d.), p. 472.

⁸¹ Shirāzī, Makārim, *ibid.* p. 476.

⁸² Salehi, M., *Insurgency through Culture and Religion: The Islamic Revolution of Iran*, (New York, 1988), p. 151

⁸³ Salehi, *ibid.*, p. 151

⁸⁴ See in this regard, Katouzian, Homa, *The Political Economy of Modern Iran*, (New York, 1981).

new ruling elites 'depends on their ability not just to lead revolutions but to deliver on the promises they made during the revolutionary struggle'.⁸⁵

There are of course other factors, including the whole-hearted belief by some leaders in free and fair public participation regardless of all the contextual imperatives. For example, Ayatollah Taleghānī, the second-in-rank leader of the revolution was of the idea that the *shūrā*, or rulership on the basis of collective opinion, was the authentic method of rule in Islam.⁸⁶ However, the idea of public participation was at that period more of an acknowledgement of the state of affairs as well as a submission to the urgent need to protect the newly-born regime. Ideologically-based reservations might have been mitigated by virtue of the fact that the sweeping popularity of the religious leadership provided a kind of comfort, which was reflected in the feeling that, at the end of the day, people would accept the preferences of their leaders.⁸⁷

The first form of institutionalised political participation at the grass-root level was embodied by the neighbourhood councils or *Shūrā-ye Maḥallah* and the popular committees. Both forms denote groups of action set up in each locality and workplace to oversee common interests, as alternatives to the dilapidated state apparatus and other organisations. The group's membership was based on election, selection by respected members of the locality, or self-designation.⁸⁸ After the new regime had become more securely established, many of these groups were integrated into the formal state bureaucracy. Others were put under the supervision of the locality's mosque leader, resulting in a considerable number of their members leaving because of their disenchantment with the new arrangements or being sacked for suspicions about their loyalty.⁸⁹

The process of state consolidation, which continued until 1983, seems to have been driven by the idea that the existence of independent popular groups necessarily weakens the state and undermines its authority. Ayatollah Khaz'ālī, a notable cleric, argued that 'the government would have worked better if there

⁸⁵ Kamrava, op. cit., p. 75

⁸⁶ For a brief account of the thoughts of Taleghānī, see Dorraj, Manochehr, *From Zarathustra to Khomeini: Populism and Dissent in Iran*, (London, 1990), p. 153.

⁸⁷ Shābī, op. cit., p. 46.

⁸⁸ For some details on the Neighbourhood Councils, see Bayat, Ascf, *Street Politics*, (Cairo, 1997), p. 89. The book offers an insightful and first-hand account of the political action of the people, the lower classes in particular, during the formative period of the revolution.

⁸⁹ Bayat, *ibid.*, p. 94.

were no parties contesting it'.⁹⁰ Other than the local groups, which were less concerned with politics on the national level, the political parties, the interest groups and the independent media have seen the same fate. The clampdown on independent groups between 1981 and 1988 was excused by the need to consolidate the internal front during the period of war.⁹¹ In other words, factional politics were associated with the weakening or fragmentation of society.

Generally speaking, Shī'a clergy do not view political parties as proper agencies for representing people or generating legitimacy, and when they have to do so, the party must be supervised by a *mujtahid*.⁹² In this case, the supervising mujtahid validates the collective opinion of the party.⁹³ This belief appears to have originated in the scepticism of the religious seminaries about the role of modern forms of socialisation in the broader sense. Ayatollah Hairī plainly expresses his concern that the patronage of modern groups could undermine the religious establishment. Their assertion of factional loyalty serves to lure their members away from the religious exemplar (*marje' taqlid*).⁹⁴ This sentiment was not limited to groups that hold purely modernist tendencies. The former president Hashemī Rafsanjānī tells us that the Islamic Republic Party, too, was disliked by many Friday Prayer leaders who thought it would undermine communal unity.⁹⁵ Further more, Ayatollah Khomeini was widely known to have been unhappy with party politics.⁹⁶ In general, Shī'a clergy are more familiar with customary groupings and direct methods of communicating with ordinary people which take the form of prescription rather than deliberation. The lack of empathy between the clergy and modern groups might explain why most of the influential Iranian parties such as Nehzat Āzādī, Mojahedīn-e Khalq, Mojahedīn Enghelāb, Kargozarān and Mosharekat had only a few junior clerics among their members or none at all.

Since 2003, there appears to have been an increasing tendency among the conservatives to adopt modern forms of political activity, notably through political parties. This has probably been motivated by the successes of the

⁹⁰ Cited in *Emrooz*, Jan., 20, 2003

⁹¹ Yazdī, op. cit., p. 380.

⁹² Hairī, Kazim, *Al-Marje'iah wa al-Qiādah*, (Qum 1998) pp. 91-93.

⁹³ Yazdī, op. cit., p. 344.

⁹⁴ Hairī, op. cit., p. 195.

⁹⁵ Rafsanjānī, Hashemī, 'Diaries of 1362 (1983)', *Jam-e Jam*, (Oct. 28, 2002).
www.jamejamdaily.net/shownews2.asp?n=23061&t=book

⁹⁶ Rafsanjānī, in Safirī, *Haqīqat-ha va Maslahat-ha*, p. 80.

reformist groups in mobilising the new generations on the one hand, and the decrease in the popularity of the clergy on the other. However, this tendency goes hand in hand with the emphasis on collective action through the paramilitary organisation of 'Basij' which is regarded by the conservatives as the authentic alternative that, according to Rafsanjani, can 'fill the vacuum of real political parties in Iran'.⁹⁷ The idea of Basij (literally 'mobility') was initially proposed by Khomeini who called upon educated Iranians to help root out the poverty and deprivation of rural areas, a movement that took the form of *Jehād-e Sāzandegī* (the Jihad of Reconstruction) and *Nehzat-e Sawād-Āmozi* (the Movement for Literacy). The same idea was emphasised in the wake of the Iraqi attack on the western borders, when Khomeini urged Iranians to form the 'Army of Twenty Million' or Basij Mostaz'fin. The organisation continued after the war under the umbrella of the Revolutionary Guard. It is currently used as a means of civil defense against a possible assault by outside powers as well as internal counter-revolutionaries. There is considerable evidence that the organisation is actually used by the conservatives against their political rivals.

The Fault-Line Emerges

For Brinton, all revolutions take a similar course of development: moderates take over but, very soon, they give in to the radicals until, eventually, the fever of revolution settles down commencing a Thermidorian phase,⁹⁸ a period characterised by retreat from revolutionary strategies towards more conventional patterns of politicisation. The Islamic Republic was a political system that was constructed without a preplanned strategy. Its political ideology took shape through interaction with the imperatives of the political environment of the post-revolutionary period. Even the Constitution was a reflection of the immediate emotions and aspirations which exploded in the course of the Revolution, rather than being something which had thoroughly considered the changing requirements of society in the long-term. For Renani, this is the main reason for the intrinsic contradictions within the Constitution.⁹⁹ The discrepancy between the idealistic aspirations of the revolutionary paradigm and the actual circumstances have been felt for a while, but came to the fore, notably on the economic level, at the final stage of the eight-year war with Iraq. According to

⁹⁷ Rafsanjani, Hashemi, cited in *Baztab*, Jan., 18, 2003.

⁹⁸ Kamrava, op. cit., p. 61.

⁹⁹ Renani, op. cit.

Zanjānī, the finance minister, in 1986 there was a common feeling that the Islamic regime was no longer able to bear the burden of the war: 'I told the prime minister that we had only two options: either we stop the war or carry on the path of Imām Husayn and sacrifice the regime itself'.¹⁰⁰ Zanjānī claims that that idea was common among the elite, but concealed during formal meetings:

In private, most of the ministers were showing a serious desire to end the war. But, in the official meetings of the cabinet, they pretended to be firm and determined to carry on with the war; they often injected Quranic verses, traditions of the infallible imāms, and epic poems in their speeches.¹⁰¹

Eventually, Ayatollah Khomeini accepted a retreat from the path of Imām Husayn, not only because he was convinced that Iran could not win the war, but because 'the survival of the Islamic regime itself was perhaps at stake'.¹⁰² That retreat was just the starting point in a chain of events labelled by Ehteshami as the Thermidorian phase of the Islamic Revolution.¹⁰³

The final two years of the war involved many setbacks for Iranians. On the military front, the attempts to push into Iraqi territory which apparently were intended to impose a favourable ceasefire agreement on the Iraqis failed to make any significant impact.¹⁰⁴ In 1988, the Iraqis escalated their campaign to demoralise the Iranian public by directing 160 SCUD-B missiles into Tehran and other cities. The aerial bombardment of civil and economic facilities also intensified, using, in some cases, chemical weapons against both civilian and military targets on the northern front. The escalation of the 'war on the cities' went side by side with international pressures on Iran, including an increasing presence of American warships in the Persian Gulf.¹⁰⁵ US interference reached a climax when one of its warships shot down an Iranian passenger plane claiming the lives of 290 civilians in July 1988, prompting Iran to accept a ceasefire based on the UN 598 resolution.¹⁰⁶ For Khomeini, that was a deeply painful retreat,

¹⁰⁰ Amavī, op. cit., p. 182.

¹⁰¹ Amavī, ibid., p. 182.

¹⁰² Gareeb, Edmund, 'The Roots of Crisis', in Joyner, Christopher, *The Persian Gulf War: Lessons for Strategy, Law, and Diplomacy*, (New York, 1990), p. 22

¹⁰³ Ehteshami, op. cit., p. 30.

¹⁰⁴ Pelletiere, Stephen, *The Iran-Iraq War: Chaos in a Vacuum*, (New York, 1992), p. 141.

¹⁰⁵ Bill, James, 'Morale vs. Technology: The Power of Iran in the Persian Gulf War', in Rajāī, Farhang, *The Iran-Iraq War: The Politics of Aggression* (Gainesville, FL, 1993), p. 201.

¹⁰⁶ Iran-Iraq Ceasefire: UN Conducts Peace Talks in Geneva, New York, *UN Chronicle*, vol. 25, issue 4, (Dec., 1988).

‘halting this just war is like drinking poison, death would have been easier to bear’.¹⁰⁷

On the economic front, the war had a very negative impact and the livelihood of the entire nation became gradually dependent on state expenditure which came mainly from oil exports. Some estimates put the direct damages caused by the eight-year war at US \$600 billion and the total cost at US \$1 trillion.¹⁰⁸ The decline in the oil market, alongside the disruption of oil production by military operations, cost Iran \$36 billion in oil revenues (based on the nominal levels of production and price of 1977).¹⁰⁹

Iran’s acceptance of the UN’s Security Council resolution 598 had a variety of implications, both political and ideological. It was seen as a submission to a pattern of international relations that the Islamic Republic never recognised as legitimate. In the revolutionary paradigm, the Islamic Republic was perceived as a prelude to the universal domination of Imām Mahdī, the Lord of the Time, rather than an ordinary nation state. The revolution was meant to start from a base-country, (*Umm al-Qurā*), and inspire disinherited people all over the Muslim world.¹¹⁰ After the war, the Iranian elite projected an image of the state as something ordinary, concerned with the national interests of its people first and foremost. Later, a prominent religious leader put that deviation from the professed ideology in plain words:

The Islamic state is not responsible for reforming the world unless the Lord of the Time (*Imām al-Zamān*) appears. The government has to focus on construction, the urbanisation of the country and the well-being of its own people.¹¹¹

The dismissal of Ayatollah Montazerī, the faqīh-designate, in March 1989 was another major setback for the revolutionary paradigm. Montazerī is known as a man of religion, knowledge, courage and an advocate of the lower classes. He was also an outspoken critic of the government’s treatment of the opposition,

¹⁰⁷ Mukhtari, M., ‘Tasvīb-e Qat’nāmeh 598 va Asnad-e un dar Sazmān-e Melal’, *Farsnews*, Sep., 25, 2004. www.farsnews.com/NewsVimP.asp?ID=94968

¹⁰⁸ Hunter and Newsom, op. cit., p. 73

¹⁰⁹ Behdad, Sohrab, ‘Foreign Exchange Gap, Structural Constraints, and the Political Economy of Exchange Rate Determination in Iran’, *International Journal of Middle East Studies*, vol. 20, no. 1. (Feb., 1988), pp. 1-21, p. 3.

¹¹⁰ Bashiriych, op. cit., p. 174.

¹¹¹ Ayatollah Jawādī Āmoli, Friday Prayer speech, Qum *Iran*, Jun., 15, 2002.

especially of political prisoners.¹¹² His dismissal came shortly after he called for a 'review' of the Islamic regime¹¹³ indicating the changing tendencies among the elite. This event gave the public a taste of the rivalry among their leaders, but fundamentally dispelled the image of the ruling elite being modest, pious and lenient. These features were officially sanctioned as the distinctive characteristics of the religious rulers who were once described by Ayatollah Beheshti, as 'the people of service and not the seekers of power'.¹¹⁴

Obviously, the elite's deviation from the revolutionary aspirations would not have taken place if the regime had been well and progressing. This deviation was regarded by some authors as a return to the pragmatic approach to local and global issues. The tendency was helped, according to Katouzian, by the collapse of the Soviet Union in 1991 and the universal decline of totalitarian beliefs and centralist policies also had some effect on the Iranian elites.¹¹⁵

The said pragmatism came to be institutionalised through a major amendment of the religious-idealistic form of leadership furnished by the Constitution. Shortly after the death of Ayatollah Khomeini in June 1989, Iranians voted on a revised version of the Constitution aiming at:

- 1- giving state imperatives a priority over religious ones. The state leadership was separated from the religious seminaries. In the amended Constitution, the administrative and political skills were given primacy over the religious scholarship in the qualification for the office of wilāyat al-faqīh.
- 2- establishing the conventional identification of 'public interest' as the basis for determining the applicability of religious teachings. According to the previously-sanctioned traditional jurisprudence, interests are identified by the mujtahid with reference to religious criteria.

The transfer of wilāyat al-faqīh to the then president Khamenei was relatively smooth. By putting the above changes into effect, the elite was able to exclude many contenders for the office most of whom excel Khamenei in respect of

¹¹² Abdo, Geneive, 'Re-Thinking the Islamic Republic: A 'Conversation' with Ayatollah Hossein 'Ali Montazeri', *The Middle East Journal*, vol. 53, no. 4, (Autumn 1999).

¹¹³ Ehteshami, op. cit., p. 30.

¹¹⁴ Beheshti, Muhammad H., public speech (late 1980), cited in *Kayhan*, Jun., 27, 2004.

¹¹⁵ Katouzian, Homa, 'Problems of Political Development in Iran', *British Journal of Middle Eastern Studies*, vol. 22, no. 1/2, (1995), 5-20, p. 12.

religious qualities.¹¹⁶ The elite's choice was to ignore doctrinal considerations and focus on practical ones, whereby the regime came to enter its second decade in the hands of the pragmatist faction.

One of the major contributors to the new phase was the then Majlis speaker, 'Alī Akbar Bahramānī, known as Hashemī Rafsanjānī. Rafsanjānī was born in 1934 to a major pistachio nut producer in Rafsanjān, Kerman, 670 miles southeast of Tehran. From the early days of the Islamic Revolution Rafsanjānī showed incomparable flexibility in dealing with changing circumstances, and by so doing, he retained a role which was always crucial and decisive.¹¹⁷ His published diaries, speeches and interviews reveal an image of a pragmatic and practical politician, preoccupied with action rather than ideology or aspirations. Rafsanjānī portrays himself as a dutiful politician whose major concern is the continuity of the Islamic regime. Rafsanjānī, who once defined the compliance with *Islam ḥaqāḥatī*, or the jurisprudential perception of Islam, as the line of demarcation between the 'Line of the Imām' and the other Islamic factions,¹¹⁸ was not reluctant to admit, in due time, that that jurisprudence was not in line with what a modern state requires. In a personal testimony on the legislative process during his time as speaker of the Majlis (1980-1989), Rafsanjānī says:

Our legislative work in the Majlis was a real difficulty due to the wide gap between the jurisprudential injunctions and the 'ulamā's opinions and the realities of public life. We wanted to formulate the laws necessary to promote the public interest and to ensure that the state was moving within the religious framework. Yet that endeavor was often hindered by the lack of any religious framework which was relevant to the issue in question, or because the available opinions were by no means appropriate to the obvious and actual exigencies of the society.

In many cases, we were afraid of violating the religious limits and the views of some 'ulamā, and that made us reluctant to proceed with some cases that we have identified as being of common interest. For instance, we debated and passed the Labour Code, then some of its parts appeared to be incompatible with certain religious rules. The same problem occurred when the Majlis passed the Tax Code, the Criminal Code, and codes concerning cooperatives, land acquisition, private schools, and so on. Whenever an important issue was dealt with by the Majlis, there was a quarrel over the compatibility of its related laws with

¹¹⁶ Buchta, Wilfried, *Who Rules Iran?*, (Washington DC, 2000), p. 52.

¹¹⁷ Buchta, *ibid.*, p. 11.

¹¹⁸ Rafsanjānī, Hashemī, '*Ubūr az Buḥrān*', p. 60.

certain injunctions or views of the 'ulamā. If such contradictions and problems remained unsolved, there would be no significant progress towards the Islamisation of the laws or the management of the country.¹¹⁹

Rafsanjānī's conception of reform has been a point of contention. In fact, he does not conceal his belief that economic prosperity outweighs the importance of political reforms. At times he puts this in pragmatic terms by arguing that political reforms should develop slowly to avoid possible conflicts with traditional forces. Often he puts his views in a theoretical framework and argues that democratisation must be preceded by substantial improvement in the people's livelihood to relax the lower class's anxiety which has previously given rise to interventionist tendencies.

Rafsanjānī believes that the state is to be the dynamo and risk taker. His major concern, according to Wright, is to 'fashion a durable state as the basis of authority and to make its survival less dependent on the credentials, personality or clout of the Supreme Leader'.¹²⁰ Concerning the economy, he believes in the role of the private sector and foreign assistance, on both the financial and technical levels.¹²¹ Rafsanjānī asserts that the concept of social justice which was conceived by the revolutionary paradigm in the form of direct redistribution did not prove viable. Alternatively he holds that only through a systematic and gradual process aiming to enhance economic output, will the Iranian economy develop an egalitarian character and ensure a fair distribution of resources throughout the nation.¹²² His desire for foreign assistance prompted him to bury the principle of exporting the revolution and to try to repair Iran's poor relationship with the outside world.¹²³ Iran's support for Kuwait's sovereignty against the Iraqi invasion in 1990 served to relax its relations with the Arab Gulf states and lent credibility to its self-portrayal as a stabilising power in the region.¹²⁴

¹¹⁹ Cited in 'Fatawāi-e Imām', (editorial) *Hawzah*, no. 23, (Dec., 1987).

¹²⁰ Wright, Robin, *The Last Great Revolution*, (New York, 2000), p. 21.

¹²¹ Amuzegar, op. cit., p. 319.

¹²² Safirī, op. cit., p. 158.

¹²³ Amuzegar, op. cit., p. 315.

¹²⁴ Daniel, Elton, *The History of Iran*, (London, 2001), p. 230.

The post-war economic reforms were inevitable. The official statistics gave alarming indications. Compared with the aspiration in the early 1980s towards a strong and self-sufficient economy, the GNP in the fiscal year 1988-89 was still 6% less than it was in 1978-79 (based on 1982/3 prices).¹²⁵ Alongside the decline of real per capita income, manufacturing output dropped sharply: in 1990, the 210 industrial units held by the National Industries Organization were running at 54% of their nominal capacity.¹²⁶ The decline in production of the car industry was even worse, the output averages of 1988 ranged from 13 to 30 per cent of 1979 rates.¹²⁷

With the implementation of Rafsanjānī's *Siāsat-e Ta'dīl* (Policy of Adjustment), the economy started to show signs of revival. From 1989 to 1992, the GNP had an annual growth of 7 percent, compared to an annual average of less than one percent in the preceding decade.¹²⁸ Public services saw a similar improvement: by 1998 electricity reached 14 million homes, 40 per cent more than in 1991. Telephone lines increased from 2.45 million in 1991 to 6.69 million in 1996.¹²⁹ The rate of unemployment had dropped below 10 percent by the end 1994. The output in agriculture and industry made a good increase and non-oil exports reached \$4 billion in 1993.¹³⁰ Nevertheless, a major program to privatise 400 firms in ten years did not go smoothly because of the pressures both from the traditional-right and left wings, as well as employees.¹³¹

Rafsanjānī's reform policy should be viewed within the frame of limits pertaining to his own personality, immediate concerns and actual powers at his disposal. This policy was above all meant to address the problems of the economy. Nevertheless, it could not have been advanced without parallel improvements in state-society relations in general, due particularly to the context within which the reform program took place, namely the conclusion of the war and the departure of Ayatollah Khomeini. The eight-year rule of Rafsanjānī saw an increasing tendency to relax the rigid controls over individual and social activities. This is seen as a by-product of economic reform rather than

¹²⁵ Amuzegar, op. cit., p. 341.

¹²⁶ Rashīdī, op. cit., p. 72.

¹²⁷ Jenān-Sefat, M., 'Sun'at-e Khodro', *Hamshahrī*, (Dec., 10, 2002).

¹²⁸ Rashīdī, op. cit., p. 161.

¹²⁹ Statistical Centre of Iran, *Statistical Yearbook 1381*, tables 11-38, 8-16.

¹³⁰ Ehteshami, op. cit., p. 115.

¹³¹ Menasheri, D., 'Iran', in Ayalon, Ami, *Middle East Contemporary Survey: 1993*, (Boulder, 1995), p. 332.

a deliberate policy. However, it had its impact on society at large. Rafsanjānī's emphasis on technocracy gave rise to modern, academic-oriented managers and professionals most of whom had liberal propensities. Broadly, the Policy of Adjustment is seen as a project designed to redirect the Islamic Republic in both political and economic respects. As for Rafi'pour, that project has involved:

- 1- changing the society from a closed to an open one.
- 2- relaxing traditional-religious norms.
- 3- enhancing the role of professionals, and replacing the old patterns of the first revolutionary decade with modern ones.
- 4- reducing state control over the market and economy.¹³²

The relaxed atmosphere made a good impact on cultural life, whereby the number of periodicals rose from 99 in 1986 to 662, including thirty-four dailies, in 1996. The number of books published in the same period rose from 3,812 to 14,459.¹³³ The economic revival and relative political openness had contradictory effects. On the one hand, the traditionalists were alarmed by the decline in people's observance of traditional-religious norms. These developments also provoked workers' fear of possible loss of their jobs in privatised firms.¹³⁴ But, on the other hand, the reform policies exposed the many advantages of the newly-adopted model of a free market. The latter trend continued to gather momentum in the following years. By the end of Rafsanjānī's mandate in 1997, the process of reform appeared irreversible. A considerable proportion of both the elite and the public came to the conclusion that the Islamic regime could no longer carry on with the revolutionary paradigm if it was to survive in the changing world. The tangible achievements of the reforms effectively proved that the free market model, albeit with some adjustments, was the only way to secure a better livelihood for the population and prosperity for the Islamic model. Meanwhile, the above developments have set in motion the process of paradigmatic change. The openness has effectively served to legitimise the debate over the revolutionary paradigm. Public debate of an issue elevates it from an individual or partial disenchantment to a national issue. In traditional

¹³² Rafi'pour, op. cit., p. 150.

¹³³ Statistical Centre of Iran, *Statistical Year Book (1382)*, tables 17-14 and 17-20.

¹³⁴ Menasheri, op. cit., p. 332.

and politically-closed societies, people keep away from the controversial issues for fear of suppression, or out of the conviction that the rulers are not willing to listen. Public contribution to the course of democratisation is most likely when restrictions are limited, for it indicates that the rulers welcome the change or that they are not strong enough to suppress the movement for change.

Paradigm replacement is a unidirectional process.¹³⁵ Once the established paradigm fails to address the anomalies which have arisen within it, the process of change cannot be reversed. The timing of a paradigm shift depends on a variety of factors, including the significance of the anomalies, the flexibility of the establishment in handling discontent, and crucially, the availability of an alternative paradigm capable of invoking a wide appeal. Both internal and external factors contribute to the paradigm's appeal. On the internal level, it depends on the credibility of its advocates, as well as the numbers within society that feel alienated under the old paradigm. On the other hand, the new paradigm would be likely to have a stronger appeal if it accentuated a scheme of demands at the local level that were identical to rising trends at the international level.

The clearest indication of the emergence of the new paradigm appeared during the legislative elections of 1996, where the pragmatic-liberal candidates of the Kargozarān party had a surprising success despite the immense efforts by the conservatives to block their way to the Majlis. The conservatives wanted to trade on the explosive rates of inflation (56 per cent in 1994) and the soaring of the consumer prices (96 per cent in 1993) which had resulted from the removal of the price control system in 1993, in order to lure the electorate away from those regarded as liberals. To the surprise of all factions, the party responsible for those unpleasant policies attracted a considerable number of votes, indicating that the people were actually yearning for change and ready to bear its cost.

The left wing seems to have absorbed that lesson very profoundly. After that, its language changed substantially and the language of democracy and liberalism became the hegemonic theme in its publications and public meetings. A few months ahead of the 1997 presidential elections, the anti-conservative groups united their forces to promote Muhammad Khatami and his reformist agenda. The rise of Khatami to the presidency of the Islamic Republic is to be viewed as the turning point at which the new paradigm started to establish itself in the

¹³⁵ Kuhn, *op. cit.*, p. 206.

political theatre. At that juncture, the new paradigm was still vague, yet clearly different from the old one in various respects.

The New Paradigm

The conservatives did not underestimate the implications of the reformist rise to power. Their resistance took various forms, from violent assaults on the persons and meetings, including assassination at the early stage, to the excessive use of the courts at later stages. After 1997, many reformist figures were arrested and their publications closed. The hardline-dominated Judiciary shut down thirteen publications in 2000, and forty-four in the following year.¹³⁶ A total of 85 papers including forty-one dailies had been closed by 2003,¹³⁷ including all the publications of the major reformist parties.

The reformist emphasis on the sovereignty of the law has effectively forced the conservatives to distance themselves from mob-like politics and particularly to denounce the actions of such minor groups as *Ansār-e Hizbollāh* which used to justify its disruptive actions on the basis of protecting religion and the revolution.¹³⁸ It has to be noted here that the supreme leader, Ayatollah Khamenei, has never shown any support for such actions, in public at least. Nevertheless, many of his close allies, some of whom hold official posts, and other notables in the religious seminaries, including Ayatollah Mesbah Yazdī, did not hesitate to support the use of violence against the reformists and other liberal politicians. At any rate, the tendency of the conservatives to rely on the law, albeit in an extremely excessive fashion, served to expose the gap that was growing between the two paradigms. It has also worsened the split over the reform process in both the state institutions and society.

¹³⁶ Samii, A. W., 'Sisyphus' Newsstand: the Iranian Press under Khatami', *MERIA*, vol. 5, no. 3 (Sep., 2001). E. edition: <http://meria.idc.ac.il/journal/2001/issue3/jv5n3a1.html>

¹³⁷ Reporters without Borders (organisation), 'Iran Annual Report 2003', www.rsf.org/article.php3?id_article=5382&var_recherche=iran

¹³⁸ For some information on the group, see Murtajā, H., *Jenāh-hāye Siāsī dar Iran Emrooz*, p. 163. Also: Shadlo, A., *Ettela'ātī darbāreyeh Ahzāb va Jenāh-hāye Siāsī Iran Emrooz*, p. 179. On its violent propensities and relations with the other conservative factions, see *Iran*, Dec., 23 and 24, 2003 (interview with M. Namaki). Also: *ISNA*, May, 27, 2003. Also: *ILNA*, Dec., 6, 2003 (www.ilna.ir/shownews.asp?code=56176&code1=1).

In Chapter II it was argued that the rise of the Islamic Republic put an end to the state-society split which emanated from the antipathy between the state and religion. In the following phase, a new division arose between two versions of religion and consequently two models of rule: one which was authoritarian, grounded in traditions and one which was democratic affiliated to modernity. Both versions have strong support from the state and society. Nevertheless, the authoritarian paradigm has the lead in the state system while the other has the lead in the society. Since 1997, most of the opinion polls have shown that the reformists enjoy a widening appeal among the public notwithstanding their recent setbacks and the overwhelming control of the mass media by the rival faction.¹³⁹ During their eight-year rule, the reformists made enormous efforts through the parliament and the government to improve the political environment and the state-society relations. They succeeded in some respects and failed in others. The viability of the paradigm should consider the framework it had set for itself. In this regard, President Khatami defined his goals in terms of comprehensive and sustainable development.¹⁴⁰ He explained this mission in a fashion closely similar to the concept of 'human development' which was redefined and propagated by the United Nations Development Program (UNDP). According to this concept, the aim of political development is defined as that which creates a social environment conducive to democracy, or an 'enabling environment' in order to broaden human choices.¹⁴¹

Given this sense, the main emphasis is put on the structural and institutional changes which serve to enhance the role of the people. To this extent, the reformist paradigm could be credited with some appreciable achievements, including:

¹³⁹ See for example the results of the opinion poll regarding the legislative elections (Jan., 2004). The official website of the Constitutional Council. (www.irisn.com/akhbar/1382/13821029/13821029_irisn_00005.htm). Other polls conducted by a conservative faction in March and April 2005 regarding the possible voting in the eminent presidential elections, gave the reformist candidate 16,6 percent while the support of the conservative candidates have ranged from 13.8 to 5.8 percent. The polls were contributed to by nearly 55000 internet users inside Iran. *Baztab*, Apr. 14, 2005, www.baztab.com/news/23294.php

¹⁴⁰ Khatami, M., *Tavse'ah Siāsi*, p. 41.

¹⁴¹ United Nations & IRI Plan and Budget Org., *Human Development Report of the Islamic Republic of Iran, 1992*, p. 132.

Expanding the Scope of Political Participation:

Local Councils. The first local election was held in February 1999 as a part of the reformist principle of democracy at the grass-root level. According to Articles 100-106 of the Constitution, regional and local affairs are to be administered by locally-elected councils. An executive bill was passed by the Majlis in 1982 but remained suspended because the ruling elite feared that such a huge process could not be manageable.¹⁴² In the first election, 328,826 male and 7276 female candidates contested 236,138 council seats. The women made a relatively remarkable gain of 300 seats.¹⁴³ Local councils are seen as a means to breaking the monopoly on power by the centrally-based elite. They also provide a practical framework for helping the local and emerging elites to get acquainted with political skills and tactics, thus preparing them to pursue political careers at the national level. As for minorities, small communal and ethnic groups, the local elections provided an opportunity for partaking in the political process although their actual strength did not help them to contest at the national level.

Political and Interest Groups. Although the Party Bill was put into effect after 1988, only a few groups took advantage by applying for formal permission. Until the mid-1990s the political scene was fairly inactive due to the sense of uncertainty regarding the ruling elite's real intentions in the post-Khomeini period. The emergence of the reformists in 1997 unleashed a fresh spirit inciting most Iranians to believe that tangible change could be made by employing the power of public opinion. Official statistics show that until May 1997, six political parties and twenty-nine professional and interest organisations were recognised by the government. The figures rose sharply to 114 parties and 171

¹⁴² *Iran*, Jan., 20, 2003.

¹⁴³ On the 1999 local elections and their implications, see Tajbakhsh, Kian, 'Political Decentralization and the Creation of Local Government in Iran', *Social Research*, vol. 67, no. 2, (Summer 2000), pp. 377-404. For a statistical account on women's participation, see 'Women's Participation in Local Councils' in Namazi, Baquer (ed.), *Iranian NGOs: Situation Analysis*, (2000), c. edition: www.iranngos.org/reports/SituationAnalysis/009_10WomenPart.htm

interest groups during the period of 1997-2004 among which thirty-five organisations belonged to religious minorities.¹⁴⁴

The non-governmental organisations saw the same fortune under the reformist rule; according to Fakhr al-Sadāt Mohtashemī, the Assistant Minister of Internal Affairs for Women, women NGOs in 2003 numbered around 600¹⁴⁵ out of a total of 2500 operating in Iran. In 1997 the number of women NGOs was estimated at 75.¹⁴⁶ These figures do not include community-based organisations (CBOs) which are far higher than these figures and fall into a different categorisation.¹⁴⁷ The total number of NGOs and CBOs is estimated at 20,000.¹⁴⁸ In respect of youth organisations, the school-based associations pose the largest organised activity in the country. The Union of the Islamic Pupils Associations consists of 8000 groups operating in the middle and high schools. According to one report, the central committee of the Union includes 60, 000 members, representing 460, 000 pupils in 9500 schools.¹⁴⁹ The university-based organisations are estimated by the Higher Education Minister to number 2500, representing 20 per cent of all university students.¹⁵⁰

Media and Publications: The rise of a faith in the power of public opinion and the desire to take part in the political process have been reflected in the media which has made vigorous advances under reformist rule, as applications for new periodicals have increased, according to the Minister for Islamic Guidance, from 591 in 1997 to 2622 in 2003. By the end of 2003, the private

¹⁴⁴ *Iran*, Aug., 22, 2004, citing 'Ali Baqerī, GM of political affairs in the Internal Ministry.

¹⁴⁵ *Emrooz*, Jul., 8, 2003.

¹⁴⁶ *Shargh*, Nov., 17, 2003.

¹⁴⁷ Namazi, op. cit., www.iranngos.org/reports/SituationAnalysis/003Summary.htm

¹⁴⁸ Iran NGO Resource Center (Hamyan),
www.hamyan.org/projs_activs/ngo_community_building.htm

¹⁴⁹ *IRNA*, Feb., 6, 2003, and *ILNA*, Jul., 9, 2004,
<http://www.ilna.ir/shownews.asp?code=111738&code1=3>

¹⁵⁰ Cited in *MOSNAD*. www.mosnad.com/News/telexu.htm (accessed Jan., 22, 2005)

sector was granted 1931 permissions, representing 80 per cent of all the periodicals of the country.¹⁵¹

Economic Reforms

Khatamī's government carried on the reform program of the preceding government, but with more emphasis on its political implications and effects on the course of democratisation. In his 2004 budget speech before the Majlis, Khatami defined the function of reform as being to

redirect the closed, centralised, uncompetitive and state-controlled economy towards one led by the private sector, ensuring a pivotal role for the people, and actively interacting with the international market.¹⁵²

To advance this mission, Khatami's government had to deal with the same hurdles that brought the reform program of the previous government nearly to a halt. It seems, however, that the overall improvement of the economy has helped with the continuation of liberalising policies, despite the constant pressures on low-income groups. The government secured renewed support from the business community by allowing it to ally with foreign contractors to execute some of the major projects in the oil sector, factory building, dams and other infrastructural projects. The previous government had taken a twofold course: it pursued the course of privatisation but concurrently tolerated the expansion of the public sector. This process took the form of founding second and third generations of state-owned companies to execute national and infrastructural projects. According to Hashmiān, the deputy minister of finance, the first generation included 176 firms, the second generation includes nearly 500 firms, and the third generation consisted of more than 1000 firms in which the state holds more than a 50 percent share.¹⁵³

After 2002 at least, Khatami's government came to the conclusion that a full-scale shift towards a market economy could not be achieved without dealing decisively with the legal and cultural barriers inherent in the revolutionary

¹⁵¹ *ISNA*, Nov., 3, 2004. www.isna.ir/news/NewsPrint.asp?id=451748.

¹⁵² *Iran*, Jan., 10, 2005.

¹⁵³ *Hamshahrī*, Sep., 14, 2002.

paradigm, notably the constitutional favouring of the public sector and the perception that profit and foreign investments are linked to exploitation. Article 44 of the Constitution states that:

All large-scale and mother industries, foreign trade, major minerals, banking, insurance, power generation, dams, and large-scale irrigation networks, radio and television, post, telegraph and telephone services, aviation, shipping, roads, railroads and the like; all these will be publicly owned and administered by the state

Along the same lines, Article 81 forbids the foreign investments which involve concessions granted by the government in any sector of the economy including commerce, industry, agriculture, service, and mineral extraction. Article 82 stipulates the consent of the parliament upon the employment of foreign experts.

The efforts of the reformist government succeeded in breaking the legal deadlock by passing a new law to encourage and support foreign investment, despite the opposition of the Constitutional Council.¹⁵⁴ Other laws permitting the establishment of private banks, insurance, and large industrial firms were also passed. The Fourth Five-Year Development Plan (2005-2010) envisages a major transformation of the economy by expanding the program of privatisation and allowing foreign and private firms to enter sectors that hitherto have been monopolised by the state, including telecommunications, public transport, mining, heavy industry, oil and chemicals and power stations. The plan was passed by the predominately-reformist sixth Majlis but rejected by the Constitutional Council. The council made 112 objections, most of which relate to Article 44. Thirty-six objections relate to Article 85, which forbids the delegation of state powers to individuals or institutions outside the system.¹⁵⁵ The newly-elected seventh Majlis, which is dominated by the conservatives, supported the position of the Constitutional Council. It seems, however, that the plan will go on as formulated by the government since it fulfils the objectives

¹⁵⁴ 'The Law for Attracting and Supporting Foreign Investment' was passed by the Parliament in March 2002, but rejected by the Council for the Maintenance of the Constitution. In May the Expediency Council rebuked the former council's arguments and endorsed the law. See: www.gsi.ir/?lang=fa&p=26-06

¹⁵⁵ For details, see *Iran*, Aug., 4, 2004.

included in the twenty-year vision which was adopted by the Expediency Council and endorsed by the supreme leader in October 2004 as the basis for the state policy until 2025.

The above reservations were already addressed by the Expediency Council, which introduced in December a new elaboration on Article 44 of the Constitution, paving the way for the privatisation of most of the public sector, including the so-called 'mother industries' and large-scale businesses. The ruling aims, according to Mohsen Rezā'ie, the Council secretary general, to shift predominance in the economy from the public to the private sector and 'to facilitate the implementation of the twenty-year plan'.¹⁵⁶ No other institution can revoke the rulings of the Expediency Council. Given the new consensus among the ruling elite on the course of reform, the program of privatisation seems to have gathered momentum; according to the chief of the privatisation office, 221 companies were to be sold through the Stock Exchange by March 2005, up from 52 sold in the previous fiscal year (March 2003-March 2004).¹⁵⁷

With the revision of Article 44 and the likely endorsement of the fourth development plan, Iran seems to have put an end to the long-running controversy over the nature of its economic system. This step has effectively drawn the final line under the ideology of social justice through state controlling of the market which was adopted and experienced without success for more than twenty years.

Conclusion

The chapter tried to analyse the rise of the reformist trend and its implications for the political system. It takes the theory of paradigm shift proposed by the American philosopher Thomas Kuhn to explain the political development in the Islamic Republic. The discussion shows that the anomalies which instigated the breakdown of the revolutionary paradigm lie in its very foundation, notably the lack of a sophisticated ideology and the heterogeneity of

¹⁵⁶ *IRIB News*, Dec., 11, 2004. www.iribnews.ir/Full_cn.asp?news_id=183904&n=14

¹⁵⁷ *Shargh*, Aug., 9, 2004.

the ruling elite in the early post-revolutionary period. The two factors contributed to the rise of an interventionist state. This system has proved incapable of addressing the problems of the country, particularly during the time of war and when faced with international pressures. The chapter examined the application of the revolutionary concept of justice in the economic and political spheres.

The conclusion of the war with Iraq and the death of Ayatollah Khomeini in 1989 provided the opportunity for the pragmatic segment of the elite to redirect the Islamic system towards a more realistic path. This development which took the form of the Policy of Adjustment, although concerned with the economy first and foremost, exposed the discrepancy between the regime's ideals and the actual practice, thus setting in motion the elements of a more fundamental change encompassing the political, economic and social spheres. The effects of the change have materialised in the rise of the reformist faction which holds conceptions of religion and government which are fundamentally incompatible with revolutionary ones. While the revolutionary paradigm is grounded mainly in religious and national traditions, the reformist one is closer to the model of liberal democracy.

The actual experience of the Reformists shows that their achievement on the political level has been limited in comparison to their significant achievements on the structural and institutional levels. Under reformist rule, the scope of political participation was expanded through the restoration of the local government system and the enhancement of the presence of civil society, political parties and an independent media. A breakthrough was made by achieving a consensus among the ruling elite to shift predominance in the economy from the public to the private sector. This was particularly affirmed by a new elaboration on the Constitution, removing all barriers which hitherto had hindered economic liberalisation.

Chapter IV

The Conservative Vision of the State

In chapter II, it was shown that Ayatollah Khomeini's discourse has combined modern and traditional notions. His tendency was to bring together all the factions who accept his particular conception of Shī'ism and religious authority. This broad coalition, once named *Khaṭṭ-e Imām* (the Line of the Imām), or *Nirouhy-e Maktabī* (Devout Forces), has dominated the post-revolutionary state. After Khomeini died in 1989, each of the modernist and traditionalist trends sought to develop its initial premise into a distinct political ideology. From a cultural point of view, the conservative faction represents the traditional Islamic trend, while the modern one is represented by the reformists. It expands on Khomeini's doctrine of wilāyat al-faqīh in respect of the role of clergy but distances itself from the modern notions combined in his discourse.

Being nurtured within the traditional spectrum, the conservative trend enjoys a deep-seated position in Iranian society. Hajarī, a veteran revolutionary figure, takes it for the 'original' trend of Iranian society. He argues that "every one of us bears some elements of conservatism. In Iran, religiosity and nationalism are closely associated with conservatism or bear conservative implications".¹ The faction had the opportunity to articulate its political ideology only after the rise of the Islamic Republic. Only recently have such notions as republicanism, elections, general will, accountability, and so on, become common in the trend's literature, thanks to Ayatollah Khomeini, who opened the flood-gates and made it possible to rethink many of the notions that hitherto were unquestionable if not completely ignored.

The core of my argument suggests that the engaging of Shī'ī political doctrine in the actual exercise of power will serve its evolution. In the first chapter, I have discussed the course of the doctrine's evolution up to the 1979

¹ Hajarī. Mohsen, 'Muqaddamah bar Sinkh-shenāsi Rāst dar Iran', interview, *Chashm-andāz Iran*. Vol.9, (June 2001), 59-66, p. 59.

Islamic Revolution, which resulted in the emergence of the theory of wilāyat al-faqīh. Since then, many unforeseen issues have arisen and challenged the professed doctrine. In the following pages, I am going to show how these issues have been addressed by the advocates of the established paradigm.

Like every discourse, the conservatives' points of view are conditioned by the particular paradigm in which they are grounded. A fair judgment about them should consider the main features of that paradigm. My comparison between the conservative and liberal views aims at a better understanding rather than judgment. However, one might not escape the possible slip into judgment.

I will rely mainly on the works of the notable conservative figures. The various works of Miṣbāḥ Yazdī and M. Jawād Lārijānī, whose discussion of political issues is conditioned by traditional Shī'ī jurisprudence, represent mainstream conservatism. The two are probably the most influential theorists within the trend.

Ayatollah Muhammad Taqī Miṣbāḥ Yazdī is an outspoken cleric and a close adviser to the Supreme Leader (Ayatollah 'Ali Khamenei). Threads of ancient Greek philosophical views regarding political roles and actions are common in his and his disciples' works. Muhammad Jawād Lārijānī, a Western-educated intellectual, is the assistant to the Chief Justice for international relations. He is also the founder and director of the Institute for Studies in Theoretical Physics and Mathematics (IPM), a respected institution in Iran. Most of Lārijānī's writings are dedicated to explaining his proposal of "the self-legitimated government", a political doctrine presented as an alternative to liberalism. Among the conservative thinkers, Lārijānī seems most familiar with the liberal discourse. He introduces his proposals in the form of a comparison with liberalism; his critique of the latter is not, however, coherent or compelling. Both Yazdī and Lārijānī advocate what they deem to be a distinct course of political evolution appropriate to the religious perspective and distinct from the model of liberal democracy.

I will also cite other conservative thinkers whose works bring a fresh perspective to the trend's discourse. 'Amīd Zanjānī's *Fiqh-e Siasī* (Political

Jurisprudence) (1998) offers a detailed account of the normative principles underpinning the 1980 constitution of the Islamic Republic. He provides for a better understanding of the correspondence between Islamic political values and modern constitutionalism. Šādiq Ḥaḳīqat's *Tawzi'e Qudrat dar Fiqh Shī'a* (Power Distribution in Shī'ī Jurisprudence) (2002) provides a good analysis of the idea of power distribution from a jurisprudential perspective. The book introduces the opinions of a considerable number of Shī'a scholars in this respect. 'Abbās Qācemmaqāmī's *Qudrat wa Mashrou'iat* (Power and Legitimacy) (2000) represents a new approach to the nature of religious authority, its sources, and the role of the faqīh in relation to the elected institutions of the state.

The conservative faction is distinguished within the broader traditional Shī'ism for being politically active and by its tendency to 'change in order to conserve'. Traditional Shī'ism is historically known for being apathetic and sceptical about all kinds of change. The faction was designated as being conservative initially by its leftist rivals.² Gradually, this came to be a common designation and occasionally used by the camp itself. Nevertheless, the camp prefers to be known as *ūsūlgarā* (advocates of the principles) or *arzeshi* (value-centring) to signify its commitment to the fundamental principles of the religion in comparison to its reformist rivals who are accused of liberalism.³

According to Heywood, five central themes are common to the trends of conservatism, namely: tradition, human imperfection, organic society, authority and property.⁴ These definitions are applicable to Iranian conservatism within certain limits, but not to the modern conservative trend (or 'the modern right' as it is commonly known) which shows certain similarities to the reformists in some respects.

Probably the most distinctive characteristic of the Iranian conservatives is their high regard for the traditional pattern of socialisation. For them, social norms and institutions have an element of sanctity, not because they are

² Sharī'atmadārī, H., *Kayhan*, Aug., 21, 2004, p. 2. www.kayhannews.ir/830531/2.htm.

³ Behnoud, M., 'Mushkel-e nāmgozārī Gurouha dar Daroun Jumhourī Islāmī', BBC, (Farsi service) Apr., 4, 2004. www.bbc.co.uk/persian/iran/030317_a-inb-iran-factions.shtml.

⁴ Heywood, Andrew, *Political Ideologies*, (New York 1998), p. 69.

themselves religiously sanctified, but because they are seen as necessary for preserving the religious pattern of behaviour. Issues like dress code, patterns of leisure and the criticism of traditions are among their salient concerns. During the 1990s the conservative-dominated parliament ousted two ministers of culture simply because they were regarded as too lax with the growing liberalism in the local media.

The Conservative Doctrine of Power

The conservative faction upholds the established Shī'ī doctrine of power as the major foundation of the Islamic regime and the source of its legitimacy. In Kadivar's account, four intellectual factors have contributed to the making of the doctrine of power in traditional Shī'ism, namely: 1) The doctrine of designated imāmate inherent in Shī'ī theology; 2) Plato's idea of the philosopher-king; 3) the idea of absolute authority acquired by the perfect man in Ibn al-'Arabī's gnostic writings, and 4) the Persian wisdom of kingship.⁵ In the following pages, I will shed some light on the above factors, for they form the background for the majority of views common in conservative discourse, after which I will turn to discuss how these views are translated into political positions:

1) As shown in chapter I, the aspiration for divine justice in Shī'ism was closely linked to the notion of a divinely-designated imāmate, according to which the possibility of a legitimate government is contingent upon one of the Twelve Imāms assuming power. The Shī'ī doctrine of imāmate was developed to substantiate the right of 'Alī ibn Abī Ṭālib and his decedents to succeed the Prophet as the leaders of the Muslim community. Despite the fierce disputes over the superiority of the imāms in terms of their leadership qualities, the focus of the doctrine has been that the Twelve Imāms are designated by God. The attachment of charisma, whether personal or divinely-ordained, to the leader was, according to Montgomery Watt, a dominant idea in the Shī'ī thought.⁶ To this extent, the notions of justice and legitimacy came to be symbolised by the

⁵ Kadivar, Mohsen, *Daghdaghah-hye Hukūmat-e Dīnī*, p. 165.

⁶ Montgomery Watt, William, 'The Significance of Early Stage of Imami Shi'ism', in Keddie, N., (ed.) *Religion and Politics in Iran* (New Haven. 1983) p. 21.

person of the infallible imām. It follows that authority is either legitimate, i.e. headed by the imām, or *ghaṣb* (usurped), which stands for all other authorities.⁷ The major concern remained attached to the ruler, whereas the state as an independent institution has not attracted much attention among Shīʿī scholarly circles until recently.

In the later debates, the state came to be perceived as a conventional institution and legitimacy was linked to its performance. This new perception reflected a general tendency among tenth century Muslim scholars to handle the puzzling situation raised by the Buyid Shīʿī warlords who took over the court of the caliphate in Baghdad. In this case the *de facto* authority of the usurper was acknowledged on an ethical basis, i.e. to avert public disorder or *fitnah*.⁸ This tendency has been common among Shīʿa scholars, and gained more currency with the rise of the Safavids in 1501. Nevertheless, the ideal type of legitimate state remained, at least theoretically, the one supervised by the imām or his deputy, i.e. the qualified mujtahid.

2) In Plato's *Republic*, society comprises three layers corresponding to three levels of the individual's soul, namely: the common people, the soldiers and the guardians. Socrates gives an illustration of the statesman as a specialist who practices an art upon a community of non-specialists.⁹ The possession of knowledge is regarded as the fundamental source of authority. It follows that a wise ruler might rule without being fettered by the law.¹⁰ Plato maintains that an ideal city is to be ruled by a philosopher-king entrusted with the title of guardian.¹¹ The philosopher is distinguished by his acquaintance with justice, beauty, truth and the real knowledge of things.¹² According to Lambton, Shīʿī circles became familiar with the notion of the philosopher-king through the works of Kulaynī and Ibn Babawayh, the two influential Shīʿa scholars of the

⁷ Yazdī, Miṣbāḥ, *Negāh-e Gozarā be Wilāyat-e Faqīh*, (Qum 1999) p. 53.

⁸ Shalaq, Alfaḍl, *Al-Ummah wa al-Dawlah*, p. 52.

⁹ Skemp, J. B., *Plato's Statesman*, (London 1987), p. 40.

¹⁰ Stern, Paul, 'The Rule of Wisdom and the Rule of Law in Plato's Statesman', *The American Political Science Review*, vol. 91, issue 2 (June 1997) 264-276, pp.267-8.

¹¹ Plato, *The Republic*, translated by Desmond Lee, (London 2003), p.192.

¹² Plato, *ibid.*, p. 198.

tenth century. In her view, the theory of power that they proposed had bridged the gap between the political thought developed by the earlier Islamic scholars and the Greek philosophical traditions.¹³

The link between knowledge and authority has profoundly influenced Shī'a scholars. In the theoretical grounding of the exemplar's authority, the only principle agreed upon is the idea that the uninformed individual is logically obliged to refer to (and indeed obey) the advice of the informed.¹⁴ The same argument was employed to establish the superiority of infallible imāms over other rulers.¹⁵ Garawian, a notable cleric, acknowledges the Greek origin of the notion, but argues that it seems very close to Islamic principles: 'knowledge, wisdom, and science have a self-evident authority over their antitheses'. In this sense, it is argued, authoritarianism is not unethical if supported by scientific proof:

Under an Islamic government, there must be a bit of authoritarianism, however justified - in other words, an authoritarian government based on logic and scientific proof. I believe that wilāyat al-faqīh represents such a type of government.¹⁶

The idea of the superiority of the learned (in the social and political senses) has a wide currency among Muslim thinkers, including Sunnī scholars. For instance, Ṭabarī (d. 923), a famous jurist and commentator on the Holy Qur'ān, applies the Quranic notion of *wAlī al-'ainr* (=the guardian/ruler) to the qualified scholar, who has a greater right to be obeyed than the king.¹⁷ Conversely, it is not strange to anticipate scholars who deny the association of rulership with knowledge in the jurisprudential sense. Eṣfahānī, an influential Shī'a scholar (d. 1942), rejects the idea as extreme and argues that:

The jurispudent is qualified to theorise and interpret, whereas [the position of] rulership requires highly developed skills in public administration, organising the defense of the nation and so on. It is far from reasonable to entrust that job to the faqīh *per se*.¹⁸

¹³ Cited in Akhavi, S., *Religion and Politics in Contemporary Iran*, (Albany 1980), p. 9.

¹⁴ Montazerī, Ḥusayn 'Alī, *Dirasāt fī Wilāyat al-Faqīh*, (Beirut 1988) vol. 2, p. 102.

¹⁵ Eṣfahānī, Muḥammad H., *Hāshiat al-Makāsib*, vol. 1, p. 214.

¹⁶ Cited in Sa'eed Ḥajjariān, *Jumhuriat*, (Tehran, 2000) p. 786.

¹⁷ Ṭabarī, Ibn Jarīr, *Jāme' al-Bayān*, (Beirut 1995) vol. 5, p. 206.

¹⁸ Eṣfahānī, *op. cit.*, p. 215.

Eṣfahānī's argument is very similar to the one advanced by Steinberger, who challenged the idea of the philosopher-king as paradoxical and logically inconsistent. In his view, the philosopher is concerned with the formulation of ideas, whereas the guardian's role is more technical and concerned with achieving previously-established ends.¹⁹

3) Muhammad J. Lārijānī, the outspoken conservative theorist, maintains that the religious state is distinguished by the kind of objectives it seeks to achieve. For him, state objectives are defined according to the religious concept of 'the purpose of life' namely, human perfection.²⁰ The notion can be traced back to ancient Greek philosophy. It was embraced by many Muslim thinkers, notably Muḥyiddin Ibn 'Arabī, the mystic and philosopher of the thirteenth century. Here I will use the account of Jane Clark who has made a thorough comparison between the notion of 'the perfect man' according to Aristotle (d. 322 BC) and Ibn 'Arabī (d. 1240). The Greek philosopher holds that the intellect is the highest faculty of the human spirit. The intellect develops from potentiality into actuality when it functions. For Aristotle, man has to perfect himself by acquiring virtue, i.e. preferring and cultivating the good and good qualities. Knowledge, philosophy in particular, is the means by which virtue comes about. For Ibn 'Arabī, divine revelation rather than reason is the first source for knowledge. Man can qualify for the reception of divinely ordained knowledge through purification and full submission to God. Should the self become pure, God will reveal himself and his knowledge in the heart whereby man reaches the state of perfection. In Ibn 'Arabī's account, the heart is the point where all human faculties, including imagination, reason and sensory perception inter-relate and conjointly operate. When such a process is fully realised, man reaches his final state of perfection whereby the purpose of creation is fulfilled.²¹ The same approach was adopted by Zayn al-Dīn al-'Āmilī (known as 'the Second

¹⁹ Steinberger, Peter, 'Ruling: Guardians and Philosopher-Kings', *The American Political Science Review*, vol. 83, issue 4 (Dec. 1989), 1207-1225: pp. 1207, 1213.

²⁰ Lārijānī, M., *Naqd Dīn-dārī va Modernism*. (Tehran 1997), pp. 60-1.

²¹ Clark, Jane, 'Fulfilling our Potential: Ibn 'Arabi's Understanding of Man in a Contemporary Context', *The Journal of the Muhyiddin Ibn Arabi Society*, vol. 30, (Autumn 2001).
www.ibnarabisociety.org/clark.html

Martyr'), an influential scholar of the sixteenth century (d. 1557).²² In general, the notion of 'the perfect man' was upheld by a considerable number of theologians and philosophers in Iran including Ṣadr al-Dīn Shirāzī, Haydar Āmulī and Faiz Kashānī.²³ As Shirāzī put it, God wanted man to be his representative on earth. Thus, the pursuit of perfection is the highest level of obedience to God. Should man reach perfection, he would qualify for the exalted position of God's agency (*the caliph of God*).²⁴

For Lārijānī, the Islamic state is about 'righteousness' which is realised through the addressing of the first and most crucial quest of man's life, i.e. perfection. The state is seen as worthy only if it undertakes that responsibility, otherwise it is not.²⁵

4) According to Ridwān al-Sayyid, a Lebanese historian, the Covenant of Ardashir, a testament by Ardashir I, the founder of the Sassanian Empire (AD 212-241) was, probably, the most influential source of political theory among the Muslim scholars of the tenth century. One of its phrases, which explains the religion-state relation, was quoted forty-six times in different books written during that period. In this phrase, Ardashir suggested that 'kingship and religion are twin brothers; religion is the foundation of kingship and kingship the protector of religion. Whatever lacks a protector perishes and whatever lacks a foundation is destroyed'.²⁶ Arjomand shares the same view with regard to the common tendency among Shī'a scholars.²⁷ His conclusion, however, does not apply as far as the contemporary Shī'a jurists are considered.²⁸

²² Al-Āmilī, Zayn al-Dīn (the Second Martyr), *Rasā'el al-Shahīd al-Thanī*, (Qum 1989), vol. 2, pp. 138-143.

²³ Wa'ezī, 'Alī, 'Wilāyat-e Muṭlaqa az Dīdgāh Ibn 'Arabī va Mīr Ḥaidar Āmolī'', *Ma'rafat* quarterly, no. 49, (Dec. 2001). www.hawzah.net/Per/Magazine/mr/049/mr04915.htm.

²⁴ Jalālī, Golamreżā, 'Nazarieh Insān-e Kamīl az 'Erfān Ibn 'Arabī ta 'Erfān Imām Khomeini'', *Hawzah*, no. 94-95. www.hawzah.net/Per/Magazine/HO/094/Ho09412.htm.

²⁵ Lārijānī, op. cit., p. 61.

²⁶ Al-Sayyid, Ridwān, *Al-Jama'ah wa al-Mujtama' wa al-Dawlah*, (Beirut 1997), p. 386.

²⁷ Arjomand, S., *The Shadow of God and the Hidden Imām*, (Chicago 1984), p. 96.

²⁸ Arjomand suggests that, in Shī'ism, political and religious authority are clearly differentiated from each other to the extent that kingship could be legitimised only as temporal rule. This idea was applicable, however reservedly, until the late 1970s. From then on, Shī'i scholars

Both the notions of the philosopher-king and the religion-kingship interdependence were apparently introduced into religious Shī'a circles through various works from the tenth century and after. However, they seem to have gained wider currency after they were elaborated in *Akhlāq-e Naṣīrī* an ethical-philosophical treatise by Naṣir al-Dīn Ṭūsī, a highly respected Shī'a theologian (d.1274). In this treatise, Ṭūsī suggests that an ideal political system would likely comprise three factors: divine law, a just king and an efficient administration of public resources.²⁹ The king is the essence of the political system, both in Plato's philosophy and Ardashir's testaments. The latter focuses on the king's role in respect of public order, whereas in Plato the point of focus is the king's wisdom.

The Social System

The point of discussion here is about the fundamental principles underpinning the political propositions of the conservative camp. Such issues as citizenship, public liberties, authority, and so on are conceptualised by this camp or the other with reference to its particular perception of socialisation and the way it ought to be. Each political ideology is grounded on a set of normative justifications, explaining, on the one hand, the state of affairs, and on the other hand the values to be realised through individual and collective actions. The conservative conception of socialisation is assessed here in comparison with its liberal counterpart, for this study assumes the progress towards democracy as the criterion against which the evolution of political thought in Iran is examined.

Following the traditions of Thomas Hobbes, the social system is defined by the liberal theorists in terms of a social contract.³⁰ Before the state emerged, Hobbes suggests, individuals lived in a 'state of nature' characterised by constant and harmful conflicts incited by individuals' intrinsic desire to possess and control. The individual is illustrated by Hobbes as possessive, self interested and self-sufficient. Prompted by their rationality, individuals willingly came to bring

came to link legitimacy to the faqīh rulership. See Sachedina, A., *The Just Ruler in Twelver Shī'ism*, (New York 1988) p. 26 .

²⁹ Cited in Arjomand, op. cit.

³⁰ Held, David, 'Central Perspectives on the Modern State', in McLennan, Hall, and Held (ed.), *The Idea of Modern State*. (London 1984), p. 32.

about the institution of the state as a mediating body assigned to protect them and solve their conflicts.³¹ Thereafter, Hall suggests, the idea of 'government with consent' stood at the centre of the modern conception of the state. In liberal theory, this was conceived wholly in individualistic terms.³² Individualism asserts the priority of the individual over society, whereby the interests of the individual are best served by allowing him maximum freedom and responsibility to act on his own behalf. Accordingly, society is conceived as a collection of self-sufficient individuals whose progress will inevitably serve the welfare of the society. Politically, individualistic liberalism embodies an opposition to all kinds of external control. Hence it tends to restrict the application of the state's powers in the public sphere, namely, the maintenance of law and order and the handling of the conflicts of individuals' interests.³³

Liberalism presumes that all values are man-centred and all individuals are morally equal. For the individualist liberals, the normative priority of the individual is conceived in two ways. First: all moral obligations and social arrangements stand in need of justification to the individual. Second: morality is conceived in a universalistic sense; morals acquire authority if they are accepted by all individuals.³⁴ Individualism thus came to be a central principle in the liberal discourse. As asserted by Geise:

Any secular political theory must assume that the individual, or as Kant would have it, all rational beings see their actions as potentially meaningful and evaluable, and that, as a consequence, rational self-direction, autonomy, and mutual respect constitute appropriate features of life within a good polity.³⁵

Individualism, however, is a point of controversy, particularly with respect to the issue of morality, between two broad groups of liberals: those who

³¹ Mansfield, Harvey, 'Self-Interest Rightly Understood', *Political Theory*, vol. 23, no. 1, (Feb., 1995), 48-66, p. 52.

³² Hall, Stuart, 'The State in Question', in McLennan, Hall, and Held, op. cit., p. 24.

³³ Hall, John, *Liberalism: Politics, Ideology, and the Market*, (University of North Carolina Press, 1988) p. 185.

³⁴ Carse, Alisa, 'The Liberal Individual: A Metaphysical or Moral Embarrassment?', *Nous*, vol. 28, no. 2 (June, 1994) 184-209, p. 185.

³⁵ Geise, J. P., 'In Defence of Liberalism', *The Western Political Quarterly*, vol. 44, no. 3 (Sep., 1991) 583-604, p. 593.

advocate the normative priority of the individual to the extreme, and the communitarians who argue for the moral requirements being justified on the basis of common welfare or the collective good of the society.³⁶ The latter trend also rejects the association of morality with individually-defined material interests. For Kant, “the only true categorical morality transcends empirical or material interests. Only so is morality free, and beauty, too, gives free satisfaction because it pleases without engaging interest”.³⁷

The conservative discourse dismisses the contractual nature of society as well as the independent identity of the individual. However, this topic has not been studied in detail by religious scholars. The available studies are few and highly biased. Miṣbāḥ Yazdī’s *Al-Mujtamā’ wa’al-Tārīkh* (1994) provides no precise conclusion on individualism or otherwise communitarianism. The bulk of the book is dedicated to illustrating his objections to both trends and promising a better Islamic alternative; but the result is that he has no coherent proposal.³⁸ His argument, nevertheless, seems close to the perception held by the paternalistic trend of European conservatism which deals with the issue in a rather pragmatic fashion, i.e. emphasising ‘what works’.³⁹ It also mirrors the argument advanced by Lārijānī, which suggests that the state-society relation revolves around the state’s competence, i.e. its being a problem-solver.⁴⁰

Lārijānī dismisses the anthropological assumptions, namely the idea of ‘the state of nature’ that led to the social contract in Hobbes’s theory, as well as the definition of polity in terms of a contract and offers an alternative definition: “polity is a functional grouping tied up by a shared rationality... The essence of socialization is a collective action whose direction and objectives are determined

³⁶ Carse, Alisa, op. cit., pp. 185-6.

³⁷ Mansfield, Harvey, op. cit., p. 54.

³⁸ Yazdī, Miṣbāḥ, *Al-Mujtamā’ wa’al-Tārīkh min Wejhat Nazar al-Qurān al-Karīm* (Tehran 1994), translated by M. Khaqanī.

³⁹ Heywood, op. cit., p. 83.

⁴⁰ Lārijānī, op. cit., p. 75.

by a common rationality”.⁴¹ Lārijānī’s definition mirrors to some extent John Locke’s view of the state of nature and the pre-political society.⁴²

Lārijānī argues that society existed before the individual, in the sense that the individual could not identify himself outside the society. Individuals join society out of their need for the benefits provided through social life. They make a voluntary decision involving an informed acceptance of a common rationality and its implications.⁴³ This conception implies that individual rights are not natural, as suggested by Hobbes. Rather, they are determined by the particular structure of the society and conditioned by its rationality. By the same token, the state does not represent the interests of individual citizens but the collective interests of the society. This argument is evidently identical to the European conservative conception of the state-society relation, where the society is conceived as an organic order that emerges naturally and out of the collective need of individuals for security and familiarity rather than as a contract.⁴⁴

Lārijānī faults the liberal conception of rationality as well as what he takes as an artificial association between rationality and the social contract. In his words:

Liberalism restricts the rationality of action to its being calculable and in line with the witnessed realities... In this precept, the actor’s intention and the meaning expressed through the action are completely ignored...

Action becomes meaningful only if attached to the actor’s identifying himself with the surrounding world, in the sense that he and his attitude are not detached from responsibility towards the world he lives in... The biggest mistake of liberalism lies in its ignoring the attachment of man to his world... What an appalling

⁴¹ Lārijānī, *ibid*, p. 192.

⁴² See J. Locke, (1690) *The Second Treatise of Civil Government*, Ch. II, retrieved from: www.constitution.org/jl/2ndtr02.htm. Somers makes a similar argument to support her theory of civil society. She highlights Locke’s idea of the pre-political society, especially its claimed capacity to be a self-organised, harmonious and fully functioning commercial community independent of the administrative state. Somers, M., ‘Narrating and Naturalizing Civil Society and Citizenship Theory: The Place of Political Culture and the Public Sphere’, *Sociological Theory*, vol. 13, no. 3 (Nov., 1995) 229-274, p. 249.

⁴³ Lārijānī, M. J., ‘Islam: Dawlat-e Qadīm va Jadīd’, *Hukūmat-e Islāmī*, (Summer 2000) no. 16. c. edition, www.nezam.org/persian/inagazine/016/03.htm.

⁴⁴ Heywood, *op. cit.*, p. 75.

confusion takes place that man is identified as rational if he acquires a kind of technical competence but his essence is ignored.⁴⁵

Along the same lines, Yazdī faults Hobbes' idea of the self-sufficient individual, for it fails to apprehend the right course of the relationship between man and his world. He argues that there is a range of requirements for life that lie beyond the psychological and intellectual capacity of the individual. The individual is usually preoccupied by his immediate and calculable needs which are regarded inferior to the moral and ontological ones.⁴⁶ According to Lārijānī, a social contract cannot always claim rationality. Simply because people are prone to error, they may agree on correct ends as well as incorrect or irrational ones. The latter cannot be deemed rational.⁴⁷ The idea expressed here links rationality to the action itself and not the actor.

The major objective of the social order according to liberalism is the management of its members' conflicting interests, while in Islamic philosophy, Lārijānī holds, the major objective of socialisation is to help the evolution of all community members towards the highest degree possible of human perfection. This particular objective, the type of actions designed to reach it and the set of principles supporting them are all constituents of a collective rationality or shared belief. According to this perception, the conservative discourse distinguishes itself from the liberal by defining interests and actions in both moral and material terms.⁴⁸ It asserts also that moral questions are not left to the individual, since morality is derived from religion. Upon the basis of shared belief, the social identity is formed, good and bad are identified, and the structure of rights and duties is formulated.⁴⁹

The conservative perception of identity and action reflects, to some extent, the communitarian idea of individual-self, rather than the individualistic

⁴⁵ Lārijānī, *Naqd...* pp. 141-2.

⁴⁶ Yazdī, M., *Nazārich Siāsi Islām*, (Qum, 2001) p. 150.

⁴⁷ Lārijānī, *Naqd...*, p. 150.

⁴⁸ Lārijānī, M., 'Islām va Democracy', *Ma'refat*, no. 12, (Spring 1995) e. edition, www.hawzah.net/Per/Magazine/mr/012/mr01204.htm.

⁴⁹ Lārijānī, M., 'Hukūmat-e Islāmī va Marz-hic Siāsi', *Hukūmat-e Islāmī*, no. 2, (Winter 1996). e. edition, www.hawzah.net/Per/Magazine/hc/002/04.htm.

idea. The latter conception is criticised, for the individual-self is embedded in a community and identified within shared self-understandings which frame community life. As Sandel puts it, liberals have effectively devalued the good by leaving its definition open to the calculations of self-interested individuals. By comparison, there exists the prospect that all individuals might work for a morally worthy common good.⁵⁰

Politically, that conservative conception of the individual-society relation is translated into the rejection of the social contract as the basis for the state-society relation. Āṣifī, another conservative scholar, suggests three implications of the social contract which contradict Islamic teachings: 1) The theory denies that anyone is superior to another (in the sense that he possesses a natural right of authority); 2) It acknowledges the individual right of self-determination; 3) It gives the individual the ultimate right to transfer the above right to whom he likes. The three principles, he contends, are not compatible with Islam, since, in the Holy Qur'ān, God is superior to all humans; He is the only one to determine the fate of his creatures and finally, authority is determined by His teachings and not by man.⁵¹

On the other hand, the idea of the individual's natural rights is rejected as insufficient to foster a participatory society, as Lārijānī argues.⁵² Alternatively, he offers the idea of 'duty' as the basis for socialisation. According to this perception, the member of the political community is obliged to remain politically active throughout his life.⁵³ He may elect his representative or be elected. In both cases he fulfils a social duty. On the same basis, public office is defined in terms of liability, rather than privilege. The implication of such a formulation is that the individual's political right is not the point at issue, but his duty, and thus his capacity to undertake responsibility, i.e. to serve others, at different levels.

⁵⁰ Sandel (1984), cited in Daryl Glaser, 'Normative Theory', in Marsh and Stoker (ed.), *Theory and Methods in Political Science* (London 1995) p. 27.

⁵¹ Āṣifī, M., 'Written Interview', *'Ulūm-e Ḥadīth*. Retrieved on Feb., 9, 2004, from <http://www.hadith.net/persian/products/magazine/olum-f/07/002.htm>.

⁵² Lārijānī, *Naqd*, op. cit., p. 192.

⁵³ Lārijānī, *ibid.*, p. 69.

Citizenship

The idea of citizenship signifies a set of constitutional rights enjoyed by the individuals before any allegiance to their state. Its modern concept was first developed during the American and French Revolutions. Its preference is for the term 'citizen' over the older term of 'subject', which signifies an inferior status of a subordinate individual prepared to obey others unquestioningly.⁵⁴ Aristotle defines the citizen as the one who can 'hold office'. This concept is fundamental to modern constitutionalism since it captures much of the idea of mutual responsibility between the state and individuals.⁵⁵

The conservative perspective on citizenship is derived from the traditional Islamic concept of *ra'īyyah* (literally: 'flock') which denotes a relationship between superior and inferior based on reciprocal caring and support. The oldest prescription of this kind of relation is the tradition attributed to Prophet Muhammad in which all members of the society were described as guardians or shepherds (*rā'ī*) responsible for those under their charge (*ra'īyyah*). Another basic value is the Qur'ānic concept of natural equality where all human beings are seen as equal by birth (Holy Qur'ān, 49: 13). The two concepts could have provided a coherent framework for the mutual rights and duties of the ruler and the ruled. Nevertheless, the historical evolution of the traditional Muslim state took a different direction whereby rights, especially in the political sense, were conferred on the rulers only, while ordinary people were commonly conceived as subjects. At certain conjunctures, some scholars have even gone further to regard the ruler as a sign of divine grace and the people's obedience as a thankful gesture to their Creator.⁵⁶ Generally speaking, the concept of citizenship as a basis for certain political rights came to be part of the religious language only recently. Thereby, its connotations are not as extensively elaborated as in the Western tradition.

⁵⁴ For a brief discussion on the topic, see Held, David, *Models of Democracy* (Cambridge, 1997), p. 78

⁵⁵ Scruton, R., *A Dictionary of Political Thought*, (London, 1996), p. 71.

⁵⁶ Majlisī, M., cited in Nasīrī, M., *Dastour-e Shahriarān*, (Tehran 1994), p. 21.

For Shī'ism in particular, political thought has evolved within the jurisprudential framework. Therefore, many of the normative values and concepts with political bearings have taken a jurisprudential form,⁵⁷ where the individual is perceived as a member of religious community, a believer or dutiful person (*dīndār*) rather than a citizen.⁵⁸ Society is perceived by the traditional clergy as having a structure consisting of two layers: the informed elite (*khāṣṣah*) and the general, uninformed people (*‘āmmah*).⁵⁹ The informed elite comprises the holders of noble (i.e. religious) and ordinary knowledge.⁶⁰ One of the earliest – and widely cited – classifications of people, is found in the tradition attributed to the first imām, ‘Ali ibn Abī Tālib, in which people are divided into three categories: “the divinely-inspired scholar (*‘ālim rabbānī*), the disciple pursuing the course of salvation and the ignorant mobs (*hamaj ru‘ā’*) who follow every pretender”.⁶¹ This tradition, according to Ṣadr, was meant to describe people’s attitude towards acquiring knowledge,⁶² but it was widely taken as a normative classification of society’s members, with the religious knowledge as the criterion to determine the social, and hence, political status of individuals.⁶³ Generally speaking, the clerical view of the general public is rather pessimistic, for there is a large body of authoritative statements, both sacred texts and scholarly writings attributing to general people ignorance and selfishness. This is one of the paradoxical tendencies within the Shī’a clergy, at least a considerable segment of them: they depend heavily on the general public for support but do not regard them as credible and rational.

⁵⁷ See, for example, the arguments of Faḍlullah Nourī: ‘Hurmat-e Mashroutah, in Zargarī-Najād, *Rasāʿl Mashroutah*, (Tehran 1995), p. 160.

⁵⁸ Qācīmāqāmī, ‘Abbās, *Qudrat va Mashro‘iat*, (Tehran 2000) p. 112.

⁵⁹ Khamenei, ‘Ali, ‘*Ebrat-hic ‘Ashūrā: ‘Awām va Khawāṣ*, A speech to military commanders, (Tehran, June 9, 1996)
www.andisheqom.com/HTM/Imam%20Hosean/HTM/Ebratha/htm/1.htm, accessed on Apr., 13, 2003.

⁶⁰ Al-Āmifī, Jamāl al-Dīn, *Ma‘ālem al-Dīn*, (Qum, n.d.) p. 22.

⁶¹ Sharīf al-Raḍhī, *Nahj al-Balāghah*, (Beirut, 1977), vol. 3, p. 186.

⁶² Ṣadr, M. B., *Muqaddamāt fī al-Tafsīr al-Mawḍu‘ci li’l-Qur‘ān*, p. 195. c. edition,
www.rafed.net/ftp/books/moqadamat.zip

⁶³ See for example Roḥānī, Ayatollah M. Ṣadiq, *Nezām-e Hukūmat dar Islām*, article 8. c. edition, retrieved on Apr., 13, 2003, from: www.imamrohani.com/farisi/kotob/hokomat/01.htm#a09.

The question of constitutional rights came to be a very controversial issue in the late 1990s and early 2000s through the conservative faction's attempts to enforce its own conception of citizenship as the criterion for access to public office. In a community of believers, they argued, the axis of socialization was the shared belief rather than mutual interest.⁶⁴ Being a citizen does not sufficiently provide for political privilege or particular rights, Yazdī asserts. The right to occupy public office, especially those with a wide influence, should be determined by the acquisition of moral competence rather than natural or constitutional rights. He argues that:

It is commonly understood that although citizens are, in principle, equal, their rights as well as access to the positions and privileges are not as such... We believe that these rights should be originated in God's permission. Those who live in liberal societies or democratic societies, where God's teachings are not followed, say that only the public opinion is to be observed, but we say that, in addition to public opinion, God's permission has to be sought. There has to be no view, demand, or right contradicting God's permission and God's law.⁶⁵

This assertion is natural, since political office is a 'trust', says Lankarānī. It is to be held only by those who prove both capable and trusted.⁶⁶ Although the Islamic Republic constitution acknowledges relatively equal rights for the Iranians,⁶⁷ the traditional clerics were never happy with the idea of equal opportunity. Since the early 1980s, there have been constant attempts to redefine the constitutional criteria of political rights to match the idea of 'trust' in strictly religious terms.

The application of the above ideas has fuelled constant debates of which the most recent was the political crisis brought about by the Council of Guardians' disqualification of two thirds of the candidates for the legislative election of 2004. During the 1980s, the traditional clerics wanted to apply the

⁶⁴ Taqavī, M., 'Sokhanī dar Maḥmūd Jāme'ah Dīnī', *Fiqh Ahl-e-Bait*, (Summer 1996). e. edition www.islamicfcqh.org/magazines/Feqh7f/taghav.htm. Accessed on Apr., 14, 2003.

⁶⁵ Yazdī, Miṣbāḥ, *Nazarieh...*, p. 311.

⁶⁶ Lankarānī, M., *Theory 'Adalat dar Hūkūmat-e Islāmī va wilāyat-e Faqīh*, www.lankarani.org/persian/najlchi/teori.html. Accessed on Apr., 14, 2004

⁶⁷ Zanjānī, 'A., *Fiqh Siāsi*, (Tehran, 1998) vol.1, p. 566.

principle of 'trust' as a universal criterion whereby all the applicants for state jobs had to prove religiosity and strict loyalty to the ruling clergy. The plans were opposed by Ayatollah Khomeini who ordered the dissolution of the committees assigned to investigate applicants.⁶⁸ In recent years, the issue has surfaced again over the right to stand for elected office. In 1995, the Council of Guardians of the Constitution was invested with the authority to investigate and determine the eligibility of the candidates for presidency, parliament and the Council of Experts. This power, known as *Neẓārat-e Esteṣvābī* (literally: discretionary supervision) came to be the focus of contention in the political fray.⁶⁹ According to the Council, the qualities to be possessed by the parliamentary candidate include among others: a practical commitment to Islam, evident loyalty to the supreme leader, a good reputation, trustworthiness and reliability. It was also stated that merely being a Muslim is not a sufficient qualification since the parliament is assigned to guard the religion and provide for the promotion of ethics and virtues in the society which, in turn, requires perfect religiosity. Allegiance to the constitution is not sufficient either, for it will allow in the parliament members of illegal political groups.⁷⁰ In 2004, the majority of the reformist candidates were barred from standing for the general elections, simply because their loyalty to wilāyat al-faqīh was not acknowledged as sincere. Among the names that appeared in the list of disqualifications there were 550 current and former MPs, ex-ministers and clergy members. In brief, citizenship in the conservative perspective does not provide for particular rights. The equality of citizens is acknowledged but the constitutional rights to equal access to public office are governed by other principles, notably the office being identified in terms of trust.

⁶⁸ On Khomeini's 8-article communiqué of December 1982, and the related declarations, see Mehrizī, M., 'Dawlat-e Dīnī va Ḥarem Khuṣūṣī', *Hukūmat-e Islāmī*, no. 12, (Summer 1999), c. edition, www.nezam.org/persian/magazine/012/04.htm.

⁶⁹ On the political implications of the arbitrary supervision, see Paymān, Ḥabībullah, 'Neẓārat-e Esteṣvābī Mugayer Ḥuqūq Mellat', in *Neẓārat-e Estṣvābī*, compiled and published by Daftar-e Taḥkīm Waḥdat (Tehran 1999) p. 198.

⁷⁰ See the arguments put forward by the Council for the Guardianship of the Constitution against the amended bill of election passed by the parliament. *ISNA*, Apr., 1, 2003.

Legitimacy and the Rule of Law

The question of legitimacy is concerned with two main issues: public consent and the legality of the government. In respect of the former, both the conservatives and reformists are agreed that the ruler should not impose himself upon the people without their consent. However, the nature of the consent and its legal implications are matters of dispute.

Unlike the liberal democratic theories, political legitimacy in the traditional Shī'ī paradigm is not grounded in public consent. Authority is grounded in the relation between the Creator and the created. In this sense, legitimacy is defined in terms of righteousness (*ḥaqqaniyat*), i.e. compliance with the divine revelation.⁷¹ Central to the conservative perception of legitimacy is the Aristotelian concept of *praxis* or 'virtuous action'. In Aristotle's philosophy, *praxis* denotes action which is itself the end, compared with *poiesis* or production, the type of action that is done for the sake of other things.⁷² Lārijānī employs the same formulation as the basis for legitimising political action and as an alternative to the recourse to legal framework or public consent. He suggests that "virtuous actions are themselves legitimate whether they comply with certain laws or not".⁷³

In respect of the rule of law, the major issue that draws attention is the constitutional limits on rule. The two notions are among the notable characteristics of the modern democratic state. Power limits are closely linked to legitimacy.⁷⁴ It is realised in mainly two ways: 1) the state's function has to be systematic, predictable and subject to pre-defined limits; 2) public office has to

⁷¹ Yazdī, *Negāh-e...*, p. 54.

⁷² Freeland, S., 'Aristotelian Actions', *Noûs*, vol. 19, no. 3. (Sep., 1985), 397-414, p. 397. Aristotle's concept of action has been criticised by Ackrill, for it explains nothing about 'action' as it explains responsibility for motives, and the physiology of action. In addition, his morally-based distinction between action and production is incoherent. John Ackrill, 'Aristotle on Action', *Mind*, New Series, vol. 87, issue 348, (Oct., 1987) pp. 595-601.

⁷³ Lārijānī, op. cit., p. 65.

⁷⁴ Beetham, D., *The Legitimation of Power*. (London 1991), pp. 35-6.

be defined impersonally in terms of roles, powers and functions.⁷⁵ Without the sovereignty of law, rulers cannot be held to account.

Both notions are acknowledged by the conservative camp in the broad sense. Nevertheless, like many other notions, they are conceived and dealt with on different bases, and thus different scopes of applicability. Here I will focus on the applicability of the two notions to the authority of the supreme religious leader, since it is the core argument among the contesting factions in Iran.

The key principle underlying the faqīh's authority suggests that his main function is to interpret the religious laws needed by the society. The guidance of the faqīh has a measure of sanctity since it expresses the Will of God.⁷⁶ Thus it might not be restricted to the definite boundaries of man-made laws. This is, however, acknowledged as far as the legislative role of faqīh is concerned. Being a state leader, the faqīh has to have the limits of his power justified on different bases.⁷⁷

Apparently, until late 1987, the authority of the ruling faqīh was commonly apprehended as being limited to the boundaries of the constitution. As the then President Khamenei told the congregation of Friday prayer in January 1988, the supreme leader could not rule if the issue at question involves a possible violation of the constitution.⁷⁸ A few days later, Ayatollah Khomeini blamed him for what he described as the failure to grasp the real significance of religious leadership. In this written statement, Khomeini asserted that the leader could unquestionably take whatever measures he sees as necessary to ensure the interests of country and religion; the leader can suspend minor religious obligations, laws and contracts, including legitimate contracts with the nation.⁷⁹

Khomeini's statement caused a significant shift in the perception of the faqīh's authority. From then on, it came to be described as 'absolute' and was

⁷⁵ Hall, S., 'The State in Question', in McLennan, Hall and Held (ed.) op. cit., p. 19.

⁷⁶ Narāqī, Aḥmad, *Awā'ed al-Ayyām*, (Qum 1988), p. 188.

⁷⁷ Zanjānī, op. cit., p. 256.

⁷⁸ Khamenei, 'Ali, 'Speech to the congregation of Friday Prayer' (Tehran, Jan., 1, 1988).

⁷⁹ Khomeini, *Ṣaḥīfeh Nūr*, (Tehran, 2004), vol. 20, p. 170.

added to the constitution in the 1989 amendment (article 57).⁸⁰ Ayatollah Mo'men, a conservative notable, maintains that the powers of the faqīh are determined by religious teachings and not the legal framework.⁸¹ The faqīh is authorised to change all kinds of laws, including the constitution, without seeking authorisation from any other institution.⁸² In recent years, many of the liberalising policies of the reformist parliament were repeatedly blocked by recourse to the above argument.⁸³ In 2000, the Expediency Council ruled that the parliament was not authorised to check the institutions under the leader's supervision.⁸⁴

So, how do the conservatives see the value of the constitutional emphasis on legality and power limits?

According to article 110 of the constitution, the supreme leader is invested with a wide range of essential and decisive powers. They include the formulation of macro-policies of the state, general mobilisation in the case of war, the supreme command of the armed forces, the nomination of high ranking officials, and so on. For the conservatives, these are just some examples – and not all – of the powers falling within the category of absolute authority invested in the ruling faqīh.⁸⁵ In Lārijānī's account, the observation of the law by the religious leader is defined in terms of competence rather than legitimacy. Laws and rules are better seen as guide-lines whereby the following of pre-defined rules will more likely result in better outcomes.⁸⁶ The argument is based on the principle of *praxis* discussed above, whereby virtuous action is seen as self-

⁸⁰ For an account of the 1989 amendments, see Šadrā, 'Alirezā, 'Barrasī Muqāyesch-ci Qānūn Asāsī', *Hūkūmat-e Islāmī*, no. 7, (Spring 1997) c. edition, www.nezam.org/persian/magazine/007/07.htm

⁸¹ Momen, M., cited in Ḥaqīqat, S., *Tawzi'e Qudrat*, (Tehran 2002) p. 272.

⁸² Yazdī, Mišbāḥ., interview, *Quds daily*, (May 12, 2001).

⁸³ 'Bunbast-e Qanūn Taḥqīq va Tafahūš va Pishnahādh-ic Namāyendegān Majlis' *Hamshahrī*, (Tehran. July 2, 2001). A number of the bills rejected on the above basis was published by *Nourūz* on 10, 11, 12, 13, and 20 June 2002.

⁸⁴ Hashemiān, Ḥusayn, 'Zarorat-e Taḥqīq va Tafahūš Majlis dar Umour Keshwar', *Hamshahrī*, June 26, 2000. The Council amended the above rule in 2001 and the parliament was authorised to carry out the checks with the leader's approval. *Hamshahrī*, August 12, 2001.

⁸⁵ Yazdī, *Negāh-e.* p. 118.

⁸⁶ Lārijānī, op. cit. p. 78.

justifying and in no need of legitimisation from an external source. As suggested by Ḥaqīqat, rules must not restrict the action intended to achieve legitimate objectives.⁸⁷

Republicanism and the Role of the People

The assertion of a republican regime instigated by the Islamic revolution was unprecedented in the Shīʿī religious tradition. It has raised many questions concerning its implications, notably the attribution of sovereignty to the people. Since the death of Ayatollah Khomeini, many of these questions have emerged as parts of the ongoing debates among the rival factions in Iranian politics.

The first hint of conservative scepticism about republicanism emerged in April 1997, when Mo'talefeh, the major right wing party, approached the Expediency Council, the advisory body of the supreme leader, asking it to define the course through which the Islamic Republic would evolve into 'the Islamic Just State'.⁸⁸ The proposal has never been taken seriously, neither by the political factions nor by the leader. Nevertheless, it highlighted the idea that the republic is seen as a transitional stage between the secular monarchy and what is supposed to be a full Islamic state.⁸⁹ In the view of Miṣbāḥ Yazdī, the republic is a form rather than principle:

The republic should not be thought of as a standard form of government after which we are obliged to shape our regime... The vote for republicanism by the Muslim people of Iran was, in fact, more a rejection of the monarchy than an endorsement of a particular alternative.⁹⁰

On his part, Garawēiān, claims that Ayatollah Khomeini accepted the idea of a republic unwillingly and was never a republican.⁹¹

⁸⁷ Ḥaqīqat, op. cit. p. 272.

⁸⁸ *Shomā*, the weekly organ of Mo'talefeh, no. 7, (April, 10, 1997). cited in Ḥajjariān, op. cit., p. 302

⁸⁹ Kadivar, Muḥsen, *Ḥukūmat-e Wilāci*, chapter 12, c. edition, www.kadivar.com/Htm/Farsi/Books/Book03/Chap12.htm.

⁹⁰ Yazdī, Miṣbāḥ, *Ḥukūmat va Mashro'iat*, *Kitāb-e Naqd*, no. 7, (Summer 1998), c. edition, <http://www.hawzah.net/Per/Magazine/KN/007/kn00703.htm>.

⁹¹ Garawēiān, M., *Kayhan Farhangī*, vol. 156. (September 1999). Cited in Ḥajjariān, op. cit., p. 786.

The reservations about republicanism stem from its major ingredient, i.e. the central role of the people. The points of concern here are the grounding of authority in public consent and the legislative role of the people's representatives. According to article 107 of the 1980 constitution, the supreme leader is selected by the Council of Experts whose members are elected by the people. The hint implied in this article is that public consent is the basis upon which the authority of the leader is granted and legitimised.⁹²

The formation of the Council of Experts seems to have been a compromise to settle the traditionalist-modernist differences over the source of authority. It reflects, on the other hand, the elitist tendency inherent in Islamic traditions. In the Sunnī schools, for instance, the ruler is selected by a group of higher elite. This is named as *Ahl al-ḥall wa al-'Aqd* (literally: 'the people who loosen and bind'), an informal body supposedly representing the various social forces. The structure of this body and the nature of its role remained open to different interpretations.⁹³ The idea of *Ahl al-ḥall wa'l-'Aqd* was developed by the constitution of the Islamic Republic into a formal body assigned to select the leader and monitor his performance (articles 107,111).

For the conservative clergy, the process of election does not involve a conferment of authority, neither by the public upon their representatives nor by the latter upon the selected leader, since the people, says Yazdī, have never been in possession of power in order to be capable of conveying it onto the ruler.⁹⁴ The role of experts, as defined by Ayatollah Mishkinī, the incumbent head of the council, is to 'discover' the candidate favoured by God, rather than conveying on him an authority entrusted by the people.⁹⁵ Makarem Shirāzī insists that the idea of election is absolutely alien to the traditions of Shī'ism: "there is not even a small hint of the notion in the works of Shī'a scholars".⁹⁶

⁹² Arustā, M., 'Majlis Khobragān az Didgāh-e Nazarīch Wilāyat-e Faqīh', *Hukumat-e Islāmī*, no. 8, (Summer 1998), c. edition, www.nezam.org/persian/magazine/008/04.htm.

⁹³ Juwainī, Abu al-Ma'ālī, *Giāth al-Umām*, (Alexandria 1979) pp. 79-89.

⁹⁴ Yazdī, op. cit.

⁹⁵ Mishkinī, 'Ali, 'Inauguratory speech before the Council of Experts.' (Tehran, Mar., 20, 2001)

⁹⁶ Shirāzī, Makārim, *Buḥūth Fiqhiyah Muḥimmah*. (Qum. n.d.), p. 472.

There could be different reasons lying behind the attempted relegation of the political role of the people:

First: in the doctrine of imāmate, the authority emanates from above; absolute authority is transferred from God to the Prophet in the legislative sense, and through him to the imāms and faqīhs.⁹⁷ Therefore, as argued by Āmoli, power is not the people's business. The legal status of the people is to observe the rules outlined by the legislator, and not to initiate them.⁹⁸ Although he dismisses the linkage between the authority of the leader and the public will, Āmoli holds that popular participation can be considered at some time in the future, provided the people have proved to have a strict adherence to religious values and jurist's rulership. He accepts the people's participation in the decision-making on the various affairs of the state other than that of the nomination of the supreme leader. Āmoli admits, however, that such a perception is far from the one common in Western thought.⁹⁹

Second: in traditional Islam, legislation is seen as an exclusive prerogative of the 'ulamā' in their capacity as interpreters of the holy texts.¹⁰⁰ The idea that parliament is a legislative institution has been one of the most controversial issues among the Islamists. The 1906 constitution had assigned a clerical body to ensure that parliamentary bills complied with religious principles. The solution was adopted by the 1980 constitution. I have already noted in chapter two that Ayatollah Khomeini redefined the parliament's role in terms of identifying the public interest. There is a considerable segment of Shī'a 'ulamā' who acknowledge the conventional nature of public interest and its identification on the basis of common rationality (*binā al-'oqalā*).¹⁰¹ Nevertheless, the idea does not seem to have been accepted by the traditional

⁹⁷ Khomeini, Ayatollah, *Kitāb al-Bay'*. (Qum 1995) vol. 2, p. 461.

⁹⁸ Āmoli, Ayatollah Jawadī, *Birāmūn-e Wahī va Rahbarī*, (Tehran 1998) p. 177.

⁹⁹ Āmoli, Ayatollah Jawadī, quoted in *Resālat*. (Mar., 31, 1998).

¹⁰⁰ Sachedina, op. cit., p. 25.

¹⁰¹ On the application of common rationality in Shī'ī jurisprudence, see Fadlī, A. *Duṛūs fī Usūl Fiqh al-Imāmiyah*, (Beirut, 1999). p. 117. Ḥakīm offers a comparative account of the role of the local convention ('urf) in defining the frame within which the religious rules apply. Ḥakīm, M., *Al-Usūl al-'Āmmah li'l-Fiqh al-Muqāran*, (Beirut 1979), p. 417.

clerics in the conservative faction. This is probably due to the political bearing of the idea, namely, that the parliament is to be regarded as a centre for authority, independent from the clerical leadership.

Finally: that belief could be the fruit of the elitist tendency common among the Muslim clergy, according to which the general public was seen as ignorant and incapable of a rational determination of its interests. Thus the people need to have a guardian (*wāli*) to guide them and protect their interests.¹⁰² According to Mishkinī, the nomination of the leader is the task of the senior ‘ulamā’, because the people are not capable of identifying the qualified leader on their own.¹⁰³

Although the people were denied the prerogative of being the source for authority, elections are recognised by the constitution as the means through which political offices are filled. Apparently, the conservatives were not in a position to absolutely deny elections. Such an approach would be tantamount to the renouncement of the regime’s legitimacy. Alternatively, they focused on the introduction of a different explanation for the legal nature of elections. In this regard, one finds three accounts:

1) Public consent is defined as the process by which people recognise the authority of the potentially-rightful leader. It is more of a proof (*‘alāmat*) of, rather than a source or cause (*‘illah*) of his authority. The people are obliged to discover the legitimate leader and recognise his authority.¹⁰⁴ This implies that, at any time, there is only one potential legitimate leader and society is obliged to identify him and help him to assume office.¹⁰⁵

2) Ayatollah Ḥāirī explains public consent in technical terms whereby all qualified mujtahids are seen as potentially legitimate rulers, yet only one can assume power at a time. Public opinion is needed therefore to make a preference among equal candidates. This does not, however, entail any conferment of

¹⁰² See for example Ayatollah Golbigānī, *Al-Hedāyah ala man lahu al-Wilāyah*. (Qum 1963), p. 39.

¹⁰³ Mishkinī, op. cit.

¹⁰⁴ Āmolī, Jawādī, *Wilāyat-e Faqīh*, (Qum 1988) pp.16-20.

¹⁰⁵ Arustā, op. cit.

authority from the electors upon the elected person. It is more an expressing of support and encouragement.¹⁰⁶ The crux of this account suggests that none of the candidates is *the* God-designated leader unless his authority is recognised by the majority of people. Nevertheless, the people's role in generating authority is not the point of focus in this account. It addresses mainly the possible conflict between many mujtahids competing for power.

3) Qāemmaqāmī suggests that legitimacy comprises religious and civil elements. The office of supreme leader (*wilāyat al-faqīh*) is distinguished from the person of its holder on the one hand, and from other state offices on the other. The office is legitimised on a religious basis, whereas the powers of its holder are entrusted and remain contingent upon the constitutional principles, namely the public's consent.¹⁰⁷

The latter account assumes that state institutions, other than the office of *faqīh*, are grounded in the will of the nation. The role of the *faqīh* in this regard is supervisory rather than administrative.¹⁰⁸ In comparison, the first two accounts hold that state action derives its legitimacy from the ruling *faqīh*. The various branches of the state are seen as the arms of the supreme leader. The role of the people is limited to supporting the legitimate leader. This support is conceived in terms of state competence, since it helps to enhance state performance and national unity. Public preferences might thus be considered by the leader, but without him being compelled or constrained to follow their desires.¹⁰⁹

The Conservative's Frame of Reference

The contesting Iranian camps represent two distinctive styles of religiosity and thinking. Each is influenced by a particular interpretation of the original sources of the religion and its basic values. In the following pages, I will discuss the ideological source of the conservative political standpoints. The reformist one will be discussed in the next chapter.

¹⁰⁶ Ḥāirī, Kāzīm, *Wilāyat al-Amr fī 'Asr al-Ghaybah* (Qum 1994). p. 164.

¹⁰⁷ Qāemmaqāmī, *op. cit.*, pp. 147-8.

¹⁰⁸ Qāemmaqāmī, *ibid.*, p. 145.

¹⁰⁹ Lārijānī, *op. cit.* p. 68.

The conservative ideology is based on a combination of three principles:

- religion is an all-encompassing way of life,
- the established jurisprudence is the method for interpreting its basic teachings into practical rules, and
- the 'ulama are the only authoritative representative and interpreter of religion.

Politics, like all other aspects of life, is seen as a religious affair. The conservative discourse focuses on religious life and the religious state rather than 'the role of religion' which might connote the sense of 'degree'. The values expressed through political activity and the standards observed should be defined in religious terms and sought within the religious system of values.¹¹⁰ Islam is a system of beliefs concerning human existence and should be realised through day-to-day behaviour. Muslim individuals have to pay full obedience to God as He is the creator and the absolute ruler of the universe.¹¹¹

The said obedience is realised in following His commands as conveyed through trusted experts, i.e. the religious scholars. The following of experts in each discipline is a rational obligation.¹¹² Their views are to be observed for they reflect the essence of the religion. In the words of Ma'refat, the historical association of the clergy with the disciplines pertaining to religion has elevated their language to the impeccable expression of Quranic themes.¹¹³

This notion came to be known as the *Islam-e faqahātī* (the jurisprudential perception of Islam), and was seen as the major element distinguishing the conservative camp from the other factions in Iranian politics.¹¹⁴

¹¹⁰ Qāemmaqāmī, op. cit., pp. 71-5.

¹¹¹ Yazdī, Miṣbāḥ, *Qalamro-e Dīn*, Kanoone Gofتمان, (Qum, 2001). Retrieved on May., 3, 2003 from: www.andisheqom.com/html/kanun/24/K24.HTM.

¹¹² Shirāzī, op. cit. pp. 392-396.

¹¹³ Ma'refat, M. H., 'Pluralism Dīni dar Botch Naqd'. *Andishah Hawzah*, no. 16. (Spring 1999) e. edition, www.al-shia.com/html/far/books/rooz/maqalat_marefat/poloralism/ploral01.htm.

¹¹⁴ In his diaries of 1980, the former president Hashemī Rafsanjānī puts the jurisprudential perception of Islam as the major point of disagreement between his camp (the so-called 'line of the Imām') and the liberals (e.g., Nehzat Āzādī); 'they do not accept this fiqh and we see it as

Fiqh Sunnatī

The idea that there are different interpretive readings of the religion has been understood for centuries, but it came to be an issue in Iran only in the late 1960s. There are two broad tendencies with regard to religion and religiosity. One tendency emphasises what is deemed as the ethos of the religion, such as its spirituality, ethics, knowledge and, to a lesser extent, its legal system. It is usually held by the commentators of Qur'ān, philosophers, Gnostics and non-clerical intellectuals. It has remained a minor trend even though it has had popular influence. The major tendency has been the jurisprudential one which perceives Islam as a legal system and emphasises the idea of duty as the fundamental basis of the relationship between God and man, while paying less attention to the concerns of the former trend.

The first tendency has enjoyed a substantial rise since the mid-1970s, and benefitted from Ayatollah Khomeini's critique of the narrow views of the traditional jurists. However, the latter remained dominant in the religious seminaries and in the late 1980s regained more territory. Khomeini's criticism was meant to encourage the vitality and creativity within the traditional trend rather than endorse its critics. The jurisprudential interpretation of Islam draws a clear-cut line between what is deemed as matters of knowledge and matters of practice and asserts that what concerns individuals is the second category. Thereby it became an established attitude among the claimants of the exemplary office (*marji'yyiah*) to commence their work by publishing a *risālah 'amaliyyah* (treatise of practice). The *risālah 'amaliyyah* sums up the rules endorsed by the exemplar concerning the various religious duties. It also represents the link between him and his followers.

Apparently, the term of *fiqh sunnatī* (traditional jurisprudence) was first employed by Ayatollah Khomeini in September 1981.¹¹⁵ According to Maḥāmid, *fiqh sunnatī* denotes "the methodology of interpretation evolved and employed by the great Shī'a scholars for more than ten centuries, and documented in their

the only basis available to run the Islamic state' Rafsanjānī, *'Ubūr az Buhrān* (Tehran 1999) p. 60.

¹¹⁵ Khomeini, *Ṣaḥīfeh*, op. cit., vol. 15, p. 150

major textbooks”.¹¹⁶ In 1983, Khomeini expressed his favour of the methodology of Jawāhiri as well as dynamic jurisprudence (*fiqh pūyā*):

In respect of methodology, I believe in fiqh sunnatī and Jawāhiri’s style of interpretation. Such a style is correct and the compliance with it is an obligation. It does not follow, however, that the Islamic jurisprudence is not dynamic (*pūyā*); time and place are determining factors for an efficient interpretation. Religious rules and regulations should be understood in the light of actual realities. Each system forms a particular net of social, political, and economic relations which make the subject of the ruling essentially different... A competent jurist must be aware of the changing nature of his world.¹¹⁷

The methodology of Jawāherī is attributed to Muhammad Hassan al-Najafī, (known later as Jawāherī), the Shī’a leader of the nineteenth century (d. 1847). He was famous for his frequent references to the rational and conventional definitions of public interest as the framework for the derivation and implementation of religious rules.¹¹⁸ His studies are also distinguished for their concern with the issues posed in the public sphere, rather than being limited to individual affairs, as was common among earlier scholars. This, according to Fakhr, is the reason for Khomeini’s favouring of Jawāhiri.¹¹⁹ The common tendency in the religious seminaries to study topics and rules in the abstract was often criticised by Khomeini.¹²⁰

The notion of dynamic jurisprudence (*fiqh pūyā*) was once upheld by the leftist faction of the clergy as the antithesis of fiqh sunnatī, embraced by the traditional clergy.¹²¹ With time, however, the lack of a precise definition of the notion has made it open to different conceptions, among which the most influential is the one espoused by the pragmatic faction of the conservatives

¹¹⁶ Mahāmid, ‘Fiqh Muṣṭalah Ḥawzah dar Duniāye Emrooz’. *Hūzūr*. vol. 34 . (Spring 2001) c. edition, www.hawzah.net/Per/Magazine/hz/034/hz03425.htm.

¹¹⁷ Khomeini, op. cit., vol. 18, p. 31.

¹¹⁸ Ma’refat, M., ‘Fiqh Jawāhiri va Vijegihie unn’. *Andishah Ḥawzah*. (Summer 1997) c. edition, www.balagh.net/persian/feqh/maqalat/koliyat/23.htm.

¹¹⁹ Fakhr, A., ‘‘Awāmil-e Pūyā-ic Fiqh’, *Qabasat*, no. 15-16. (Spring 2000). www.hawzah.net/Per/Magazine/QA/015/qa01513.htm.

¹²⁰ Rezāie, M., ‘Deedgāh-e Darbārah Tathīr ‘Unsur-e Zamān va Makān dar Ijtihād’, *Hūzūr*, no. 15, (Spring 1996). www.hawzah.net/Per/Magazine/HZ/015/hz01508.htm.

¹²¹ Shah Alam, ‘Conservatives, Liberals and the Struggle over Iranian Politics’, *Strategic Analysis*, vol. 24, no. 3, (June 2000). www.ciaonet.org/olj/sa/sa_jun00als01.html.

which identifies the notion of dynamic fiqh with the interpretation of the religious rules in the light of the state's requirements. This conception contradicts the traditional one which calls for the state's adaptation to the jurisprudential frameworks, and the reformist one that asserts the need for a completely new jurisprudence.

The application of jurisprudence to constitutional and political affairs has been, since 1979 at least, a controversial issue. The majority of grand ayatollahs, including Khomeini, have acknowledged the need to improve its methodology and broaden its scope. The context within which Khomeini employed the term 'fiqh sunnatī' implies that he meant to disqualify the intellectual interpretation of Islam and to emphasise the clerical one. He strongly rejected the calls for a 'completely new jurisprudence' proposed by some modernist clerics and intellectuals, and described such a tendency as a "starting point for the destruction of the religious seminaries".¹²² In the speeches where he emphasised the notion, Khomeini criticised the intellectuals' tendency to disregard the leading role of the clergy, or to claim for themselves a role in the leadership of the religious community in opposition to the role of the clergy. This is a major theme in Khomeini's thought and political practice. In brief, the notion of fiqh sunnatī denotes the established Shī'ī jurisprudential methodology. Nonetheless, for Ayatollah Khomeini, jurisprudence can appropriately address the challenges of the modern life and state only if the 'ulamā familiarise themselves with actual conditions of the world surrounding them and develop their methodology to suit the new conceptions and realities.

The major implications of the jurisprudential version of Islam include that:

1- Political philosophy, as well as political theory, has to be adapted to the jurisprudential framework; jurisprudence has the capacity to foster both.¹²³

¹²² Khomeini, op. cit., vol. 20, p. 102

¹²³ Zanjānī, A., 'Nizām Siāsī Islam', interview, *Hukūmat-e Islāmī*, no. 1, (Autumn 1996). e. cdition, www.nczam.org/persian/magazine/001/02.htm.

2- The implementation of religious teachings is the major objective of the state. Given the sufficiency of religion to address all types of problems posed in social life, the state is obliged to formulate its policies and programs in accordance with religious criteria. Power relations and the public interest are defined in religious terms and in accordance with religious standards.¹²⁴

3- Public demands are legitimised, hence undertaken by the state, on the basis of their being identified by the religious ruler as 'common interests' rather than an expression of the public will. The idea is justified on the basis that the Islamic government is bound to undertake right actions only. Taking action in itself constitutes its value and thus its justification. Some actions are in themselves good, others are bad. Being desired or otherwise detested by the public does not change their nature. The ruler is eligible to select the acceptable demands of the people because he holds the best knowledge of good and evil.¹²⁵ The idea that interests are defined in religious terms has been a matter of wide debate. Some conservative figures came to make a distinction between 'discerning' and 'determining' of interests. In this view, society was said to have the capacity to undertake the former whereas the latter was to be reserved for the faqih.¹²⁶ The suggestion is based on the argument that religious rules might constitute interests which were not disclosed for the ordinary believer (*maṣālch khafiya*), thus they should be taken for granted as they came from God.¹²⁷

Conclusion

The conservative faction emerged within the traditional spectrum of Iranian society and expressed its concerns. Its political manifestation was prompted by the challenges of the administration of the state and modern ideas unleashed by the rival factions during the post-revolutionary epoch. The

¹²⁴ Shari'atmadar, N., 'Karāyie Fiqh Siāsi', *'Ulūm-e Siāsi*, no. 14, (Autumn 2001). c. edition, www.hawzah.net/Per/Magazine/OS/014/os01403.htm.

¹²⁵ Momen, M., 'Dīn va Musharakāt-e Siāsi', *'Ulūm-e Siāsi*, no. 7, (Winter 1999). c. edition, www.hawzah.net/Per/Magazine/OS/007/os00702.htm.

¹²⁶ Qāemmaqāmī, op. cit. p. 367.

¹²⁷ Amīnī, Ayatollah, 'Roykard-e Hukūmat-e 'Alavī', in Amīnī, I., *Hukūmat-e Alavī: Bunianha va Chalesha*. Chapter 1. c. edition, www.nczam.org/persian/books/hukoomate-e_alavi_bunyan_ha_va_chalesh_ha/02.htm.

conservative ideology expands on the established Shī'ī paradigm of authority which is made up of four components: 1) the doctrine of designated imāmate; 2) Plato's notion of the philosopher-king; 3) the association of absolute authority with the perfect man, from Ibn al-'Arabī's gnosticism, and 4) the Persian wisdom of kingship.

Unlike the liberal notion of individualism, the conservatives place more emphasis on the community. The individual-society relation is not based on a "social contract" but perceived as natural and stemming from the individual need for social life. Society is defined as a functional grouping bound together by a shared belief which conditions the identity of its members and their roles. In such a system, the focus is placed on duty rather than right. The objective for which the system functions is to maximise the collective interest of the members. The interests are defined in both material and moral terms with the latter given superiority.

The conservative discourse acknowledges the equality of all human beings by nature. However, political rights, particularly access to public office, rest on moral competence and strict adherence to the clerical leadership. Political legitimacy and the rule of law are recognised by the faction in the broad sense. Their applicability, however, is conditioned by other principles. Aristotle's notion of *praxis* or idea of the action which is itself the end is adopted as the synonym of legitimate action. According to this precept, action is legitimised if it is seen as right, i.e. there is no need for public consent for it to be carried out. The righteousness of an action is secured upon its compliance with the religious rules as identified by the religious leader. By the same token, the performance of a right action is not restricted by law. Thus the authority of the religious leader is seen as absolute and not bound by constitutional limits.

The faction's scepticism about republicanism stems from the latter's major implication, namely, the central role of the people in governance. In the conservative discourse, authority is not based on public consent, neither does the state represent the nation's will. The highest authority is held by the religious

leader who is nominated by the senior clerics. The role of the people is to acknowledge and support his rule.

The conservative ideology is based on a particular interpretive reading of religion called *fiqh sunnatī* (jurisprudential perception of the religion). According to this perception, religion is taken as an all-inclusive ideology encompassing all the aspects of life. The state is seen as responsible for implementing the religious rules and ensuring the citizens' observance of religious teachings. The 'ulamā retain a central role, for they are the authoritative spokesmen for the religion.

The evolution of the conservatives' political ideology during the post-revolutionary period was more of a reaction to the challenges posed by the secularising function of the state and the modern notions unleashed in society. Being a reactive movement, the conservative faction has dealt with theoretical challenges from the platform of defending the continuity of religious tradition, rather than initiating a new vision. This position has constrained the faction's argumentation within the framework developed by its rivals. In other words, the course of the argument over state, religion, modernisation, etc., is led by the reformist factions. In the short and medium terms, this particular course of debate will help to articulate the faction's views. But, over the long term, it will exhaust its theoretical resources, since it will have helped to establish its rivals' principles as the centre of debate on the national level. In my opinion, this possibility represents a key point in the analysis of the future developments of the conservative-reformist debate.

Chapter V

The Reformist View of the State

This chapter discusses the principal elements of the political discourse of the Iranian reformist camp and the religious principles upon which they are grounded. It offers a brief introduction to the influential theorists of the trend. Then it explains the rise of the discourse and its relation to the pre-revolutionary discourse on the religious reformation. Through the discussion of its conception of republicanism, legitimacy and democracy, I try to locate the discourse within modern political thought. The discussion of its conception of the role of religion in politics reveals the boundaries differentiating the trend from the established religious paradigm.

The emergence of the reformist trend signified the rise of liberal tendencies in Iranian society during the 1990s.¹ Two factors can be seen behind this development: the socio-economic changes during the first post-revolutionary decade and the revival of intellectual activity, together with the emergence of a new self-awareness, notably among the young generation.

The Socio-economic Background:

As a demonstration of the Islamic revolution belonging to the less advantaged class (*mostaz'afin*), the post-revolutionary government has made huge efforts to improve the country's infrastructure, focusing mainly on the countryside. The wide variety of developing programs were carried out by both the government and the voluntary organization of *Jihād-e Sazandagi* (the Jihad of Reconstruction) and *Nehzat-e Sawād-Āmozi* (the Movement for Literacy). In addition to the ideological motives, the government's focus on the countryside aimed to enhance the food production in order to counter the shortage in foreign

¹ For an empirical assessment of the transformation of values during the early 1990s, see Rafi'pour, Faramerz, *Tavse'ah va Tazadd*, (Tehran 1998). Also: A. 'Abdī and M. Goudarzī, *Taḥavulāt-e Farhangī dar Iran*, (Tehran 1999). Both studies are based on field researches, qualitative and quantitative interviews.

income during the war with Iraq and the economic embargo by the United States. The development programs have included the building of a huge network of roads, communication systems, electricity, and primary schools. These programs have had a direct effect on the society's culture and served to connect the countryside population to the main path of the political and economic processes of the country after decades of isolation. 'Abdi specifies three embodiments of the said development in the realm of politics. The first is the elevation of the level of education of the population in general. This is seen in the growth of the percentage of students at the middle and higher levels of education, as well as in the overall expansion of literacy. The second embodiment is the decline of clerical influence over the population, to the benefit of the independent media and other modern means of communication. And finally, the change of the lifestyle of the countryside communities, which have gradually become open to trends familiar in urban areas.²

Between 1976 and 1996, the literacy rate among Iranians aged six years and over has risen from 47.5 percent to 80 percent, including 70 percent of the countryside inhabitants. In 1976, roughly 18 percent of the women in the rural areas and 64 percent in the urban areas were literate. In 1992, the figures had risen to 62 percent in the rural areas while in 1996, the urban women literacy was estimated at 82 percent. Similarly, the number of students in all levels of education rose from 7.25 million in 1979 to 19.32 million in 1996, of which 1.2 million were at university.³ Rezāie focuses on the change of status among employees. During the same period, the number of self-employed workers rose from 182,300 to 528,000. The other indicator is the elevation of women's employment status. Despite a decrease of two percent of working women (from 16 percent down to 14 percent), the percentage of women occupying executive and professional posts rose to 38 percent.⁴ The flourishing of education on the national level is seen by almost all development theorists as a major stimulus for

² 'Abdī, A., 'Hastah Nāmarci Entekhabāt Akhīr', in Rezāie and 'Abdī *Entekhāb-e Nou*, (Tehran 1999), pp. 97-102

³ The statistics are compiled from the Statistical Centre of Iran (www.sci.org.ir), High Council for Cultural Revolution (www.iranculture.org), and 'Abdī, *ibid.*

⁴ Rezāie, 'Nimeh-pur Livān', in 'Abdi and Rezāie, *op. cit.*, pp. 113-5

social change, in the sense of attitudes, worldviews and political orientations. It helps to bring about a new self-awareness reflected directly in the willingness to participate in public affairs. The electoral behaviour in the 1997 presidential election provides strong support for this assumption. The voting of the peripheral regions and countryside was similar to that of the major cities, which are usually regarded as more politicised.⁵ Piran, a professor of sociology at Tehran University, holds that the significant role of the youth in that election indicates the emergence of students as a major reference group in Iranian society. Bearing in mind the increased tendency on the part of the rural population to follow the urban lifestyle, the two factors have led to the modernist discourse expanding rapidly and its representatives winning the widest appeal at the expense of the pro-tradition camp.⁶

The Role of the Intellectuals

Boroujerdi ascribes the rise of the reformist discourse to the arrival of a new generation of Islamist thinkers on the Iranian intellectual scene.⁷ The term 'intellectual' denotes "someone for whom ideas, science, art and culture are so important as to determine not only the aim of everyday life but also the roots of political thought and action".⁸ When it comes to the politics of development, Shils broadens the definition to include all those whose education or profession belongs to the modern world. In this view, the social position of the intellectual is emphasised as being contrary to the pro-tradition segment of society; thus he assigns the attribute to "all persons with an advanced modern education".⁹ The term 'religious intellectuals' (*roshanfikir deeni*) denotes the group of thinkers whose worldview is conditioned by the basic principles of religion. Based upon

⁵ Menasheri, op. cit., p. 96

⁶ Piran, P., 'Sch Sathe Tahfil Vaque'ah', in 'Abdi and Rezaie, op. cit., p. 34

⁷ Boroujerdi, Mehrzad, 'Can Islam be Secularized', in Esfandiari, Berton and Farhi (eds.), *Intellectual Change and the New Generation of Iranian Intellectuals*, (Washington, 2000), p. 13. e.edition, retrieved on Jun., 2, 2004 from: <http://faculty.maxwell.syr.edu/mborouje/Continuities.html>

⁸ Scruton, R., *A Dictionary of Political Thought* (London 1996), p. 265.

⁹ Shils, E., 'The Intellectuals in the Political Development of the New States', *World Politics*, vol. 12, no. 3. (Apr., 1960), 329-368, p. 332.

historical experience, 'Alavitabār places the group between the traditional clergy and the secularist thinkers. He identifies the religious intellectual trend with three distinctive preoccupations:¹⁰

- 1- Developing a rational interpretation of religion and religious principles.
- 2- Criticising the current social system, its institutions, relations and attitudes.
- 3- Emphasising the values of liberty, equality and progress as prerequisites for the social organisation.

Vahdat explains the advancement of the intellectual discourse in Iran within the frame of an identity revival. The process involves a bifurcation of the ambivalent self-identity that characterised the Islamic discourse of the 1960s and 1970s. It is argued that the philosophical approaches of the three main architects of the revolutionary discourse: 'Ali Shari'atī, Ayatollah Khomeini and Murtazā Muṭaharī have shared a characteristic ambivalence towards subjectivity, resulting in their political views promoting unclear conceptions of citizenship. While none of the three denies human subjectivity, they do not regard it as independent either, but contingent upon God's subjectivity, as it is expressed in the monotheistic society (*jame'ah tavhīdī*). The construction of such a society is viewed by the three scholars as the main objective of the Islamic revolution. With the course of bifurcation, the conservatives have leaned towards the traditional position in which a religious-based subjectivity embodies the negation of citizenship and its related political rights. By contrast, the reformist discourse has developed in line with the modern notion of individual subjectivity and its political embodiment as universal citizenship.¹¹

For Bashiriyeh, the above development demonstrates the transformation of the Iranian political culture, which eventually helped individuality to emerge as the basis for independent self-awareness. Since the revolution, he argues, the dominant group has made intensive efforts to restructure the national identity of

¹⁰ Alavitabār, 'Alirezā, *Rawshanfikrī, Dīndārī, Mardomsalārī*, (Tehran 2000), pp. 25-26.

¹¹ Vahdat, 'Post-Revolutionary Islamic Discourses on Modernity in Iran: Expansion and Contraction of Human Subjectivity', *International Journal of Middle East Studies*, vol. 35 - issue 4 (Nov., 2003), 599-631, pp. 602-3

the Iranians. The ideal citizen has been described as one ready to give up or degrade his sense of belonging to all social institutions other than the one offered by the official ideology.¹² The identity of the Islamic Republic has been introduced as absolute, solid and perfect, while other identities including those that are national, ethnic and culturally-based have been regarded as inferior or contradictory to Islam.¹³ In addition to satisfying ideological objectives, this course has been designed to unify the sources of power in the hands of the state. Thus, the first post-revolutionary decade saw the political theatre purified of any institution which might symbolise or mobilise different identities. The political parties, professional associations, as well as the independent press, were weakened or even dismantled and the public sphere was freed for the officially-sanctioned identity to flourish.

From the early 1990s there was a reverse cycle aided by both internal and international developments. It was characterised by a decline in the ideological components of individual self-awareness and a reciprocal growth of individualism in the liberal sense.¹⁴ Thus, the inclination towards individualism and generally the tendency to embrace notions pertaining to liberal democracy are not phenomena limited to the intellectual elite. This was rather a common tendency shared among all the groups of society that, at a certain point of time, felt alienated.¹⁵ Furthermore, it could be said that it is the change in the hearts and minds of the people that made the environment conducive to intellectuals voicing their claims. This argument can be supported by the fact that the landslide victory of Khatami in 1997 was no less a surprise for his supporters than for their rivals.¹⁶ The idea indicated by this event is that the people were more ready for change than the reformist elite.

¹² Bashiriyeh, H., 'Zawāl-e Haviat-e Siāsī', *Iran* (May, 16, 2004).

¹³ On the state policy to restructure the national identity through education, see Shorish, M., 'The Islamic Revolution and Education in Iran', *Comparative Education Review*, (Feb., 1988) pp. 58-75 retrieved (Jun., 2003) from: www.ed.uiuc.edu/EPS/people/Shorish_Islamic_Ed.html

¹⁴ Bashiriyeh, op. cit.

¹⁵ Jalaipour, Ḥamīd, *Dawlat-e Penhān*, (Tehran, 2000), p. 295.

¹⁶ Ansārī, 'Alī, *Iran, Islam and Democracy*, (London, 2000), p. 112.

Prior to the Islamic revolution, intellectual discourse within the religious sphere was pioneered by the founders of *Nehzat-e Āzādi-e Iran* (the Movement for the Liberation of Iran), notably Ayatollah Maḥmūd Ṭalegāni, Maḥdī Bazargān, and Yadullāh Saḥābi, all of whom were active supporters of the former Prime Minister Muhammad Muṣaddiq and his National Front during the 1950s. Since its earliest stage, the major objective of this trend has been to reconcile Islam with modernity. Apparently the immediate aim was to defend religion against the rising secular trends unleashed by the modernising policies of the Pahlavi regime. The trend thus had to distinguish itself from the traditional clergy, both in its discursive language and its anticipated audience.¹⁷ It reached a climax with ‘Alī Shari‘atī who dedicated himself to reinterpreting Shī‘ī history, traditions and thought in a fashion directly contradicting the established paradigm espoused by the clergy. This has inevitably led to his discourse taking an anti-clerical character.¹⁸

During the 1960s and 1970s the intellectual discourse was influential mainly among the urban middle class in general and university students in particular. It has been noted in chapter II that the majority of pre-revolutionary supporters of Ayatollah Khomeini consisted of educated laymen and young clerics with modernist, mainly leftist, tendencies. The trend developed its reformist character after it was alienated from the state in the late 1980s. After an interval of passivity, it returned to the political fray through the means of independent media. The common theme among the four reformist periodicals published between May 1990 and October 1991 has been the criticism of the official ideology of hegemony, notably traditional fiqh. The four publications were shut down, after a while, by the hard-line dominated judiciary.¹⁹ Their relatively short life, however, made public the variety of contesting opinions in the community, in contrast to the image displayed by the ruling elite illustrating

¹⁷ Arjomand, S., *The Turban for Crown*, (New York 1988), p. 92.

¹⁸ Akhavi, S., *Religion and Politics in Contemporary Iran* (Albany, 1980), p. 143.

¹⁹ *Bayān* was published as a monthly magazine by ‘Alī Akbar Moḥtashemī in May 1990 and closed in February 1992. It was published again as a daily paper, and closed in June 2000. Hadi Khameneī’s *Jehān-e Islam* has been in circulation during 1994. *Salām* was published by Mosavi Khoainīhā from February 1991 to July 1999. *Kiyān* was shut down in January 2001.

a uniform society, fully adhered to the official discourse. The daily *Salām* and the monthly journal *Kiyān* pioneered the new discourse. The former served as the political voice of the emerging reformist trend while the latter voiced its intellectual principles and concerns. *Kiyān* was published in October 1991 by a group of young thinkers who, a few months earlier, were forced out of the state-owned *Kayhan Farhangī*. In addition to its journalistic role, *Kiyān* served as a centre for communication and debate among non-conservative intellectuals. Through the *Kiyān* Circle, a weekly gathering of writers and supporters, it brought together a relatively large number (sometimes up to 107) of academic researchers, professional writers and political activists from different walks of life. The Circle has provided the reformist publications and groups which appeared in the 1990s with a considerable number of their writers, new ideas and informed activists.²⁰ This explains why *Kiyān* has been regarded by some analysts as a milestone in the history of Iran's cultural press.²¹ In addition to *Kiyān*, Jalaipour mentions two other circles through which the reformist discourse has taken shape, namely the Centre for Strategic Research based in the office of President Rafsanjānī, and the 2500 member-group of postgraduates sent to the Western universities through Rafsanjānī's initiative to renovate the academia and state administration in the early 1990s.²²

Main Figures and Themes in the Reformist Movement

The reformist trend has among its activists a relatively large number of intellectuals and professional writers. The trend benefits also from its acquaintance with the broader intellectual and academic community of the country. Many of the names appearing in reformist publications belong to political figures and scholars of different tendencies, including the modern right wing, the secular nationalists and the liberals. Among the many theorists and analysts advocating the reformist manifesto, there are a few who have a special

²⁰ For some details on the circle, see: Qouchānī, Muḥammad, *Pedar Khondah va Chap-hāye Javān*, (Tehran 2000), pp. 72-79.

²¹ Haidarī, M. 'Maṭbo'at Siāsī az 57 tā 80', *Iran* (May, 27, 2002)

²² Jalaipour, H., *Pas az Dovum-e Khordād*, (Tehran 1999) p. 292.

appeal to the members and supporters of the trend. Here I will introduce three of them, each representing a distinct tendency within the reformist camp: Abdol-Karīm Soroush, an academic figure, Muhammad Khatami, a cleric, and Sa'eed Hajjarian, a political activist. Later in the chapter, I will introduce Mujtahid Shabestari, the outspoken critic of the established school of jurisprudence. The three thinkers share the same principles held by the reformist movement, but they differ in regard to their areas of interest and the audience that they appeal to. Soroush, for instance, focuses on the value of justice, which he deems as having the highest value and as the essence of human ethics. He has dedicated his *Akhlāgh-e Khodāyān* (Morals of the Gods) to show how basic moral values and virtues are linked to justice.²³ Khatami is more concerned with the practical means to curb authoritarianism. Thus he focuses on accountability, the rule of law, and the constitutional framework of political action. In comparison, Hajjarian emphasises the modernisation of the political system, including such ideas as rationalisation, the representation of various interests, the division of labour, and so forth. Soroush tries to establish his arguments outside the particular limits of the political system, supporting the idea that the current system is transitional. Whereas both Khatami and Hajjarian hold that the Islamic Republic is potentially capable of developing a democratic character, and thus they focus on the dynamics of development from within the system and its institutions. To sum up, Soroush seeks to establish a democratic discourse outside the prevalent system while the other two are more concerned with the process of democratisation within the Islamic system itself.

Abdol-Karīm Soroush, the pen name of Hussayn Hāj Faraj Dabbāgh, was born in 1945. He studied chemistry in Tehran and London, where, in the late 1970s, he switched to study philosophy. After the revolution, he taught philosophy in Tehran University and served in the Council for Cultural Revolution, before moving to full-time research and lecturing in 1995. Since his early career as an author, Soroush has attracted much attention; nevertheless, the peak of controversy over his opinions occurred after he published a series of

²³ Soroush, Abdol-Karīm, *Akhlāgh-e Khodāyān*, (Tehran 2001)

articles on the relative nature of religious teachings. The articles entitled *Qabz va Bast Theoric Shari'at* (literally, 'The Theoretical Contraction and Expansion of Shari'a') have marked the shift of Soroush's focus from criticising Marxism and the religious traditions in general, to the criticism of the traditional fiqh and clerical culture in particular.²⁴ The thesis focuses on the evolutionary nature of religious knowledge and the contextual limitations of the sacred texts aiming to draw a clear line between religion and religious knowledge. It argues that the latter is acquired through scientific means, thus it is subject to the same rules that are applied to other disciplines. It is profane, subjective and changeable, with no supremacy over any other disciplines, let alone having sanctity or immunity from criticism. According to this account, the perception of religion, the formulation of its practical rules and the way man exercises what he believes in are all based on subjective and contextual understandings of religion. Thus what is introduced by religious scholars as the Will of God is nothing but their own perception of Divine Will.²⁵ Soroush's methodology and his discourse in general are deeply influenced by Karl Popper's philosophy of knowledge.²⁶ He often uses Popper's notions of science being probabilistic and of falsifiability as the criterion to distinguish science from pseudo-science. The main target of Soroush's critiques, however, has been the claim of authority based on absolute knowledge, holiness and human perfection, as they inevitably lead to authoritarianism.²⁷ In addition to *Qabz va Bast*, Soroush has published numerous books and articles most of which have been provocative.²⁸

Sa'eed Hajjariān is regarded as the chief strategist of the reformist camp.²⁹ While Soroush's main focus has been the religious character of the

²⁴ 'Qabz va Bast' was first published in *Kayhān Farhangi*, a respected cultural monthly journal with reformist tendencies (April, 1988). A compilation of the articles was published in the following year under the same title.

²⁵ Soroush, A., *Qabz va Bast Theoric Shari'at*, 8th edition, (Tehran, 2003), p. 181

²⁶ Vahdat, Farzin, *God and Juggernaut*, (New York, 2002), p. 203.

²⁷ Soroush, Abdol-Karīm, *Bast-e Tajrebah Nabavi*, (Tehran 1999) p. 276.

²⁸ For a list of Soroush's books, see his website: www.dr.soroush.com. The site offers also some of the articles commenting on his works.

²⁹ Ansari, Ali, 'Continuous Regime Change from Within', in Lennon, A., and Eiss, C., *Reshaping Rogue States*, (Cambridge, 2004), p. 274

polity, Hājjarīān has focused on the process of socio-political change after the Islamic revolution: its dynamics and the way it reflects on the culture, behaviour, roles and institutions in both the state and society. Following Max Weber's traditions, Hājjarīān views the rise of the Islamic state as the first step toward secularising the institutions that were hitherto regarded as religious or based on religious principles. Hājjarīān was born in 1953, and served as an intelligence officer and deputy minister at the ministry of intelligence. He was among the few analysts who predicted the transformation of electoral behaviour in the early 1990s, as a reflection of the structural changes during the post-revolutionary period as well as the conclusion of the war with Iraq and the absence of Ayatollah Khomeini. Thereby, he played a central role in regrouping and transforming the ex-leftist groups into the driving force of political reform.³⁰ Hājjarīān's opinions are expressed mainly through detailed and well-written articles. In fact all of his books are made up of previously-published articles. His beautiful yet provocative writing has earned him a large audience. His *Šobh-e Emrooz* was one of the top daily newspapers in terms of circulation before it was shut down in April 2000 by the conservatives.³¹ His most controversial book has been *Az Šāhed-e Qudsī ta Šāhed-e Bazarī* (From the Sacred Witness to the Profane Witness). It describes the process of the secularisation of religious institutions as a reflection of their involvement in the political process. His *Jumhuriat: Afsoun-zedāei az Qudrat* (Republicanism: Demystification of Power) deals with the notion of republicanism as a grounding principle of the people's sovereignty and its manifestation through the state institutions and the state-society relationship.

Muhammad Khatami, the outgoing president of the Islamic Republic, is more famous for his personal charisma and moderate behaviour. A cleric and son of a local religious leader, Khatami was born in 1943. He served as a Parliament

³⁰ Compare with Abedīn, who argues that the common characteristic among reformist figures has been their previous career in the intelligence service. Abedīn, Mahan, 'The Origins of Iran's Reformist Elite', *Middle East Intelligence Bulletin*, vol. 5, no. 4, (April 2003). www.mcib.org/articles/0304_iran.htm

³¹ Mahmoudi, F., 'Mafarre Jadīd', *Hamshahri*, (Aug., 8, 2002). c. edition www.hamshahri.org/hamnews/1381/810517/intep.htm

member, chief editor of *Kayhān* newspaper, minister of information and the director of the National Library. His interest in literature, epistemology and the sociology of religion has earned him a prominent position among the intellectual elite.³² Probably the harassment he has experienced at the hands of the conservatives throughout his political career has prompted him to develop a keen interest in the religion-power relation. His *Āyen va Andisheh dar Dām-e Khod-kāmcgi* (Religion and Intellect Trapped in Tyranny) offers a detailed account of the way political thought in Islam has evolved under the influence of autocratic rulers. Its main goal is to address such questions as: why Islamic traditions lack the normative structure to foster a democratic discourse.

Other than the above three, there are numerous thinkers whose opinions have enriched the reformist discourse including Mohsen Kadivar³³, 'Alirezā 'Alavitabār, Akbar Ganjī, and finally Hossein Bashiriych, whose sociological analyses are acquiring influence among the Reformists, notwithstanding his secular orientation.

The Reformists favour a model of government similar to the one common in Western liberal literature, where the state is conceived as a contractual institution representing the various interests of its citizens. In this regard, the Reformists are fairly aware that such a conception cannot be grounded in the established religious paradigm. According to Shabestari:

The Constitution of the Islamic Republic introduced to religious thought a number of novel notions, including: the rights of the nation, the sovereignty of the nation, [...] freedoms, the separation of powers and so on. The religious scholars' endorsement of these notions is also unprecedented in the religious community. The concept of 'nation' is also new and has no reference in the religious traditions [...] The truth is that since there is no definite form of government in the Quran and the traditions of the Prophet, the door is open for the Muslims to

³² For some details on Khatami's career, see Menasheri, David, *Post-Revolutionary Politics in Iran*, (London, 2001) pp. 80-83

³³ For an informed comparison between Soroush, Shabestari and Kadivar and its significance to the Iranian context, see: Sadri, M. 'Sacral Defense of Secularism: The Political Theologies of Soroush, Shabestari, and Kadivar', in *International Journal of Politics, Culture and Society*, vol. 15, no. 2, (Winter 2001), pp. 257-270.

integrate such concepts into their political and social culture.³⁴

The Reformists argue that the religious framework is not the right place to conceptualise the issue of state authority.³⁵ State and politics are better thought of within the framework of political philosophy whereby, Ganji argues, principles and institutions are determined on the basis of rational ends and common sense.³⁶ I will discuss the reformist conception of religion and its role later in the chapter. The following pages will discuss their major political views, including republicanism, legitimacy and democracy.

Republicanism: the Question of Sovereignty

As far as the nature of authority is concerned, a republican government is distinguished by its concern with the interest of the public. Thus Coker holds that 'it is not necessarily connected with any particular form, but it most naturally associates with the representative form'.³⁷ Elson quotes an American writer from the nineteenth century defining the republic as the type of government in which 'the supreme power is entrusted by the people to councils, composed of members chosen for a limited time'.³⁸ In Plato's philosophy, the ideal republic combines three groups corresponding to the three components of human soul: the appetite, the spirit, and knowledge. The appetite is associated with the sphere of private interests, thus it is represented by the commercial class. The spirit mirrors the public sphere and is represented by the executives and soldiers, and finally knowledge is associated with authority and is represented by the lawmakers or the philosopher-kings. In comparison, Aristotle has focused on power distribution; for him, power can be held by one, or few persons, or be distributed among many. Historically, the distinction between a republic and a monarchy rests on the basis of whether political obligation is a

³⁴ Shabestari, M., *Naqdi bar Qaraāt-e Rasmi az Dīn*, (Tehran, 2000), p. 186.

³⁵ Shabestari, *ibid.*, p. 192.

³⁶ Ganji, Akbar, *Talaqqi Faschistī az Deen wa Hukūmat*, (Tehran 1999), p. 34.

³⁷ Coker, Francis, *Readings in Political Philosophy*, (New York, 1938), p. 684.

³⁸ Elson, Ruth M., *Guardians of Tradition: American Schoolbooks of the Nineteenth Century*, (Lincoln, NE, 1964), p. 286.

matter of consent or of obedience.³⁹ James Madison, the American politician and theorist, emphasises the methods by which the various interests are fairly represented in the state. Thus he asserts the public's control over the rulers, the general election of people's representatives and the separation of authorities in order to enable them to be reciprocally checked and controlled.⁴⁰

Republicanism represents a key element in the reformist discourse. It is also a controversial issue in Iranian politics. The quarrel over the republican character of the Islamic regime revolves mainly around the question of sovereignty. Those who presume that sovereignty is exclusively God's are more in favour of the rule by the few, namely the religious elite who possess the knowledge of God's teachings, whereas the advocates of the people's sovereignty prefer an open and participatory political system. As noted in chapter IV, the conservatives have been reluctant to accept republicanism due to its main connotation, i.e. the sovereignty of the people. This reluctance resembles a common tendency among the Islamists outside Iran, where the sovereignty of people is seen as contradictory to the sovereignty of God.⁴¹ Just recently some scholars came to differentiate between two distinct connotations of sovereignty. Political authority (in the strict sense of powers relating to the executive branch of the state, as distinct from both the legislative and judiciary) has been acknowledged as residing with the people while legislation is to be restricted to the framework laid out by the religious scholars. Accordingly, elections are accepted as a proper method to choose state officials as well as legislators. Nevertheless, the elected officials have no right to legislate or execute any decision beyond the limits of Shari'a. As held by Zanjānī, 'in a monotheistic legal system, the Will of God is the ultimate source of rules and

³⁹ Scruton, op. cit., p. 476.

⁴⁰ Held, David, *Models of Democracy*, (Cambridge 1997), pp. 90-93.

⁴¹ Apparently the argument over the contradiction between the sovereignty of God and that of man was brought to light by Abū al-A'la al-Mawdūdī, the Indian scholar. See: Mawdūdī, A., 'Political Theory of Islam', in J. Donohue and J., Esposito, *Islam in Transition*, (New York, 1982) 252-260, p. 258. The notion gained more influence after it was adopted by Sayyid Quṭb, the theorist of the Muslim Brotherhood. See: Quṭb, S., *Ma'ālem fi al-Ṭarīq*, (Cairo, n.d.) p. 62. For an on-line English translation of the book, see : www.masmn.org/Books/Syed_Qutb/Milestones/index.htm.

laws. It is also the basis upon which citizens give obedience and observe the law'.⁴²

Compared to the conservative view, the Reformists emphasise the idea of representation as the essence of authority. Therefore, a republic is defined as a particular type of power relation with distinctive criteria and principles including that:

- It is a social contract comprising reciprocal rights and duties whereby the rulers are responsible before the people.
- State functions are limited to the public sphere where interests are shared by all society members; the will of the nation is the source for authority, and the common good is the objective to be pursued by the state.
- The polity members are equal and citizenship is the basis underpinning the state-society relation. All citizens have the right to share in the making of decisions concerning their future, the way they are governed and the system through which their common interests are handled. The sum of individual rights makes up the national sovereignty.⁴³

The Reformists assert that the political system set up by the Islamic Revolution is a legitimate contract sanctioned on the basis of religious principles and formulated in the 1980 constitution. Legitimate contracts involve a mutual, plainly-expressed consent, as well as equal rights for the contracting parties.⁴⁴ Ḥajjariān relies heavily on article 56 of the Constitution which implies that the supposed sovereignty of God is effectively invested in the people:

Absolute sovereignty over the world and man belongs to God, and it is He Who has made man master of his own social destiny. No one can deprive man of this divine right, nor subordinate it to the vested interests of a particular individual or group. The people are to exercise this divine right in the manner specified in the following articles.

The same idea is held by Ayatollah Montazerī, who chaired the Council of Experts, the board assigned to draw the Constitution⁴⁵ and it mirrors, to some

⁴² Zanjānī, A. 'Amīd., *Fiqh Siāsi*, (Tehran, 1998), vol. 1, p. 50.

⁴³ Ḥajjariān, Sa'eed, *Jumhouriat: Afsoun-zedaci az Qudrat*, (Tehran 2000) p. 754.

⁴⁴ Ḥajjariān, *ibid.*, p. 190

⁴⁵ Montazerī, Ḥusayn A., *Nizām al-Hukm fī al-Islām*, section 5, chapter 3, (Qum 2004) c.edition: retrieved in Jul., 20, 2004, from www.montazeri.ws/Farsi/Nezam/html/0006.htm0017

extent, the division of state authority into civil and religious categories, as illustrated by Qāemmaqāmī, the conservative author, and noted in chapter IV. It contradicts, however, the mainstream conservative assertion that the public interest and the powers of the supreme leader are pre-defined by the religion.

Political Legitimacy

Although the constitution of the Islamic Republic regards the popular will as a major source for legitimacy, and indeed, the constitution itself was endorsed through a referendum, the post-revolutionary leadership has been, to a large extent, of a charismatic nature, at least until the death of Ayatollah Khomeini in 1989.⁴⁶ Charisma can secure the legitimacy of the political system, although not without limitations. By its very nature, charisma is inextricably linked to the persons whose achievements are regarded as exceptional at a certain historical juncture. Thus, its legitimising function is rather limited to the lifetime of the charismatic leader and the particular circumstances that signified his achievement. With the passage of time, charisma endures a process of routinisation with which it ceases to function as a legitimising agent.⁴⁷ Ibrāhīm Yazdī, the leader of *Nehzat-e Āzādī* Iran, uses this argument to conclude that the Islamic Republic is faced with a legitimacy crisis brought about by the poor performance of Khomeini's successors and their lack of charisma. He cites the 1997 presidential election as an example, when the establishment's candidate endured a humiliating defeat. He argues that the voting there was more 'against' than 'for'.⁴⁸ Some moderate figures in the conservative camp admit the existence of a legitimacy crisis. For instance, Ḥassan Roḥānī, the secretary general of the National Security Council describes it as the major challenge facing the Islamic regime nowadays.⁴⁹

⁴⁶ Bashiriyeh, Ḥossein, *Jame'ah Madani wa Tawse'ah Siāsī dar Iran*. (Tehran 1999), p. 103

⁴⁷ Schweitzer, Arthur, 'Theory and Political Charisma', *Comparative Studies in Society and History*, vol. 16, no. 2. (Mar., 1974), 150-181, p. 159

⁴⁸ Yazdī, Ibrāhīm, *Sch Jumhuri*, (Tehran 2001) pp. 101-2.

⁴⁹ Roḥānī, Ḥassan, 'Darāmadi bar Mashro'iat wa Karāmadi', *Rahburd*, no 18, (Winter 2001). 6-36, p. 27.

Generally speaking, the reformist camp is in agreement that the traditional principles underpinning the political system of the Islamic Republic are hindering its evolution. If it is to cope with the challenges of the changing world, it has to be legitimised on a legal-rational basis, namely the observation of the law and respecting the will of the people.⁵⁰ This argument is consistent with the camp's conception of sovereignty, according to which political legitimacy, and hence the religious character of the state, are linked to the popular consent.

In this regard, two trends can be traced among the Reformists: The first trend is represented mainly by the senior clerics, notably Ayatollah Montazeri and Šāne'i, which emphasises the religious character of the state, but regards the society as the bearer of religious truth. Thus, Montazeri asserts that the absolute authority of God is invested in the people who pass it through to the rulers by the means of their expressed consent.⁵¹ The Prophet and Infallible Imāms are no exception. Their political authority too was sanctioned through contracts (*bai'a*) with the people.⁵² Montazeri suggests that the state can be identified as Islamic as far as its policies conform to the religious norms.⁵³ Ayatollah Yousef Šāne'i, another figure within this trend, is concerned particularly with the excessive use of religion to claim permanent authority. He argues for the political role of the clergy to be restricted to the monitoring of the state's compliance with religious rules and the defending of the people against any state arbitrariness. Šāne'i ridicules the idea of people being irrational or in need of a guardian. For him, the religious character of the state does not necessarily entail authority for the clergy. There is a clear line distinguishing the legitimacy of an action from the authority of the actor. This principle is applied even for actions that are unequivocally legitimate, such as the congregational prayer. In his words:

A cleric cannot even lead the religious congregation in prayer against the will of the congregation, let alone assuming political leadership

⁵⁰ See Yazdi, op. cit. Also Khatami, *Tawse'ah Siāsi*, (Tehran 2000) p. 43, and Soroush, *Ferbah-tar az Ideology*, (Tehran 1999) p. 282.

⁵¹ Montazeri, H., *Dirasāt fi Wilāyat al-Faqīh*, (Beirut 1988), vol. 1, p. 493.

⁵² Montazeri, ibid. p. 527.

⁵³ Montazeri, *Wilāyat-e Faqīh wa Qanoon-e Asāsi*, chapter 3 (Qum 1998) e.edition, retrieved in Oct., 2003. from: www.montazeri.com/html/books/akhar/velayat/velaya01.html#link2.

[...] the role of jurisprudence and its students is to offer the rules. The identification of how these rules are to be applied, in other words the identification of the interests of the people, rests with the people [...] The people have proved capable of identifying and solving drastic issues, defending the country, and preserving the dignity of the religion [...] Those who deem the people or their majority as ignorant are mistaken. The people are rational and [their will is] a proper reference for the legitimacy of ruling [...] We [the clergy] should act to protect and guide the people not to be their guardians. Guidance means to show the right way, not to repress and impose or excessively interfere in people's affairs. The idea that the people do not know what is good and bad for them is absolutely against both reason and religious traditions.⁵⁴

The second trend is represented by the Islamist intellectuals and some junior clerics who dismiss any divine character of power, and hold that Islam has no political system of its own.⁵⁵ Though Islam sanctions a set of norms to be realised by the polity, the Islamic state is just like any other state, conventional, led by fallible people and evolves through the normal process of accountability, responsibility and the experiencing of wrong and right.⁵⁶ For this view, 'legitimacy is originated in justice. Being religious or not is not a criterion for the legitimacy of the government'.⁵⁷

The first trend is not new to the Shī'ī seminaries; it can be traced back to the early twentieth century at least. During the Constitutional Revolution (1905-6), a number of eminent scholars challenged the tendency to link the legitimacy of the state to the perfect ruler. As 'Allāma Na'inī wrote in 1908:

A perfect man satisfying the requirements illustrated in the Shī'ī traditions, is impossible to find [...] Even if one is found, the so-called internal perfection is not a sure means of restraining him or his state from developing into a tyranny.⁵⁸

Alternatively, Na'inī holds that justice is achievable only by integrating society into political matters. Thus he illustrates a political system involving representation, a written constitution, definite limits on power and civil liberties

⁵⁴ Şane'ī, Yousif, 'Speech in Faizia School, Qum', *ISNA* (Jun., 2, 2003)

⁵⁵ Shabestari, *Naqdi*, p. 150.

⁵⁶ Ashkoari, Hassan., *Kherad dar Ziāfat-e Dīn*, (Tehran 1999). pp. 110-112.

⁵⁷ Soroush, *Razdānī va Rawshanfikri va Dīndarī*, (Tehran 2000), p. 68.

⁵⁸ Na'inī, 'Allāma, 'Tanbīh al-Ummah wa Tanzīh al-Millah', in T. Alsaif, *Zidd al-Istebdad*, (Beirut 1999) p. 254.

to ensure accountability.⁵⁹ For Na'inī and his colleagues, people are rational enough to determine their own good. He compares the political system to a jointly-owned firm and regards it as the kingdom of the people.⁶⁰ This trend remained minor and isolated in the Shī'ī seminaries. Nevertheless, nowadays it seems to be gaining more currency among the religious seminaries both inside and outside Iran.⁶¹

In addition, the Reformists assert legality as the second pillar of legitimacy. The sovereignty of law has been one of the central themes in the writings and speeches of the reformist figures. In a challenging speech before the Council of Experts dominated by traditional clerics, Khatami declared:

I have repeatedly said, and I particularly told the supreme leader that the Constitution is the highest institution of our regime. Wilāyat al-faqīh is significant for it has been signified by the Constitution. Outside the Constitution, wilāyat al-faqīh is just a theory like the many other theories of jurisprudence.⁶²

The reformist emphasis on the observation of the Constitution concerns mainly the constitutional limits on power. Contrary to the conservative position, Montazerī renounces the idea that the ruling faqīh possesses an absolute authority and maintains that society has the indisputable right to impose stipulations upon which the faqīh is entrusted with the state's power. It might be embedded in the constitution or in the form of a political agenda specifying the terms of rulership and political commitments.⁶³ Apparently, the latter idea

⁵⁹ Na'inī, *ibid.*, pp. 301-27.

⁶⁰ Na'inī, *ibid.*, p. 285. Compare with Meṣbah Yazdī, who regards the Islamic state as 'the kingdom of God': M. Yazdī, *Nazarieh Siāsi Islam*, (Qum, 2001), p. 70.

⁶¹ The position of the Shī'ī grand exemplar in Iraq is a good example of the said trend. Ayatollah Sistani has openly dismissed any pre-fixed role for any group, including the clergy, in the Iraqi government. In various communiqués he insisted that only through election can the government secure legitimacy. See: Rory McCarthy, 'The Rise of the Cleric with all the Answers', *The Guardian* (Jan., 16, 2004) e. edition: www.guardian.co.uk/Iraq/Story/0,2763,1124233,00.html. Another example is the theory of *Wilāyat al-Ūmmah 'alā Nafsehā* (The Nation's Self-government) advanced by Āyatollah Shams al-Dīn of Lebanon, see: Shams al-Dīn M., *Nizām al-Hukm wa al-Idārah fī al-Islam*, (Beirut 1991) pp. 416-460.

⁶² Khatami, M. *Tawse'ah Siāsi*, p. 81.

⁶³ Montazerī, H., *Khatcrāt*, chapter 10. e. edition, retrieved in April 2004 from : www.montazeri.com/html/books/khatcrat/KHATER50.htm#link414

concerned the temporary and time-limited mandate and the direct election of the leader which arose after the death of Ayatollah Khomeini.

Democracy

With the Islamic revolution, the Iranians had the opportunity to have a say in how their country would be run. As suggested by Beetham, revolutions usually lead to the expansion of popular involvement in the new political order.⁶⁴ Ten years after the revolution, the popular influence on the Islamic regime seemed to have decreased by and large.⁶⁵ Certainly the transition from a revolutionary situation into a consolidated state changes the balance of power and the sources of influence to the advantage of the professionals and elites. The extent of potential influence retained by the people depends, however, upon the new political system developing an institutionalized exchange of input-output between the state and society. The extent of the state's observation of public opinion and demands depends on the system being modelled either after a democracy or autocracy.⁶⁶ On the other hand, the political system's development of democratic features is certainly helped, or otherwise hindered, by whether the nature of the society's political culture is participatory or parochial. There has to be a general conviction that the country's problem can be solved through the participation of the people in decision-making and political matters in the broader sense. This requires, according to Lerner, 'an expansive and adaptive self-system, ready to incorporate new roles and to identify personal values with public issues.'⁶⁷

Despite the familiarity of the Iranians with the notion of political participation since, at least, the Constitutional Revolution, many scholars are

⁶⁴ Beetham, David, *The Legitimation of Power*, (London 1991), p. 213.

⁶⁵ Bashiriyeh, op. cit., p. 89.

⁶⁶ Huntington takes public mobilisation as the first sign of modernisation but warns that it also develops an 'explosive rise of aspirations' and argues that unless the political system becomes efficiently institutionalised, these aspirations can convert into frustration and pave the way for the rise of authoritarianism. Huntington, S. 'Political Development and Political Decay'. *World Politics*, vol. 17, issue 3, (Apr., 1965), 386-430. p. 405

⁶⁷ Lerner, Daniel, *The Passing of Traditional Society*, (New York 1965), p. 51.

reluctant to deem the Iranian political culture as participatory.⁶⁸ Zibākalām, a university professor, ascribes the lack of a democratic ethos in Iran to the country's long history of despotism.⁶⁹ Katouzian links the said phenomenon, until the oil era at least, to the ecological limitations of the country which dictated a type of political economy that was not conducive to equitable power distribution. He challenges the Marxist-inspired theory of the Asiatic Mode of Production, or Oriental Despotism, as irrelevant to the context of Iran. He argues that, historically, the state has been able to remain independent from society. Iran is a vast and mainly arid desert. Production used to be dispersed among scattered villages, none of which was able to produce a surplus large enough to generate political power.⁷⁰ Thus, he argues that 'the distinctive characteristic of the Iranian state is that it monopolized not just power, but arbitrary power, not the absolute power in laying down the law, but the absolute power of exercising lawlessness'.⁷¹ Lerner makes a similar argument to explain the lack of a participatory political culture in the Iranian society. His account, however, focuses on the extremism which is associated with life under the said ecological limitations, and emphasises that it is a hindrance to the emergence of a mutual understanding or 'empathy'.⁷² He defines the latter notion as the capacity to see oneself in the other fellow's situation as well as the readiness to incorporate new roles and take part within collective actions.⁷³

With the emergence of oil as the major source of national income in the 1940s, the Iranian state acquired a rentier character. According which the state not only has remained independent from the society, but the society has come gradually to be dependent on the state's expenditure for its livelihood.⁷⁴ Given

⁶⁸ Morādī, Ḥassan, *Khod-madārī Iranian*, (Tehran 2001) p. 202.

⁶⁹ Zibākalām, Sādiq, *Mā Chegounah Mā Shudīm*, (Tehran 1996), p. 112.

⁷⁰ Katouzian, Homa, 'The Aridiosolatic Society: A Model of Long-Term Social and Economic Development in Iran', *International Journal of Middle East Studies*, vol. 15, no. 2 (May, 1983), 259-281, p. 270.

⁷¹ Katouzian, *ibid.*, p. 265.

⁷² Lerner, *op. cit.*, p. 362.

⁷³ Lerner, *ibid.*, pp. 50-51.

⁷⁴ Shambayati, Hootan, 'The Rentier State, Interest Groups, and the Paradox of Autonomy: State and Business in Turkey and Iran', *Comparative Politics*, vol. 26, no. 3. (Apr., 1994), 307-331, p. 319.

the religiously-justified passivism as discussed in chapter one, and the excessive use of security apparatus by the state during most of the twentieth century, despotism became by and large the ordinary fashion of politics in Iran. The course of democratisation therefore requires much more than drawing up a good constitution or establishing a parliament, though these are undoubtedly essential for any democratic system. This shows how arduous the course of democratisation in Iran is.

The Reformists have to deal with a wide range of issues: constitutional, institutional, cultural and political, none of which is easy. Given the particular state of affairs in today's Iran, the cultural issue seems to be the most urgent. The question put by Binder in the introduction to his *Islamic Liberalism* is certainly voiced by many people: 'Is the discourse of Islamic liberals a form of false consciousness, an abject submission to the hegemonic discourse of the dominant secular Western capitalist, or whether it is practical, rational, and emancipatory?'⁷⁵ For post-revolutionary Iran, the Western and secular orientation of democracy has been even more troublesome due to the religious character of the regime and its anti-Western orientation.

Generally speaking, for most of the fifteen years following the 1979 Revolution, the term 'democracy', indeed most of the Western-oriented terms with political connotations, were rarely current in the Iranian mass media as well as in the language of the leaders and propagators. As Esposito and Voll rightly noted, 'for Khomeini, as for some other Islamists, the term "democracy" is often associated with the West and thus Western penetration, as well as with a society governed by human rather than divine law'.⁷⁶ When Khatami launched his electoral campaign in 1997, he used the term *mardomsalārī-e dccni* (literally: 'religious people's sovereignty'), a Farsi equivalent to the term "religion-based democracy". Khatami's conciliatory term did not gain a smooth reception in traditional circles until recently⁷⁷ when it came to be employed occasionally by

⁷⁵ Binder, Leonard, *Islamic Liberalism*, (Chicago, 1988), p. 5.

⁷⁶ Esposito, J., and Voll, J., *Islam and Democracy*, (Oxford, 1996), p. 64.

⁷⁷ According to Jalaipour, the conservatives started to use the term 'Islamic democracy' after the events of Sep., 11, 2001 in order to differentiate themselves from the radical trend associated

some conservative figures as identical to their own conception of religious regime, i.e. the representative system supervised by wilāyat al-faqīh.⁷⁸ Thus the use of the terms ‘democracy’ and ‘religious democracy’ remained, at least until 2002, distinctive characters of the Reformists’ political language.⁷⁹

The argument over democratisation in Iran demonstrates three distinct areas of interest. The first concerns the functional sense of democracy, namely its being a method of public representation and peaceful transfer of power through general elections, the separation of powers, universal suffrage, and so on. The second concerns its philosophical foundations, namely the sovereignty of the people, equality, natural rights, and so on. The third concerns the ideological orientations of democracy, namely its origination within Western culture. The second area has attracted a good deal of the conservative argument, as shown in the previous chapter. Nevertheless, the third area has been the centre of contention. In this regard, democracy is seen as a reflection of the historical experience of Western communities, so that it embodies their response to the particular challenges they have endured.⁸⁰ As it is nonsense to import problems, it is by the same token illogical to import their solutions.

The major argument put forward by the Reformists to affirm the relevance of democracy to the Iranian context is the idea that state tyranny has been the major defect in the modern history of Iran.⁸¹ The state manipulation of power and resources served to humiliate the people and hinder the course of progress. Democracy provides a viable model for changing the balance of power so that the society masters its government.⁸² Shabestari takes the argument further and argues that democracy is as necessary for religion as for society. He emphasises the two components of democracy, namely civil liberties and

with Bin Laden. Jalaipour, H., ‘Democracy Dīnī Moḥafeze-carānah va Islaḥ-talabān’, *Yas-e No*, (Feb., 5, 2004), p. 2.

⁷⁸ See for example the suggestions made by Ayatollah Khaz‘aī, *ISNA*, Feb 5, 2003.

⁷⁹ *Aftab monthly*, vol. 22, (Feb., 2002), p. 22.

⁸⁰ Miṣbāḥ Yazdī, ‘Ḥukūmat va Mashro‘iat’, *Kitab-e Naqd*, no. 7, (Summer 1998), c. edition, retrieved from www.hawzah.net/Per/Magazine/KN/007/kn00703.htm

⁸¹ Khatami, Muḥammad, *Āyen va Andishch dar Dām-e Khodkāmegi*, (Tehran, 2001) p. 434.

⁸² Hajjariān, *Jumhuriat*, op. cit. 726-8.

equality, and contends that only 'through the model of liberal democracy can the two major objectives of the religion, namely justice and emancipation, be realised'.⁸³

The Reformists acknowledge the ideological orientations of democracy but do not see them as inextricably part of the model. Being of foreign origin does not affect its value. For Khatami, democracy is better seen as one of the pillars of modernity.⁸⁴ In addition to its political components, modernity enjoys a considerable interest among Iranians as it symbolises a common desire to restore the historical status of Iran as a great nation. Khatami condemns both the childish imitation of other models as well as the stubborn rejection of ideas merely for being foreign.⁸⁵ In contrast, he urges Iranian intellectuals to study critically what he takes as the pillars of modern civilization, which include liberalism, individuality, priority of rights and rationality. In this view modernity represents a phase in the long history of humanity; it has to be read, criticised and dealt with as one of the solutions reached by man in his constant struggle for progress and integrity. It is a human achievement bearing advantages and disadvantages and not a locked system to be taken all-or-none.⁸⁶ Khatami therefore argues that for democracy to be established, its principles have to be re-grounded in the local cultural web. The localisation of democracy aims to maintain its major theme, namely the sovereignty of people, and concurrently to enable the people to choose the appropriate methods to put it into action.⁸⁷ For him, the localised version of democracy is relevant to Iranian concerns, especially the religious character of the nation.

The Idea of 'Religious Democracy'

The idea of religious democracy was initially proposed by 'Abdol-Karīm Soroush, the reformist thinker, apparently as a counter argument to the

⁸³ Shabestari, M., 'Mardomsalāri Dīni Chīst?'. *Afāz*, vol. 7, (Aug., 2001). 4-9, p. 4.

⁸⁴ Khatami, M., *Az Duniā-ye Shahr ta Shahr-e Duniā*, (Tehran 2000), p. 285.

⁸⁵ Khatami, *ibid.*, p. 285.

⁸⁶ Khatami, *ibid.*, pp. 271-283

⁸⁷ Khatami, *Tawse'ah Siāsi*, p. 44

conservative notion of ideal polity.⁸⁸ The idea began to attract national attention after Khatami made it the slogan of his campaign for the 1997 presidential election. Soroush's focus was the philosophical basis of democracy and its relevance to religion, whereas Khatami's has been the political application of the doctrine. The association of democracy with religion has triggered a good deal of argument. Many of Khatami's opponents and friends alike saw his proposal as rather ambiguous and intrinsically inconsistent.⁸⁹ The Reformists acknowledge these reservations but argue that with an analytical approach to both religion and democracy, the two would show a good capacity for mutual accommodation.⁹⁰

Apart from its religious character, the reformist conception of democracy bears little difference from the universal model, especially in respect of its functional and philosophical dimensions. 'We are arguing over an established model, well-defined and widely exercised, rather than a utopia' says Ayatollah Shabestari.⁹¹ This model proposes a set of principles and institutions that aim to minimise the faults of political administration through the maximum possible engagement of the population in policy-making and reducing the personal influence of leaders.⁹² A democratic state is distinguished by an observation of public opinion and an absolute respect for human rights.⁹³ For democracy to mature, democratic values should run through every part of public life, including the economy, education, media, justice and so on. On the political level however, the democratic system has three features at least:⁹⁴

- 1- A comprehensive, meaningful and periodical contest for power.
- 2- Universal participation in the election of leaders and the

⁸⁸ 'Alavitabār, op. cit., pp. 124-5. In 1991 Soroush offered his first precise account on the idea, especially on the correspondence between religion and democracy. It came in the form of a lecture delivered at a seminar on human rights held by the Ministry of Foreign Affairs. An edited version of the lecture was later published in his book '*Ferbeh-tar az Ideology*' pp. 273-283.

⁸⁹ See for instance, Dayhimī, Khashayar, 'Mardomsalāri-e Dīnī Bed'at dar 'Elm-e Siāsat', *Aftab*, no 22, (Jan., 2003), p. 27

⁹⁰ Khatami, Muhammad, 'Mardomsalāri-e Dīnī', *Tabarestan Sabz*, vol. 15, (Sep. 22, 2001), pp. 5-7. Retrieved from : www.kadivar.com/htm/farsi/papers/paper006.htm

⁹¹ Shabestari, M., 'Mardomsalāri-e Dīnī', op. cit., p. 4.

⁹² Soroush, *Ferbeh-tar*, op. cit, p. 269.

⁹³ Soroush, *ibid* , p. 279.

⁹⁴ 'Alavitabār, op. cit.

determination of political choices.

3- Social and political freedoms, notably the freedom of expression and organisation.

The notion of civil society occupies a pivotal place in reformist discourse. Reformists promote the notion based on both a theoretical and a practical basis. On the one hand the robust activity of civil society organisations is regarded as a crucial catalyst for the process of democratisation. On the other, the notion is put forward as an antithesis to that of *huzūr dar sahnēh* ('presence on stage') or public mobility, which is taken by the conservatives as the real embodiment of public participation, but regarded by the Reformists as an example of populism, rather than democratic participation.⁹⁵ A good part of reformist literature is dedicated to condemning populism and its manifestations in local politics.⁹⁶ According to Khatami, populism unfolds through the ruling elite considering itself the source of right, or the faultless group and so on. People are praised by the rulers, their active role in politics is welcomed, but they can neither hold their rulers to account nor do they have the final say in respect of the polity's major concerns.⁹⁷ He maintains that for the collective rationality to function in a systematic and informed fashion, the political system should be designed appropriately to feature such standards as a high level of public participation in decision-making, a fair distribution of power and resources, transparency, accountability, guaranteed liberties and equal rights for all citizens.⁹⁸ For Jalaipour, the principal factor that distinguishes democracy from populism and crowd politics is the institutional differentiation and distribution of power between the state and the society. This is realised by the state acknowledging the role of civil society and providing it with legal protection so that it can efficiently channel public demands through to state institutions.⁹⁹

⁹⁵ Kadivar, Mohsen, *Daghdaghah-hye Hukūmat-e Dīnī*, (Tehran 2000) p. 261.

⁹⁶ See, for instance, Muhammadi's analysis of Hizbullah as a principal instance of the populist conception of political participation in Iranian politics. Muhammadi, Majced, *Jame'ah Madani Iran*, (Tehran, 1999), pp. 101-112

⁹⁷ Khatami, 'Mardomsalāri-e..', op. cit.

⁹⁸ Khatami, *Tavse'ah*, op. cit, pp. 47-50.

⁹⁹ Jalaipour, H., *Pas az Dovoum Khordād*, op. cit., p. 233.

Religion and Democracy

The Reformists' conception of the religion-democracy relationship derives from their basic differentiation between the function of religion and that of the state. For them, the state is about representing the various interests in the social theatre and handling its conflicts. Thus it needs a model of administration capable of solving conflicts in a peaceful manner, and that is the model of democracy.¹⁰⁰ Religion for its part is mainly about man's existence, ethics and attachment to God. The realm of the state is characterised by pragmatism, compromise and finally violence. In contrast, religion is a realm of surrender, selflessness and voluntary action. Soroush specifies the difference between religion and state in that the former is a realm of mystery (*rāz*) whereas the state is a realm of reason and material realities.¹⁰¹ In brief, religion and state seek different objectives as well as different ways of functioning. Democracy, therefore, is a method appropriate for the state and not for religion. It is possible to seek a reading of religion appropriate for democracy, Hājjarīān argues, but strictly regarding the function of the state, not the religion itself. Put differently, religion can just as much foster a democratic state as it might be used to legitimise an authoritarian one. In either case, the central question is about the state, and not religion or democracy.¹⁰²

In this regard, it is argued that Islam has no particular model of government, whereas democracy has nothing to do with religion.¹⁰³ In other words, democracy is a model of government and not an ideology, thus, it is not contradictory to religion but to the other ruling models, namely autocracy and oligarchy. Within a democratic system, both religion and the ruling model have a distinct role. Religion provides the values, the objectives and norms to be realised by the political system. On the other hand democracy, as a model of government, defines the methods by which those purposes are fulfilled. Thus it

¹⁰⁰ Shabestari, *Naqdi..*, op. cit., p. 108.

¹⁰¹ Soroush, *Bast-e Tajrebah..*, op. cit., p. 361.

¹⁰² Hājjarīān, *Az Shāhed-e Qudsī ta Shāhed-e Bazārī*, (Tehran 2001) pp. 132-4.

¹⁰³ Shabestari, *Naqdi..*, op. cit., p. 108.

determines the institutions, the process of decision- making and the standards of administration.¹⁰⁴

The religious character of the state is understood to be in two forms:¹⁰⁵

a) The Islamic state is accepted as such by the Muslim society. The state is deemed Islamic in reference to the basis that the society is the audience addressed by Divine revelation; hence, it is the agency that assigns religious value to institutions and actions in the public sphere.

b) The state is observant of the religious criteria of ruling. Religious criteria are defined in accordance with the particular method of interpretation of the religion held by the reformist trend. In this regard, it is argued that most of the principles concerning rulership, including justice, freedom, equality and so on, are religiously-sanctioned but not of religious origin.

Standing by his theory of the contextual nature of religious knowledge, Soroush argues that the observation of religious teachings on the part of the government cannot be other than subjective and contextual.¹⁰⁶ Basically, the policies and institutions that enact the principles are man-made. Statesmen consider how to apply the principles and design the methods to deliver what they think is right. Their perception and the methods of enacting the theoretical assumptions have inevitable influence on the final output. In this case, human reason determines the objectives - and priorities – which are supposed to have been meant by the sacred text, the way to have them delivered, and the criteria against which the purpose is determined to have been satisfied. This process can be carried out in accordance with the judgements made by a few people from the higher ranks of the state, or it can be carried out through a systematic recourse to the collective rationality of the whole society. In either case, the result is a human conception of God's will and not the will of God itself. To this extent, the preference for the latter method over the former cannot be questioned. That

¹⁰⁴ Khatami, *Mardomsalāri-e Dīni*, op. cit.

¹⁰⁵ Shabestari, *Naqdi*, op. cit., pp. 112-117.

¹⁰⁶ Soroush, *Ferbeh-tar*, op. cit., p. 280.

process is deemed by the traditional clerics as religious, for it delivers religious rules, while the Reformists perceive it in terms of an exploration of the common good, whether it is fostered by religious teachings or initiated by society members. Thus it is more of a rational technique than a religious process.

The Reformists' Frame of Reference

The Constitutional Revolution has opened a prolonged debate on the religion-state relation and Islam's capacity to foster a modern way of life. The emergence of the Islamic revolution unleashed more questions, many of which are still attracting the attention of intellectuals both inside and outside Iran. Some of these questions have been already addressed through the discourse of the religious reformative trend which paved the way for a new phase in the religious thought.¹⁰⁷

Naturally, the intellectual debates in the post-revolutionary period have been highly influenced by the political arrangements which ensued from the revolution. The change of the social structure, roles, positions and the political rivalry among the post-revolutionary elite have collectively shaped the contemporary course of intellectual debate. The reformist thinkers bear some of the universal characteristics of the intellectuals: they are critical of the state of affairs and their general tendency is anti-traditionalist and anti-clerical. Obviously the harassment they have experienced at the hands of their conservative rivals since Ayatollah Khamenei's rise to supreme leadership has driven them to be preoccupied with such ideas as hegemony, traditions, authoritarianism and the excessive use of right.¹⁰⁸ Thus their discourse has focused on such ideas as plurality, modernity, democracy and power limitation. These ideas are being applied to both religious and political spheres, simply because the centre of controversy has been the issue of authority. In the Islamic

¹⁰⁷ Alavītabār, A., op. cit., p. 29. For more on the reformative role of the intellectuals in regard of the religious traditions, see: Shils, E., 'Tradition' *Comparative Studies in Society and History*, vol. 13, no. 2, (Apr., 1971), pp. 122-159. On the contextual determinants of their behaviour, see: Ringer, F., 'The Intellectual Field, Intellectual History, and the Sociology of Knowledge', *Theory and Society*, vol. 19, no. 3, (Jun., 1990), pp. 269-294.

¹⁰⁸ Ansari, (2004), op. cit., p. 274.

Republic religious and political authorities are inextricably linked together on the constitutional as well as the political and social levels.

One of the consequences of such debates has been the rethinking of the role of ideology as a hindrance to rational thinking, as well as to individual emancipation. The term 'ideology' explains how values, expectations and prescriptions for the organisation of society are structured to produce a harmonised system of meanings and explanations about the self and the world. McClosky defines ideology as

systems of belief that are elaborate, integrated, and coherent, that justify the exercise of power, explain and judge historical events, identify political right and wrong, set forth the interconnections (casual and moral) between politics and other spheres of activity.¹⁰⁹

The concept owes to the Marxist traditions its place in modern intellectual debates. From this perspective, ideology is linked to class interests, and thus it is commonly seen as a means employed by the dominant classes to justify and affirm their hegemony.¹¹⁰ Despite the focus on domination and hegemony, the function of ideology is more justified. It is employed literally by every group, including those opposing the sociopolitical order and the alienated, since, as suggested by Shils, ideology involves an aggressive alienation from the existing society.¹¹¹ It is not strange, thus, to see it commonly associated with groups of the extreme left or right.

The Reformists' criticism of ideology aims apparently to undermine the universality of the particular paradigm of religiosity espoused by the clerical elite. The paradigm is called *Islam-e faqahati* (the jurisprudential interpretation of Islam) and is officially presented as the pure Islam of Prophet Muhammad (*Islam-nāb-e Muhammadi*) as distinguished from the one held by the intellectuals, which is deemed by the conservatives to be tainted with liberal or

¹⁰⁹ Cited in Gerring, J., 'Ideology: A Definitional Analysis', *Political Research Quarterly*, vol. 50, no. 4. (Dec., 1997), 957-994, p. 958.

¹¹⁰ Gerring, *ibid.*, p. 970.

¹¹¹ Gerring, *ibid.*, p. 971.

socialist views.¹¹² For Soroush, indeed most of the reformist thinkers, the glory of Islam and its deep influence on man's soul is contingent upon its being available equally for every human being.¹¹³ In this account, religion is a direct path linking man to his God, with no medium or guide other than his own soul. Contrastingly, a religion in power could develop into an ideology of domination. Soroush insists that a religion-based ideology is not immune from the common symptoms of other ideologies: it conceals reality, degrades reason and hinders the free exchange of information and opinions.¹¹⁴ Being a state ideology, religion will have its function altered from inspiring the high morals into justifying class domination.¹¹⁵

Soroush's critical position with regard to religious ideology is not limited to the ruling clergy. Earlier, he criticised Shari'atī's perception of religion, which was modelled after the socialist notion of class struggle.¹¹⁶ Shari'atī argues for Islam, Shī'ism in particular, as an ideology for activism. In the absence of an ideology of resistance, Shari'atī argues, Islam would continue to be a utility at the disposal of the higher classes, both from the state and the religious establishment.¹¹⁷ Retaining his assumption that religious knowledge is subjective, relative and temporary in nature, Soroush blames Shari'atī for treating his interpretation as the only rightful perception of Islam. In his final analysis, Shari'atī's ideology was useful in a certain epoch, but is outdated now, thus it is better dealt with as a landmark in the history of the nation and not as a continuously valid trend of thought.¹¹⁸

¹¹² For the major features of the so-called 'pure Islam' from the view point of Ayatollah Khamenei, see: 'Islam-nāb-e Muḥammadi', retrieved on Jun., 22, 2004, from: www.hawzah.net/Per/E/do.asp?a=efebc.hrm. For a counter account, see Ganjī, op. cit., p. 76.

¹¹³ Soroush, *Rāzdānī*, op. cit., p. 124.

¹¹⁴ Soroush, *ibid.*, p. 80.

¹¹⁵ In comparison, Ḥajjariān equates state religion with civil religion and argues that the emergence of such a version of religion is inescapable in such nations as Iran. Ḥajjariān, *Az Shahed-e Qudsī*, op. cit., p. 151.

¹¹⁶ On Shari'atī's thought, see Akhavi, 'Shari'atī's Social Thought', in Keddie, N., *Religion and Politics in Iran*, (New Haven 1983) pp. 125-144.

¹¹⁷ Shari'atī, 'Ali, *Islamology: the Basic Design for a School of Thought and Action*, c. edition, retrieved on Jun., 2004 from: <http://shariati.com/islamgy2.html>.

¹¹⁸ Soroush, *Ferbeh-tar*.. op. cit., p. 125.

A good deal of Soroush's works are dedicated to defending the role of intellectuals in advancing religious thought and social life alike. He argues that 'No revolution can be sustained if it fails to regenerate its theory and that is the job of intellectuals'.¹¹⁹ Intellectuals play an historical role for 'they always motivated the clergy to regenerate; they are needed today more than before because the clergy has engaged with power and become more ready for degeneration'.¹²⁰ The major defect of clerical knowledge is seen in its adherence to the past, which has made it ignorant of the modern realities of society and culture:

We see no significant contribution by the clergy to the debate on such questions as rights, freedom, justice, happiness, and the other theoretical issues related to modernization [...] In comparison, the intellectuals simultaneously recognise the significance of the traditions and modern knowledge, they analyse the traditions in the framework of modern notions and practical requirements, and by so doing they bridge the present and the past.¹²¹

The Reformists' reading of religion is grounded in the principle of the plurality of interpretation. Indeed pluralism in respect of religion, culture, as well as politics, represents one of the axes of reformist political ideology. Soroush has entitled one of his controversial books *Ṣirāṭhā-ye Mustaqīm* (Right Paths) as a direct challenge to the doctrine of the single right path commonly held among Muslims. The Reformists' reading seeks, therefore, to undermine the clerical claims of having the sole authoritative interpretation of the religious fundamentals. The relevance of the latter to current realities is dismissed on three bases:¹²²

- It serves to marginalise the political role of the people.
- It serves as a pretext to suppress those who hold different opinions.
- It lacks scientific authenticity.

The most rigorous argument over the scientific authenticity of traditional jurisprudence was advanced by Muhammad Mujtahid Shabestari, a cleric and

¹¹⁹ Soroush, *ibid.*, p. 49.

¹²⁰ Soroush, *ibid.*, p. 53.

¹²¹ Soroush, *ibid.*, p. 51.

¹²² Shabestari, *Naqdi*, op. cit., p. 31.

doctor of philosophy. Shabestari was born in 1936. He trained in the Qum seminaries and held the title of *Āyatollāh*, signifying his attainment of the degree of *Ijtihad*. Between 1970 and 1979 he worked as the director of the Islamic Centre in Hamburg, Germany, where he became familiar with modern Christian theology. Shabestari is preoccupied with the reconciliation of religion and modernity. Like Soroush, he calls for the differentiation of religious knowledge from religion.¹²³ However, he focuses on the methodology of interpretation of the sacred texts and the methods of application of religious rules. His discourse is deeply influenced by the philosophical hermeneutics developed by Protestant theologians. Hermeneutics initially aimed to discover the values and message embedded in the sacred texts. In the twentieth century, however, it was expanded, notably by Martin Heidegger (1889-1976) and Hans-Georg Gadamer (1900-2002) to emphasise the broader realm of art and literature and to take human existence as its main question. In his *Hermeneutics, Ketāb va Sunnat* (Hermeneutics, the Scripture and Tradition) and *Naqdi bar Qarā'at-e Rasmi az Dīn* (A Critique of the Official Reading of Religion), Shabestari offers many reflections on Heidegger, Gadamer, and Karl Barth (1886-1968).

Heidegger signifies pre-understanding as the agency to determine what we understand, hence he holds that 'no understanding without pre-understanding'.¹²⁴ Gadamer terms this as the 'horizon' or the totality of our being as determined by the totality of past and present experiences.¹²⁵ Thus, hermeneutic consciousness has an open horizon, a horizon in motion and constant change. According to Gadamer:

The projecting of the historical horizon, then, is only a phase in the process of understanding, and does not become solidified into the self-alienation of a past consciousness, but is overtaken by our present horizon of understanding. In the process of understanding there takes place a real fusing of horizons, which means that as the historical horizon is projected, it is simultaneously removed.¹²⁶

¹²³ Shabestari, *ibid.*, p. 100.

¹²⁴ Achtemeier, Paul, *An Introduction to the New Hermeneutic*, (Philadelphia, 1969), p. 11

¹²⁵ Seung, T., *Semiotics and Thematics in Hermeneutics*, (New York, 1982), p. 173.

¹²⁶ Cited in Seung, *ibid.*, p. 189.

Shabestari employs the idea of 'horizon' to undermine the method of literal interpretation common in the Shi'i seminaries. This method is based on the idea that the grammatical construction and the historical context of the text convey the plain meaning which is taken as a correspondent to the intention of the legislator. Following philosophical hermeneutics, Shabestari contends that the linguistic form of Divine words corresponds to the horizon of the recipient community. This is understandable for the Divine message has to capture the hearts and minds of its primary recipients in order to be embraced and passed through to other communities.¹²⁷ The Divine message is about the values transmitted through forms and not the forms themselves.¹²⁸ He argues that the literal interpretation has lost its rational bedrock, for it has sanctioned forms which are contextual and temporary. This explains the gulf between religious teachings and the imperatives of contemporary life.¹²⁹

Shabestari takes the basic values of religion as the only institution possessing sanctity and universality. Values can embody different forms at different times. Almost all religious rules concerning aspects of life other than mere worship do not have a universal or sacred character.¹³⁰ This includes both the rules developed by scholars and those stated in the sacred texts. For Shabestari, each generation can formulate, on the basis of collective rationality, the institutions and regulations fulfilling the particular imperatives of their time. Forms should serve rational ends, nevertheless without violating the basic values of religion. One of the examples he notes is the model of government. He argues that Islam does not specify a certain model as its favourite. What concerns the legislator is the essence of government, i.e. justice, and not its form.¹³¹

Shabestari's hermeneutical approach, together with Soroush's theory on religious knowledge, offers a distinct interpretational approach to religion. The

¹²⁷ Shabestari, *Hermeneutics, Ketab va Sunnat*, (Tehran 2000) p. 48.

¹²⁸ Shabestari, *ibid*, p. 66.

¹²⁹ Shabestari, *Naqdi*, op. cit., p. 65.

¹³⁰ Shabestari, *Hermeneutic*, op. cit., p. 88

¹³¹ Shabestari, *Naqdi*, op. cit., p. 150.

approach features a number of key notions, summed up by Khatami in seven principles:¹³²

- 1- Man is self-sufficient by the fact that he bears the spirit of God and reason which is deemed as the internal messenger of God.
- 2- The role of religion is more one of guidance. It might interfere wherever man proves incapable, but for most of the aspects of life, apprehension, explanation and regulations are to be sought in science and collective rationality, rather than religion.
- 3- Science is a distinct realm of human activity. It interacts with religion, yet each of the two retains its own sphere and objectives. This assumption is applicable to the natural, empirical, as well as human sciences.
- 4- As a public affair, politics is a realm of reason and collective rationality where good and bad are discovered through methods of trial and error. In this realm, no value or rule is Divinely-sanctioned (*ta'abbodi*) or beyond human appraisal and verification. In the public sphere, religion offers basic values and general criteria according to which Islamic politics can take shape. The observance of such values and criteria is generally of a negative sense, i.e. it shows the final limits not to be breached rather than defining a plan to follow.
- 5- Islam does not specify a definite model for state administration.
- 6- Other than the fixed rules concerning mainly the worship of God, most religious rules are changeable in accordance with common sense and rational ends.
- 7- Religion aims mainly to enrich man's consciousness of his existence and his understanding, thus ensuring his harmony with the surrounding world.

Secularism

As noted above, the secular character of democracy has been the chief point of contention among the conservatives. For the Reformists, however, secularism is not seen as an inextricable part of democracy. Compared with the mainstream Islamists who indiscriminately reject secularism as contradictory to religion, the Iranian Reformists seem largely tolerant of it. This position is clear in their handling of such issues as the religion-state relation, culture, social behaviour and so on. They tend, however, to be careful not to stand with the

¹³² Khatami, 'Mardomsalāri-e', op. cit.

outspoken advocates of secularism. They insist on the claim that what they offer is an intellectual reading of Islam, distinct from both secularism and religious traditionalism.¹³³ To counter the conservative accusation that the Reformists' perception of religion is secular-oriented and Western-inspired,¹³⁴ Reformist thinkers insist on the differentiation between secularism as an ideology and secularisation as a process. The most rigorous account in this regard was made by Sa'eed Hajjariān in his controversial book *Az Shāhed-e Qudsī ta Shāhed-e Bazārī*. Hajjariān denounces secularism but argues that the process of secularisation is inescapable.¹³⁵ Following the traditions of Max Weber, he asserts that the state is the most powerful means for secularisation. Thus he emphasises the rise of the Islamic Republic as the first step on a road leading eventually to the rise of a completely new type of religiosity.¹³⁶

In 1996, Hajjariān provoked a fierce argument by claiming that Khomeini's theory of the jurist's absolute authority (*wilāyat-e mutlaqah*) serves effectively to secularise religious law, or, in his words, reconciles fiqh with mores by reproducing the former within the limits of the latter.¹³⁷ Until the rise of Ayatollah Khomeini, Hajjariān argues, Shī'ī jurisprudence has been resistant to the new trends unleashed by the changes of its own social environment and the world. Khomeini's charismatic personality helped to impose his ideas at the expense of many of the principles established by the religious community.¹³⁸

Hajjariān argues that Ayatollah Khomeini was aware of the cost to be paid for the adaptation of jurisprudential rules to the legal system of the state. He emphasises Khomeini's development - and indeed enforcement - of the rational-oriented notion of *maṣlaḥat-e nezām* (the regime's interest) as a major

¹³³ 'Alavitabār, op. cit., p. 25.

¹³⁴ Qāemīmaqāmī, 'A., *Qudrat va Mashro'iat*, (Tehran 2000), p. 55.

¹³⁵ Hajjariān, *Az Shahed-e*, op. cit., p. 89.

¹³⁶ Hajjariān, *ibid.*, p. 87.

¹³⁷ The article 'Farāiend 'Urfī-shodan-e Fiqh-e Shī'ī' was first published in *Kiyān*, no. 24 (April, 1996) and then in his *Az Shahed-e Qudsī*, pp. 69-91.

¹³⁸ Hajjariān, *ibid.*, p. 96-108.

instance of the way through which the state affects the function of religion. According to this notion, the expediency of the political system is a criterion to determine whether parliamentary legislations can be blocked on the basis of being incompatible with religious principles. As he puts it:

The integration of the institution of jurisprudence into the institution of the state, and particularly the hegemony of the idea [propagated by Khomeini] that equates religion with politics,¹³⁹ led to the political institution imposing its requirements and features upon the religious institution. The State, particularly in modern times, is the strongest machine of secularisation. Statesmen act on the basis of conventional rationality and when the institution of jurisprudence is amalgamated with the state, the former will inescapably adapt to that type of function.¹⁴⁰

To debate about secularism from a neutral platform is not an easy task in any Muslim society, let alone a religious system, as is the case in Iran. The issue, however, is too controversial and challenging to be brushed aside. It sits at the very heart of the debate on development, modernity and democratisation. The failure of the Muslim elites to properly address the issue has effectively hindered the emergence of a robust discourse fostering democracy and liberalisation in Iran as well as other Muslim societies. The problematic nature of secularism, especially its applicability to modernisation and democratisation, forms a major part of the Reformist discourse. There seems a general acquiescence that a degree of secularism is inevitable, yet new approaches have to be advanced in order to formulate a kind of localised conception of secularism, a conception that is able, on the one hand, to explain the functional correspondence between the religious and non-religious factors of worldly affairs, and on the other hand allow for an active role for both religion and reason, each in its own right.

To put it differently, unlike the conservatives, who think of a religious world, the Reformist thinkers are convinced that there is, in the real world, two distinguishable realms, religious and non-religious. The application of reason in

¹³⁹ Khomeini takes religion and politics to be one and the same. He often reiterated a phrase attributed to Sayyid Hassan Mudarres, a religious leader and politician murdered by Reza Pahlavi in 1937, stating that 'our politics is exactly our religion and our religion is exactly our politics'.

¹⁴⁰ Hajjariān, *op. cit.*, pp. 94-5.

general and to its own realm in particular does not necessarily entail a contradiction with religion.¹⁴¹ This realm is universally called secular. The notion was developed within the Western frame of knowledge and, due to this particular course of evolution, it took an anti-religious flavour. Yet this contextual condition does not change the actual situations, nor does it constrain other societies to develop a similar conception of the differentiation between the religious and non-religious. On this basis many of the Reformist thinkers, notably Hājjarīān and Soroush, made substantial efforts to formulate the term ‘*urf*’ as a synonym for secularism and ‘*urfī-shodan*’ for secularisation. The two terms have the same meanings as the English terms, but with a less aggressive connotation. ‘*Urf*’, an Arabic term common in Farsi, means ‘convention’ or the ideas and modes of behaviour that are considered acceptable to most members of a society, hence it closely relates to common sense or public consent.

Hājjarīān puts forth the same idea with regard to the integration of religious values within social institutions. He also employs the notion of a civil religion to emphasise the difference between religious values in the abstract and social actions based upon them.¹⁴² He argues that the process of enactment of religious beliefs by the community involves a compromise between religious ideals, society’s perception of them and the limitations pertaining to social institutions. Hājjarīān holds that the conversion of religious values and ideals into localised conventions is an unstoppable process and represents a permanent associate of socialisation. The exchange between religious ideals and conventions takes two forms: conventions are created or modified to satisfy certain principles, or the principle is applied in a certain manner to satisfy an established convention. Thus he contends that many of the so-called religious traditions, especially those concerning social behaviour, are, in fact, social mores acknowledged by religious leaders, thereafter invested with religious values.¹⁴³

¹⁴¹ Shabestari, *Naqdi*, op. cit., p. 227.

¹⁴² The notion of ‘civil religion’ refers to a ‘religion which serves secular as opposed to transcendent or otherworldly ends’. See, Kessler, Sanford ‘Tocqueville on Civil Religion and Liberal Democracy’, *The Journal of Politics*, vol. 39, no. 1. (Feb., 1977), pp. 119-146.

¹⁴³ Hājjarīān, S., ‘Henjār-hāye bi-Arzesh, Arzesh-hāye bi-Henjār’ *Nourooz* (Mar., 7, 2002)

Soroush specifies three connotations of secularism, namely: 1) Action being based upon a non-religious platform; 2) interpretation of the world and man outside of the religious framework; 3) such notions as science and politics being understood to be independent from religion. He favours the third connotation and asserts that like politics, science, art, and philosophy are all independent institutions. Thus he equates the course of secularisation with the exploration of the said independence:

We had better replace the term 'the separation of religion and politics' with the term 'the independence of politics from religion'. Yet we have to bear in mind that not only politics is evidently independent from religion, but that philosophy, art, sciences and many human affairs and social institutions are the same. Thus the separation must be taken in the sense of [obtaining] independence and people become secular by their recognition of that sense.¹⁴⁴

He argues that secularism does not necessarily exclude religion from public life, yet he warns that the implementation of the religious legal system necessarily requires the spiritual character of religious teachings to be excluded, for they derive a good deal of their supernatural features from being mystical (*rāz*), whereas society's administration and the management of worldly affairs require rules and values to be capable of delivering tangible and calculable ends.¹⁴⁵

The difference between secularism and secularisation is generally understood in terms of the former being more of a philosophical position about the way things should be, while the latter denotes the process through which that philosophy takes effect.¹⁴⁶ Hajjariān views the process of secularisation as a result of the transfer from a primitive community into a modern polity.¹⁴⁷ The process is caused by the division of labour, the codification of law and the separation between public and private spheres.¹⁴⁸

¹⁴⁴ Soroush, *Bast*, op. cit., p. 162.

¹⁴⁵ Soroush, *ibid*, p. 364.

¹⁴⁶ Monshipouri, Mahmood, *Islamism, Secularism and Human Rights in the Middle East*, (London, 1998), p. 10.

¹⁴⁷ Hajjariān, S., *Tavān-e Islahāt*, (Tehran 2001) p. 65.

¹⁴⁸ Hajjariān, *Az Shāhed-e*, op. cit., p. 88.

Given the religious orientation of the trend, it obviously advocates a robust role for religion in the state and society, but without a similar role for the formal religious authorities. To put it differently, Reformists acknowledge the role of religion but want the religious establishment to be independent from the state¹⁴⁹. Thereby the debate can be seen as revolving around the definition of the line separating the jurisdiction of religion from the jurisdiction of man. The debate is rooted in the primary disagreement over the role of religion and its ramifications. I have already noted that the conservatives define religion as perfect and all-inclusive and the religious scholars as the only legitimate source of religious standards. It follows that both the state and society are realms in which the rulings offered by the religious authorities are to be enacted. This idea is termed as *dīn ḥadd-e aktharī* (the maximal application of religious rules).¹⁵⁰ In contrast, the Reformists are for *dīn ḥadd-e aqallī* (minimal application of religious rules).¹⁵¹ In practice, the former notion means that every action should conform to religious advice, whereas the latter notion is of negative sense: every action can be carried out unless it breaches an agreed religious principle.

In the final analysis, the Reformists' argument over secularisation serves to affirm their primary position concerning the conventional character of the state. As with Soroush, they believe that the state's claim to a religious character will inevitably lead to religion converting into a conventional order, just like the state law. It will thus lose its essential character, which is to be a force of spiritual inspiration to human life.¹⁵² Spirituality is not a state business; it cannot be taught or enforced by the means of law but through the constant dialogue between man and God. Piety is a level of morality at which man sets his reason and senses free from the narrow borders of material reality. Thus he challenges

¹⁴⁹ Alavītabār, op. cit., p. 192.

¹⁵⁰ For details on this topic, see Muḥebbī, D., 'Nazarieh Dīn Ḥadde Akthar', *Naqd va Nazar*, vol. 6, issues 1 and 2, (Winter 1999-Spring 2000) c. edition : www.hawzah.net/Per/Magazine/NN/021/nn02107.htm. Ayatollah Subḥānī offers a critical account of the notion of minimal application, see: J. Subḥānī, 'Vijegeehye Elm Fiqh', retrieved from : www.balagh.net/persian/feqh/maqalat/koliyat/29.htm

¹⁵¹ Soroush, *Bast*, op. cit., pp. 83-112.

¹⁵² Soroush, *ibid.*, p. 361.

its limits and pursues the territories hidden behind it.¹⁵³ Shabestari argues that state interference in religious affairs will inevitably lead to religious tyranny. During the post-revolutionary period, such interference was responsible for the violation of civil rights and the alienation of the youth and women as well as the intellectual elite.¹⁵⁴ On top of that, it relegated the role of religion to the limited scope of law, rather than facilitating its most important function, namely the generation of morals and meaning for the social life.¹⁵⁵

Conclusion

The rise of the Reformist discourse signifies the expansion of liberal tendencies unleashed by structural changes during the 1980s and the revival of the intellectual discourse of religious reform. It advocates modernity from a religious platform distinct, however, from both the clerical and secularist trends. The common theme in this discourse is the criticism of the official ideology of hegemony, notably traditional *fiqh*, and the advocacy of such notions as modernity, republicanism, democracy, plurality and power limitation. Their conception of democracy shows little difference from the universal model. The Reformists reject secularism but take secularisation as an inescapable outcome of the integration of religion into the state system.

For the Reformists, Islam is capable of developing a democratic discourse. It depends, however, on the method through which its fundamentals are interpreted. Thus they advocate a particular reading which rests on humanism and collective rationality. Their principal argument suggests that Islam does not advocate a particular model of government. The religious character of the state is understood either through the Muslim society acknowledging the government as such or by the state being observant of basic religious values.

The Reformist discourse has a good potential for reconciling Islam and modernity, especially with regard to political affairs. It involves a robust exchange with modern thought on the one hand and religious principles on the

¹⁵³ Khatami, *Bim-e Mawj*, (Tehran 1992), p. 148.

¹⁵⁴ Shabestari, *Naqdi*. Op. cit., p. 31.

¹⁵⁵ Shabestari, op. cit., p. 50.

other. Regardless of the controversy over the authenticity of its reference to either modernity or religion, which is, like every account, subjective and open to question, the discourse has had a strong appeal to the modern spectrum of Iranian society. The last three years have witnessed the appeal of the Reformist approach expanding beyond the Iranian borders, especially to the Arab world where the works of Reformist thinkers draw increasing attention from among Arab intellectuals.

Chapter VI

The Composition of Political Factions

In the previous chapters, I have discussed the political ideologies of the two major camps which contest for power in Iran. The aim was to explore the principal points of contention and their ideological foundations. Needless to say, ideology makes no difference unless it is translated into political action by powerful forces. For the political system to develop a democratic character, democracy has to evolve from an idea dreamt up by a few pioneering individuals into a popular demand. And here lies the role of political groups which transform general ideas into issues of interest, in political or social terms, for a large segment of society. In other words, democracy has to be integrated into society's culture, intertwining with the various aspects of its daily life, and thus evolving into a symbol of the people's aspirations for a better future. The study of factional structures in certain societies helps to understand properly whether the democratic forces are capable of delivering tangible change or not.

This chapter discusses party politics in Iran and the way it reflects on the political system. I will start with a brief introduction to the role of political parties and the forms of identity expressed by them. The chapter proceeds with a brief account of the Islamic Republic Party which is regarded as the forerunner of the active factions in today's Iran. The discussion here is limited to the major factions in both the conservative and reformist camps, among which three parties are assessed in more detail: the Coalition of *Ābādgarān*, for it represents a prototype of the new generation of conservatives which, in my opinion, will lead the camp in the future; *Kargozarān*, a pragmatic-liberal group representing the bureaucratic and professional elite; and finally, *Moshāreckat*, which represents the modernist middle-class with liberal and quasi-secular tendencies.

My argument is that, although the Iranian social and political system is suffering from the symptoms of backwardness common to pre-industrial

societies, it has, nevertheless, some good opportunities to develop politically. The current process of reform, though slow and shaky, shows that political groups could play a decisive role in turning public opinion into a determining agent for opening up the political system and reshaping its structure.

The body of literature dedicated to factional politics in Iran is relatively small. This is quite understandable for, at least until the late 1990s, the country's factional structure has not taken a definite shape. As the chapter will show, most of the currently active political parties were established or took distinctive shape in or after the mid-1990s. Generally speaking, most of the analyses and information about the Iranian political factions were offered through more general writings on political reforms. Inside Iran, the structure of party politics has attracted wider attention in recent years.

Two points are worth noting here: first: analysis of the factional structure of Iran was advanced mainly by reformist writers. The conservatives seem less interested in sociological analyses, or probably they are convinced that political rivalry does not necessarily indicate a fundamental difference among religious forces. As for Nāṭeq Nūrī, the former parliament speaker, political rivalry consists more in “different tastes” than different ideologies.¹ Some recent accounts offered by the conservatives are of a defensive nature, aiming to stress the ‘otherness’ of the reformist parties on the assumption that, by advocating liberal democracy, those parties are no longer identified as religious forces.² Second: all the concerned writers take for granted the allotting of the political factions in Iran into categories of Left and Right. The current attribution of groups to the conservative or reformist camps has not completely replaced the former categorisation. It is understood that political rivalry was caused by differences over the economic policy of the government³ which makes it natural for groups to be identified as Left or Right. The persistence of such

¹ Baktiari, Bahman, *Parliamentary Politics in Revolutionary Iran: The Institutionalization of Factional Politics*, (University Press of Florida, 1996), p. 221.

² See, for example, *Aḥzāb va Tashkīlāt-e Siāsi Iran*, compiled and published by the research centre of the Islamic Revolutionary Guard (Qum, n.d.) e. edition, retrieved August 16th, 2004, from: www.tooba-ir.org/siyasi/ahzab/kargo/fehrest.htm

³ Baktiari, op. cit., p. 84

categorisation, despite the fact that the economic factor is no longer an issue of rivalry, remains, however, a point of question. Relating to this point, it must be mentioned that the Left was primarily regarded by many researchers, outside Iran in particular, as radical or fundamentalist (see, for example, Menashrī, 2001, Baktiari 1996, Tachau, 1994), and the conservatives as moderate. From the mid-1990s on, these designations were swapped between the two factions. Such a categorisation seems to be based on the political behaviour of the parties in question. In my opinion it is not relevant to categorise the political factions as radical or moderate, since every faction can bear both characteristics, each in its own right. In addition, the criterion to which this designation corresponds is by and large subjective and variable.

The Role of Political Groups

The flourishing of party politics signifies the shift of society from an attitude of passivity to one of activity. Communal groupings emerge when certain segments of the society develop a collective identity revolving around a particular range of demands or interests. Political parties are formed to handle the type of problems which require a change of state or its major policies. They also deter the inclination of the state apparatus to overstep the boundaries of law and represent a counter-balancing force to the arbitrariness of bureaucracy.⁴

The relevance of party politics to the course of democratisation in developing societies is almost self-evident. Through organised and collective action, the aspiration to participate in public affairs evolves from mere individual or sporadic desires into a tangible and persistent movement capable of delivering an influential discourse competing for hegemony. Political groups help the course of democratisation by forming public opinion and integrating the general people into the political process.⁵ The proponents of the elite theory view them, says Lester, as “the principal agencies for accomplishing the selection and

⁴ For a comparative account on the approaches to the role of bureaucracy, see Gerald Heeger, ‘Bureaucracy, political Parties, and Political Development’, *World Politics*, vol. 25, issue 4, (July 1973) pp. 600-07.

⁵ Blondel, Jean, *Comparative Government*, (New York, 1995), p. 133.

representation of political elites”.⁶ The ability of parties to fulfill these functions is, however, contingent upon the actual state of affairs within the context in which they operate.

The Social Background of Political Groups

The question of ‘how the political groups identify with their social bases’ has drawn wide attention from among Iranian researchers. Apparently, the debate stems from a previous disagreement over the principal determinants of social alignment, i.e. the way one identifies with a certain reference group. One trend views the social system as being divided on the basis of class, another emphasises the cultural elements of identity as the distinctive factor of one’s preferences, and the third trend purports state interventionism as the centre of political rivalry.

The first approach elaborates on the economic theory of political behaviour. Society is perceived as a collective system of upper, middle and lower classes, each of which acquires a distinctive identity and preferences. This approach sees party politics as the political expression of the conflicts of interest among the social classes. Political parties are formed to promote and defend the particular interests identified with a certain class.⁷ Hence the political groups are identified according to the class they represent. Many researchers deny the existence of such clear-cut class divisions in Iran, and dispute the relevance of this approach.⁸ Beeran views the traditional land owners and traders of the Bazaar as the only group potentially capable of developing a definable social class with a political function.⁹ Such a development, however, was hindered by the lack of security of private property which prompted that group to take refuge

⁶ Lester, Seligman, ‘Elite Recruitment and Political Development’, *The Journal of Politics*, vol. 26, issue 3 (Aug., 1964), 612-626, p. 618.

⁷ Heath, Graaf, and Nieuwbeerta, ‘Class Mobility and Political Preferences’, *American Journal of Sociology*, vol. 100, no. 4. (Jan., 1995), 997-1027: p 999.

⁸ ‘Alavitabār, ‘Alirezā, interview with *Bahar*, (Jul., 16, 2000). retrieved from www.netiran.com/11tdocs/Clippings/DPolitics/200716XXDP01.html

⁹ Beeran, Barviz, ‘Junbush-e Ejtema’i Shahrī’, *Aftab*, vol. 20, (Oct., 2002). pp. 34-5.

in the shadow of the state instead of developing a class-based association of its own.¹⁰

The second approach assumes that one's identity develops through interaction with the other members of one's community. One's political preferences thereby embody the norms and values common to this reference group.¹¹ Elaborating on the theories of political culture, Hossein Bashiriyeh, a prominent Iranian sociologist, holds that social and political rivalry in Iranian society emanates from a cultural split between traditionalism and modernism. Each embodies a distinctive range of interests, concerns and relations. In this view, the political rivalry unfolds the conflict between the tendency to maintain the inherited social system and the one which seeks to change it.¹²

The third approach presumes that party politics revolves around the extent of state intervention in private affairs which are technically varied from the state's basic purpose. For this approach, the political factions are categorised along the Right or Left divide. The former is associated with minimal state intervention while the Left is associated with interventionism.

It is almost agreed that none of the active factions in today's Iran can be identified exclusively with one of the above categories, but neither is it fair to deny their applicability altogether. The relevance of each of the above categories is better understood in a relative sense.¹³ Nowadays the Iranian political groups are commonly categorised as for or against the political reforms which President Muhammad Khatami proposed in 1997. In the conservative camp Mo'talefeh and Roḥaniat Mobārez represent the traditional upper class. They advocate minimal state intervention in the economy but maximum supervisory intervention in other areas. The Coalition for the Development of Islamic Iran (Ābādgarān) represents the middle class. It holds similar political and cultural views, however

¹⁰ Katouzian, Huma, 'Problems of Democracy and Public Sphere in Modern Iran', *Comparative Studies of South Asia, Africa and the Middle East*, vol. 18, no. 2, (1998) pp 31-6: 31.

¹¹ Heath, op. cit.

¹² Bashiriyeh, Hossein, *Mavane' Tavse'ah Siāsī dar Iran*, (Tehran 2001), p. 133.

¹³ Eṭa'at, J., 'Shekāfhāy-e Ejtema'i va Gurouh-bandī Siāsī dar Iran', *Aftab*, vol. 19, Sept. 2002, p. 10.

in a more moderate fashion. It also seeks more egalitarian economic relations, which inevitably entails state intervention in the economy. The three conservative factions are commonly categorised along side the right-wing.

In the reformist camp the party of Kargozarān-e Sāzandagī (Executives for Reconstruction) represents the modern upper class. It advocates minimal state intervention in all areas but emphasises a leading role for the state in modernising the economy. Mojāhedīn Enghelāb, as well as Roḥanion Mobārez, are commonly identified as leftist. They call for an egalitarian economy promoting the interests of the lower class. In respect of political and cultural issues they advocate moderate intervention by the state. Their middle class ally, Moshāreckat, is more at the centre left. It advocates full scale democracy, a free-market economy and cultural liberalism.

The Structure of Party Politics in Contemporary Iran

The Iranian political scene was described by Menasheri as fluid and constantly changing in its positions and alliances.¹⁴ During recent years, especially since 2000, positions and alliances seem more stable, with most groups having defined themselves in line with or against the model of democracy. Post-revolution party politics can be divided into three phases: the period of uncontrolled proliferation in the first three years; the period of the regime consolidation, which lasted until 1991 and the period after 1991.

According to Tajik, more than eighty groups appeared during or soon after the revolution, representing all walks of life.¹⁵ This relatively large number reflects the variety of interests which had the opportunity to be expressed through the revolution.¹⁶ It is understandable, however, that the majority of these groups by and large lacked coherence in terms of ideology, organisation and political agenda. Such defects make it difficult to formulate a proper

¹⁴ Menasheri, David, *Post-Revolution Politics in Iran*, p. 49.

¹⁵ Tajik, Muhammad Rezā, 'Aḥzāb: Furobashi Haviat-e Sunnatī', *Baztab* (Jan., 5, 2003).

¹⁶ Shah Alam, 'Conservatives, Liberals and the Struggle over Iranian Politics', *Strategic Analysis*, vol. 24, no. 3, (Jun., 2000). www.ciaonet.org/olj/sa/sa_jun00als01.html.

categorisation of the many groups of that period. With recent developments, there can be seen a range of groups that are well-defined and coherent, each of which represents a particular range of interests and social segment. As I am concerned with the theoretical development of the religious-based Shī'ī doctrine of power, my discussion will be limited to the political groups that fall within the religious spectrum.

The first major Islamist grouping to emerge was the so-called 'The Line of the Imām' (Khaṭṭ-e Imām), a broad alliance of supporters of the religious agenda proposed by Ayatollah Khomeini. Apart from some independent figures, the Line of the Imām was dominated by three broad organisations, namely the Islamic Republic Party (IRP), Sazmān-e Mojāhedīn Enghelāb Islāmī (SMEI) and Jāme'ah Roḥaniat-e Mobārez (JRM). Each of the three groups was composed of left and right wing factions. The leading role in the first party was played by the pragmatic trend led by Ayatollah Muhammad H. Beheshī, 'Alī Khamanei and 'Alī Akbar Hashemī Rafsanjānī. The leading force in the Mojāhedīn was the left wing led by Behzād Nabavī, while Jāme'ah Roḥaniat was dominated mainly by right wing senior clerics, notably Ayatollah Mahdavi Kanī. Although party politics of today is far different from that of the early 1980s, many of today's active elements have trained in the above groups.

The Islamic Republic Party (IRP)

According to the former president Hashemī Rafsanjānī, the Islamic Republic Party was planned shortly before the Islamic Revolution, but was endorsed by Ayatollah Khomeini only after the revolution succeeded. The purpose of the party was to organise the religious forces against their rivals, including the liberals, Mojāhedīn-e Khalq, the Communists and so on.¹⁷ Muhammad H. Beheshī, the co-founder and first leader of the party suggested that the party had been meant to be the political wing of the 'ulamā.¹⁸ Kamarava

¹⁷ Cited in Safirī, Mas'oud, *Ḥaqīqat-hā va Maṣlaḥat-hā*. (Tehran 1999) p. 81. The same suggestion was made by Asadullah Badamchian, who was a member of the party central committee, cited in Shah Alam, op. cit.

¹⁸ Cited in Ḥaidarī, Muhammad, 'Ḥezb-e Jumhurī Islāmī: Tashakol-e Siāsi dar Roḥaniat'. *Iran*, (Jun., 24, 2002).

takes the formation of IRP as an instance of the clerical tendency to 'redirect the popular enthusiasm generated during the revolution into an organised, institutional support base'.¹⁹ The party's manifesto states its chief objective, however, as the promotion of a 'comprehensive Islamisation of the society in which Islamic values, commands, and laws govern all social relations'.²⁰ The party dominated political life from its formation in 1979 until its disbanding in 1987. The IRP was more of a loose and ill-managed grouping of the various movements which accepted Ayatollah Khomeini as the absolute national leader. In a sense, the party was a bit like an archetype exemplifying the religious trend with all of its intellectual variety and political concerns. According to Beheshti, the crucial deficits of IRP were poor organisation and lack of cohesion, the lack of a precise ideology and an inefficient induction process. The party expanded without a pre-planned strategy, whereby its organisations, even at the higher ranks, were infiltrated by its rivals. In June 1981 the party received a devastating blow when a bomb claimed the lives of 72 of its top leaders. A few weeks later, another bomb killed the president and the prime minister, (who was also the recently elected party leader). These events devastated the IRP but made its government determined to suppress all its opponents without mercy. In fact, all other groups were suppressed during the period of 1981-1983.²¹ The absence of rival groups has had a negative impact on the party. With no serious rivals, says Rafsanjani, the party had no objectives to pursue and its members lost their enthusiasm to carry on.²² Eventually, it was disbanded in 1987 on the advice of Ayatollah Khomeini. It was said that Khomeini was not happy with the fact that the dominance of the IRP caused discomfort to many of the religious notables who chose to remain independent. Khomeini saw this situation as a likely threat to the unity of the religious trend.²³

¹⁹ Kamrava, Mehran, *The Political History of Modern Iran: From Tribalism to Theocracy*: (Westport 1992), p. 87.

²⁰ Baktiari, op. cit., p. 55.

²¹ Tachau, Frank, *Political Parties of the Middle East and North Africa*, (Westport, 1994). p. 139.

²² Cited in Safiri, op. cit.

²³ Safiri, ibid. p. 83.

As indicated earlier, the party had within its organization three distinct trends: a traditional right-wing, a religious left-wing, and a pragmatic wing all of which were fairly represented in successive governments; nevertheless, their relationship was never friendly. As early as October 1981, the parliament voted against the right-wing candidate for prime minister in favour of the leftist Mir Hussayn Mosavī against the wishes of Khamenei, the newly elected president.²⁴ In August 1983, two right-wing figures resigned their ministerial posts in protest over the state's handling of the economy. Interestingly, the president, the parliament, the prime minister and the resigned ministers were all of high rank in the Islamic Republic Party.

With the conclusion of the eight-year war with Iraq in August 1988, the Iranian government began to ease the rigid policies concerning political and social activities. A major step was the restoration of the Party Bill which had remained suspended since its formulation in 1981.²⁵ However, the political atmosphere remained uneventful until the death of Ayatollah Khomeini in June 1989. The absence of the regime's founder effectively removed the major barrier hindering party politics, namely the idea that independent activities might harm the unity of religious forces. One month after the death of Khomeini, four groups were granted official recognition under the 1981 Bill. From among those recognised, three were deemed Islamist left-wing, including the Islamic Republic Women's Association led by Zahrā Mūstafavī, the daughter of Khomeini, Majma' Roḥanion Mobārez and Fedāiyyan Islam.²⁶ After his election in July 1989, President Rafsanjanī undertook what he called the Policy of Adjustment (*siāsat-e ta'dīl*) whereby the state acknowledged the plurality of ideas and promised less restrictions on independent activities. In the following years, the political scene saw the emergence of various groups, five of which would claim a major influence during the following decade. The political groups in Iran used to

²⁴ For some details, see: Baktiari, op. cit., p. 80.

²⁵ Shah Alam, op. cit.

²⁶ *Khorassan*, (Jul., 30, 2000), p. 4. retrieved from:
www.netiran.com/Htdocs/Clippings/DPolitics/200730XXDP01.html

be identified as either Right or Left wing. From 1997, they would be categorised as reformist or conservative.

The Conservative Camp

The conservative camp emerged within the traditional religious community in order to promote its aspiration for a pure religious state based on established Shī'ism.²⁷ The essence of the trend consists of an alliance between the religious seminaries and the notables of the traditional Bazaar.²⁸ The two groups made up the major opposition of the pre-revolutionary governments. Despite the close links binding the religious exemplars and their local representatives to the Bazaar traders, the alliance remained undefined with no particular organisation representing its political concerns, at least until the Islamic Revolution. Anjoman Hōjjatiyeh was probably the first inclusive organisation embracing the concerns of the religious trend, notwithstanding the group's intentional limiting of itself to purely religious causes. Hōjjatiyeh was established in 1957 aiming to counter the proliferation of the Baha'i faith.²⁹ It upheld the Shī'ī traditions as its official ideology, including the assumption that Shī'as had to stay away from politics until the return of the Twelfth Imām.³⁰ Throughout the decade preceding the revolution, the group's relationship with Ayatollah Khomeini and his young supporters was far from friendly. This position earned it the tolerance of the Shāh's government on the one hand, but the hostility of the revolutionaries on the other. The revolution was a devastating blow to Hōjjatiyeh, which saw the majority of its members deserting their professed doctrine to join the revolution. In 1979 an attempt by the group's leader, Maḥmoud Ḥalabī, to reconcile with Ayatollah Khomeini failed, due to the

²⁷ Hajarī, Moḥsen, 'Muqaddameh bar Sinkh-shenāsi Rāst dar Iran', *Chashmandaz Iran*. vol.9, (Jun., 2001), pp 59-66, p. 59.

²⁸ Zarīfiniā, Ḥamid, *Kalbud-shekāfi Jenāh-hāye Siāsi Iran* (Tehran 1999), pp. 97-8.

²⁹ For some details on the Baha'i faith and community, see Martin, Douglas, 'The Case of the Baha'i Minority in Iran', *The Baha'i World*, (1992-3), pp. 247-271. e. edition: www.bahai.org/article-1-8-3-7.html. Also Momen, Moojan, 'The Baha'i Community of Iran: Patterns of Exile and Problems of Communication', in Fathi, A., (ed.), *Iranian Refugees and Exiles since Khomeini*, (1991). e. edition, www.northill.demon.co.uk/relstud/iran-patterns.htm

³⁰ Aḥmedzādch, Taher, 'Anjoman Hōjjatiyeh dar Bastar-e Zamān'. *Chashmandaz Iran*. vol. 5, (May 2000).

latter's scepticism and conviction that the group retained affiliations with the remnants of the ousted regime.³¹ Eventually the group decided to disband in July 1983, apparently after Khomeini publicly criticised their political leanings.³² Most of the group's members then joined the other right-wing groups and the government.³³ It is widely believed that the group retains underground activity at the present time.³⁴ Ayatollah Khaz'ali, an advocate of the group, implicitly admits the continuity of its underground existence, however, within a smaller scope.³⁵ The association of the conservative camp with Højjatiyeh attracted wide attention during the early 1980s when the conservative faction of the first post-revolutionary parliament was ascribed to Højjatiyeh.³⁶ Such a strong relation is no longer emphasised.

Højjatiyeh is not significant, however, for any direct action, but for the way its ideology has shaped the political thought of the religious trend, especially its particular conception of pure Shī'ism. The group's principles have deeply influenced the conservative camp. The reflection of its principles on political and social action could be understood only by comparing it with the type of values upheld by revolutionary figures prior to and after the revolution. These include :

- The strict commitment to traditional Shī'ism which is reflected in the form of sectarian fanaticism as well as hostility to all reformist trends.
- Being preoccupied with the threat of the surrounding world. For the camp, conspiracy theories are the main framework to conceive the position of the foreign countries towards Iran. This tendency

³¹ Ahmedzādch, *ibid.*

³² Razavi, H. 'Bāzkhunī Parvandeh Anjoman Højjatiyeh', *Hamshahrī*. (Oct., 23, 2002)

³³ Tawakkul, Muhammad, 'Bazaar Sunnatī Iran dar Seh Dawrch', *Chashmandaz Iran*, no. 16, (Oct. 2002), pp. 34-45, p. 42.

³⁴ Khiyatī, Hassan, 'Siāsatgorīzī va Tarvīj Jedāyī dīn az Siāsat', *Jumhuri Islāmī* (Oct., 31, 2002)

³⁵ Khaz'ali, Abol-Qāsim, cited in *Kayhan*, (Dec., 2, 2002), p. 12.

³⁶ Baktiari, *op. cit.*, p. 81.

explains as well the camp's exaggerated emphasis on protective policies.

- The tendency to exercise self-designated authority over all other people in order to ensure their compliance with virtuous behaviour, while, in comparison, individual and public rights and freedoms are left neglected. This tendency is directly reflected in the strict rules concerning dress, personal appearance and leisure activities.

In my opinion, many of the rigid policies held by the state, the cultural policies in general, and the policies concerning minorities and women in particular, cannot be understood without examining their roots in the model advocated by Ḥojjatiyeh. The group's ideals are still alive through its many veterans who found their way into the leading posts of the conservative camp, as well as into society and the state system.

The conservative camp consists of around fifteen groups,³⁷ most prominent among which are Jāme'ah Roḥaniat, Mo'talefeh Party and the newly-formed Coalition of Ābādgarān. In what follows, we look at each of these in detail.

Jāme'ah Roḥaniat Mobārez (JRM)

Roḥaniat-e Mobārez (the Association of Combatant Clergy) was established a year before the 1979 Islamic Revolution aiming to bring together the politically-active clerics under the umbrella of Ayatollah Khomeini. Starting with a few members, the group developed into a central force in pursuing the revolutionary causes.³⁸ After the revolution, it expanded its membership, although the determining role remained in the hands of a few leading members holding its top ranks. Despite its leading role, JRM does not identify itself as a

³⁷ Murtajā states the names of twelve groups comprising the affiliates of Roḥaniat Mobārez. Murtajā, Ḥujjat, *Jenāḥ-hāye Siāsī dar Iran Emrooz*, (Tehran, 2000), p. 14. I add here the groups that remained outside this frame notwithstanding their sharing the ideals and political positions of the conservative camp.

³⁸ Zarīfiniā, op. cit. p. 89.

political party. It has not applied for official recognition nor has it had an official organ.³⁹ JRM had among its membership figures representing both the right and left wings. In 1984, the right wing became more distinct when four of its figures launched *Resālat*, a daily newspaper which became the leading tribunal of the traditional conservatives. By 1988, the left wing walked out to establish its own clerical association, making JRM a purely conservative group. JRM is organically linked with the Association of Professors of Qum Seminaries (*Jāmc'ah Mudarressīn Hawzah 'Elmiyyah Qum* (JMHI)). The two associations share ideals and objectives as well as some leading members. Since JMHI is the state-recognised commanding body of the clerical community, the close link between the two suggests that JRM is the political proxy of the former body. According to Rafsanjānī, the former president and a leading member of Rohaniat, most of the political positions, as well as the nominations for elections on the part of the group were decided in consultation with the Qum professors' association.⁴⁰ The group advocates a market economy but is strict on social and cultural affairs. As Taqavī, the group's spokesman, says:

The cultural trend in the country has lost its balance... They [the liberals] propagate maximum freedom unobservant of any rule or principle, notwithstanding the likelihood of endangering others' rights and freedoms. The culture of society shows increasing signs of vulnerability, incited by the cultural encroachment of the enemy, as well as the presence of the sell-outs (*khod-foroukhteh*) and western-struck (*gharbzadch*) intellectuals in the country's cultural domain.⁴¹

Between 1992 and 1997, Rohaniat and its allies were the dominant force in the parliament and the state institutions. They were overpowered by the leftist camp in the presidential, local and legislative elections of 1997, 1999 and 2000. Since then the group seems to have lost its energy. In the presidential election of 2002, it refrained from nominating or supporting any of the candidates. In the local elections of 2003 and legislative elections of 2004 the group was not

³⁹ Zarīfīniā, *ibid.* pp. 90-1.

⁴⁰ Safirī, *op. cit.*, p. 186

⁴¹ Cited in Shadlo, 'Abbās, *Ettela'āti darbārch Ahzāb va Jenāh-hāye Siāsī Iran Emrooz*, (Tehran 1999), p. 62.

accounted for and the commanding role was taken by the young pragmatists loyal to the person of the Supreme Leader.

Mo'talefeh Party

Hezb-e Mo'talefeh Islami (Islamic Coalition Party) has been considered by some political figures as the dynamo of the traditional conservatives.⁴² It was formed in the wake of the Khordad Revolt, a civil insurrection which erupted on the arrest of Ayatollah Khomeini in 1963.⁴³ At the outbreak of the Islamic Revolution, the group resumed its activity among the traders of the Tehran and Esfahan Bazaars where it recruited the majority of its members.⁴⁴ The group joined the Islamic Republic Party until its dissolution in 1987. From then on it was established as an independent party. Between 1981 and 1997, five of its leading members had ministerial posts, others had parliamentary seats, the headship of the Open University, the Chamber of Commerce, and Buniād Mostaz'afan, the largest state-owned holding corporation.⁴⁵ Being dominated by wealthy traders, the group was sensitive to the state's handling of the economy. In 1983 two of the group's members gave up their ministerial posts in protest over the cabinet's endorsement of the first development plan which had a strong leftist flavour. In general, Mo'talefeh was the strongest opponent of the economic strategies adopted by the government after the revolution.⁴⁶ This tendency is seen in line with that of the Reformists, which is to amend the Constitution's articles that affirm the state's interference in the market. On the political front, the party advocates wilāyat al-faqīh as the only religious basis for political legitimacy, hence it only recognises groups whose adherence to the doctrine is unequivocal. These are designated by the party as *khodī* (insiders) compared with *ghair-e khodī* (outsiders), i.e. the groups which are not wholeheartedly loyal to the doctrine. The idea of political pluralism is applicable

⁴² Yazdī, Ibrāhīm, *Sch Jumhourī*, (Tehran 2001) p. 296

⁴³ Shadlo, op. cit., p. 157.

⁴⁴ Gholamī, F., 'Kalbud-shekafī Mo'talefeh-1', *Baztab* (Feb., 4, 2003)
www.baztab.com/index.asp?ID=2525&Subject=News

⁴⁵ Shadlo, op. cit., p. 160.

⁴⁶ Shadlo, *ibid.*, 170.

to the insiders only, outsiders should be barred.⁴⁷ Religious pluralism is seen by the party as nonsense, in the words of ‘Abbāspour, a member of the party’s central committee:

Religious pluralism, whether within or without Islam, is inconsistent with the principles of the authentic (*nab-e Muḥammadi*) Islam. Those who advocate such notions have to seek the advice of the real experts of Islam. Otherwise people would view them as heretics. What conception of the religion do they have to boldly tell us that neither Shī‘as nor Sunnis possess the absolute right.⁴⁸

For a while Mo’talefeh was felt to have lost its appeal.⁴⁹ In the general elections of 1996 three of the group’s top leaders lost their seats, despite the overwhelming victory of the conservative camp. The same misfortune was seen in 2000. In the 2004 elections, the conservative alliance refused to support the nomination of the group’s leader and his deputy on its list, indicating a significant fall of in group’s popularity.⁵⁰ During its 2004 congress, the group’s leaders were urged to surrender their role to the younger generation.⁵¹ Mo’talefeh’s influence is largely dependent on its close links with the religious establishment and clergy members in general. Historically speaking the clergy has been dependent on the market traders for financial support. Although a large segment of the clergy joined the Islamic government, the majority remained independent. This includes the most influential figures of the religious establishment, i.e. the great exemplars, their local representatives and senior disciples. This is one of the interesting points about the behaviour of the Shī‘a clergy, whose endorsement of the government entails no submission to, or financial dependence on it. Mo’talefeh secures its influence by supporting the cultural and charitable activities promoted by the clergy. It has, for example, the upper hand in *Komitch Emdād*, the largest charity in the country. It also provides a good deal of the budgets of the religious schools, mosques, educational

⁴⁷ Shadlo, *ibid.*, 167.

⁴⁸ Shadlo, *ibid.*, p.168

⁴⁹ Ghulāmī, F., ‘Kalbud-shekāfi Mo’talefeh-2’, *Baztab* (Feb. 8, 2003).
www.baztab.com/index.asp?ID=2649&Subject=News

⁵⁰ Defirī, J., ‘Shekl-gīrī Dou E’telāf va Chahār Fraxion dar Majlis Haftum’, *Iran*, (May, 24, 2004).

⁵¹ *ISNA*, (Feb., 8, 2004).

programs based on voluntary basis, and so on. However, Mo'talefeh could not translate these impressive works into reciprocal support for its political agenda and figures.

The group's dependence on the clergy has so far helped it to secure a relatively strong position, particularly in the institutions supervised by the Supreme Leader. Due to the group lacking the capacity to act politically on its own, its future seems uncertain. Its major clerical affiliate, Rohaniat Mobārez has lost its political primacy, whereas its middle class affiliate, the Islamic Association of Engineers is moving away from its traditional affiliations towards the newly-formed Coalition of Ābādgarān.

E'telāf-e Ābādgarān Iran Islāmī

Despite its low-profile, the Coalition for the Development of Islamic Iran (*Ābādgarān-e Iran Islāmī*) was widely expected to win the highest stake in the legislative election of 2004, thanks mainly to the Council for the Guardianship of the Constitution which arbitrarily removed the majority of the reformist candidates from the contest. Ābādgarān first appeared on the eve of the local elections of 2003, where it achieved a surprise victory and removed the Reformists from the council of Tehran. Statistically, the Reformists won the majority of the seats contested in that election, notably in the peripheral areas,⁵² but failed in the capital and major cities. The failure was taken as an indication of the political mood of the society, the urban middle class in particular. Among the thirty members of Ābādgarān who won the council of Tehran, only two members were relatively known: 'Abbās Shībanī and Mehdi Chamrān. The others are completely new to the political arena, including Aḥmadī-Najād, the new Mayor⁵³ (who, in June 2005, won the presidential election).

The emergence of Ābādgarān was explained in different ways, with the most common explanation linking it to the structural changes within the conservative camp. After 1997 there was increasing discontentment within the

⁵² Tajbakhsh, Kiān, 'The Fate of Local Democracy in the Islamic Republic', *Iran Analysis Quarterly*, vol. 1, issue 2, (Fall 2003), 5-8, p. 7.

⁵³ *Iran*, (Feb 25, 2004).

camp over its performance, policies, and particularly the hegemony of the traditional and elderly figures. The sentiment reached a climax in mid-1999 with the clash between university students and the police.⁵⁴ The events were a great shock to the regime. The mood of the universities used to be seen as the barometer of the general mood of the nation. The student protests and ensuing clashes with the police and *Basij*, the revolutionary reserve forces, indicated the erosion of traditional support for the religious leadership among students. The events frustrated younger conservatives, resulting in a wide-spread demand for a meaningful change to the structure and language of their camp. The defeat of the conservatives in the local and legislative elections of 1999 and 2000 respectively made the call for change more credible.

It is believed that, since then, the commanding body of the conservative camp, known as 'The Alliance of the Line of of Imām and Leader' has broken up, notably after the retirement of Ayatollah Mahdavi Kanī, the ailing leader of Roḥaniat Mobārez. Another board was formed wherein the commanding role of the traditional clergy and Mo'talefeh was entrusted to younger groups comprising mainly pragmatic bureaucrats and academic figures. The new *E'telāf-e Nirohāye Enghelāb* (The Alliance of the Revolutionary Forces) was closely managed by the office of the Supreme Leader through his special adviser Naṭeq Nūrī and chaired by Muhammad Reżā Bahonar, the leader of the 'Islamic Society of Engineers'.

Nūrī, a middle rank cleric, was born in 1943 and studied in the Qum seminaries. He served in *Jihād-e Sāzandegī* (Jihad of Reconstruction), as interior minister (1981-1985), parliamentary speaker (1992-2000) and finally as a member of the Expediency Council. Bahonar was born in 1953. Despite his long record of service in the parliament and Expediency Council, he remained in the shadow of his superiors. With the elections of 2004, he was promoted to the position of deputy speaker of the Majlis. During recent years, Nūrī has been a strong advocate of change within his camp. In February 2004, most of his speech

⁵⁴ For some details on the incident and the immediate reactions, see *Hamshahri*, (Jul., 11, 1999). www.hamshahri.org/hamnews/1378/780420/Index.htm

before the congress of Mo'talefeh was dedicated to urging the group to adapt to modern methods of party organisation, to focus on the young generation, and for its leadership to be invested in the young members.⁵⁵ The idea of regeneration was also asserted by M. Javād Larijānī, the conservative theorist, and explained within the framework of the regime's renovation.⁵⁶ The idea is seen as significant, for it reflects a common cry among the young members and supporters of the camp who feel alienated by their leaders. This feeling was voiced by many activists. Ḥussayn Harandī, the deputy chief editor of *Kayhān* newspaper and an activist in the radical group *Anṣār Ḥizbullāh*, explains the emergence of Ābādgarān as a solution to the long-running conflict between the upper and lower echelons of the camp:

Our forces have made a remarkable success this year. Trusting their own intellect, they broke out of the moral hegemony of a score of notables whom we highly regard and respect. However, we have stopped paying them blind obedience. In the past, our activities were restricted to the frameworks they defined and we had to disregard our own viewpoints and sacrifice valuable time in order to secure their satisfaction. Today, however, *Hizbullah* forces have reached the conviction that only the supreme leader would receive full obedience. Pure obedience as a religious principle is realised in the strict following of a single leader. Unfortunately, until recently we have been caught in the outdated ideas of our elders. Now we are free, we have realised that we could free ourselves. We will retain respect for our elders, nevertheless we have to tell them that the direction is no longer dictated by them.⁵⁷

The Ābādgarān Coalition was formed within the 'Alliance of the Revolutionary Forces', headed by Nūrī and Bahonar, to express the new tendencies of the conservative camp. The group is dominated by the Islamic Society of Engineers and the Society of Devotees of the Islamic Revolution (*Jam'iyat-e Esārgarān Enghelāb Islāmī*). Esārgarān was formed in 1996 to

⁵⁵ Roh, M. 'Mo'talefeh Hezb Shod' *Shargh*, (Jan., 10, 2004).
www.sharghnewspaper.com/821020/index.htm

⁵⁶ Larijānī, M. J., 'Zohd-e Siāshī', *Jām-e-Jam*, (Sep., 6, 2004).
www.jamejamdaily.net/shownews2.asp?n=63602&t=pol

⁵⁷ Cited in *Shargh* (Jun., 12, 2004). www.sharghnewspaper.com/830323/polit.htm

promote the interests of the veterans of the revolution and the war with Iraq.⁵⁸ The society remained relatively unknown until the election of Aḥmadī-najād, one of its activists, as Mayor of Tehran in 2003. The group is seen as a minor player in Iranian politics in terms of size and daily activity. It is based mainly in the southern suburbs of Tehran,⁵⁹ an area dominated by lower class migrants. The group operates within the conservative camp and shares its ideals; nevertheless, 'Alī Darābī, the deputy leader, asserts its modernist orientation as the principal feature distinguishing it from the traditional groups such as Roḥanion, Mo'talefeh, and the association of Qum professors.⁶⁰

Esargarān explains the country's current difficulties as an 'administrative deficiency' and puts the blame on 'incompetent politicians and executives'. The group's second congress put forward a fifteen-article agenda to solve the country's crises, nine of which focused on the state administration.⁶¹ For Aḥmadī-najād, the solution rests on the faithful forces of Ḥizbullah taking over the state. 'We have already witnessed the trend of failure and destruction rising wherever the venues of service and work are deserted by the revolutionary and Ḥizbullahi forces'.⁶²

For the group, the Islamic regime does not face a crisis in respect of legitimacy or political ideology, hence the call to follow the liberal model is nonsense,

The doctrine of wilāyat al-faqīh represents a new trend in the political philosophy and the foundational principles of sovereignty [...] With the collapse of socialism, the world is bound to choose between liberal democracy and an Islamic revolution. The liberal discourse is falling apart due to its lack of capacity to open up new perspectives for humanity as well as its impotency to renovate its philosophical and intellectual foundations. Thus it is not an exaggeration to claim that the discourse of the Islamic Revolution penetrates the heart and mind of today's man, even without his

⁵⁸ Shadlo, op. cit. p. 315.

⁵⁹ Shadlo, ibid., p. 314.

⁶⁰ Darābī, 'Alī, interview with *ISNA*, (Jan., 2, 2004).
<http://www.isna.ir/news/NewsContent.asp?id=326823&lang=P>

⁶¹ The final communiqué of the second congress of Esārgarān Society, *ISNA*, (Jan., 24, 2004).

⁶² Cited in *Shargh*, (Jan., 3, 2004) www.sharghnewspaper.com/821013/polit.htm

realising it.⁶³

The group dismisses both the programs of 'economic development' pursued by Hashemī Rafsanjanī and 'political reforms' proposed by Khatami. Hussayn Fadā'ie, the group's leader, is suspicious of the notions of political reform and civil society which he regards as a mask disguising chaos and indiscipline. He is also worried about the return of the counter-revolutionary forces under the umbrella of the Reformists.⁶⁴ Esārgarān seeks to cooperate with the religious trend of the Reformists, notably Roḥanion Mobarez, but rejects any dealing with Moshrekāt, for it is regarded by the group as a secular and counter-revolutionary force.⁶⁵ In a sense, the group's leaders look hopeful about a project joining the 'good' ideas of the Reformists with the 'good' people of the conservatives to form the real force of future Iran.⁶⁶

It is still early to judge the policies of the new conservative generation as expressed through Ābādgarān. Their proclamations, however, indicate a distinctive moderation. Ābādgarān asserts that it is a 'working team' rather than a party or an advocate of a certain political ideology.⁶⁷ It has already declared its respect for the political openness called for by the Reformists; nevertheless it expresses concern at the rise of non-religious attitudes. 'We are not going to turn the clock back on reforms', says Haddad 'Adel, the parliament speaker. 'We will only adjust the clock's hands'.⁶⁸ In respect of the economy, Ābādgarān pledges to carry on with the Reformist's policy of liberalisation, but with some adjustments aiming to strengthen the middle class, as suggested by Tavakkūfī, the chief economist of the group.⁶⁹

⁶³ The final communiqué, op. cit.

⁶⁴ Cited in *Shargh*, (Jan., 3, 2004) www.sharghnewspaper.com/821013/polit.htm

⁶⁵ Mujtabā Shakerī, a member of the central committee. Cited in *Jumhurī Islāmī*, (Oct., 20, 2003) <http://www.jomhourieslami.com/1382/13820728/>

⁶⁶ Mujtabā Shakerī, cited in *ISNA*, (Oct., 1, 2003).

⁶⁷ M. Bahonar, interview with *Iran*, (Aug., 22, 2004). www.iraninstitute.org/iran/1383/830601/dialog.htm

⁶⁸ Cited in *Kayhān*, (Feb., 25, 2004), p. 14.

⁶⁹ Tavakkūfī, A., Interview with *Hamshahrī*, (Sep 7, 2004). www.hamshahri.org/hamnews/1383/830617/world/econw.htm

To apprehend the general flavour of the new group's tendencies, I would like to borrow Quchānī's comparison between the orientation of Ābādgarān and that of the traditional segment of the conservative camp. It is argued that the established alliance between Mo'talefeh and Roḥaniat Mobārez represents a model of power relations grounded in the unified interests of the proprietors and clergy.⁷⁰ The alliance derives its power from outside the state but employs the state to secure its interests.⁷¹ By contrast, Ābādgarān comprises mainly petit bourgeois elements who have made their careers within the state bureaucracy, whereby property does not represent a pivot of interest or a source of political power. On the other hand, the clergy is not seen by this group as a distinct class or political elite but as a professional group.⁷² In fact their discontentment with the excessive involvement of the clergy in state matters is no less than the Reformists', although they express these sentiments in a rather muted fashion. It is not surprising, therefore, that the Majlis, dominated by Ābādgarān, has been the first since the revolution to be chaired by a non-clerical speaker, a step that has disappointed the Association of Professors of Qum Seminaries.⁷³

Both Ābādgarān and the traditional conservatives emphasise the religious orientation of state legitimacy. For the latter, however, the state secures legitimacy if it is supervised by the clergy, who act as the interpreters of religious principles, while for the former, legitimacy rests on the state's pursuit of social justice, notably realised in the equal distribution of material goods.⁷⁴ Thereby, Ābādgarān seems more interested in economic issues, as they are the main subject of social justice, while their elders were preoccupied with cultural issues. For Ḥaddad 'Adel, 'issues such as *hijab* (dress code) and the like are

⁷⁰ Qūchānī, M., *Pedarkhondeh va Chabhāye Javān*, (Tehran 2000), p. 115.

⁷¹ Qūchānī, M., 'Dou Jenāh-e Rāst', *Shargh*, (Apr., 8, 2004).
www.sharghnewspaper.com/830120/index.htm

⁷² Qūchānī, *ibid.*

⁷³ *Jomhourī Islāmī*, (Apr., 6, 2004).
www.jomhourieslami.com/1383/13830118/13830118_jomhori_islami_02_jahat_ettela.html

⁷⁴ Rezāie, A., 'Technocrāt-hāye Moḥāfezeh-kār' *Shargh*, (Apr., 10, 2004)
www.sharghnewspaper.com/830122/econom.htm

neither a priority for society nor for the Majlis'.⁷⁵ Instead, Bahonar, the deputy speaker, argues that the most urgent concerns include unemployment, low income, inequality, as well as corruption. He goes further to acknowledge the reformist principles of economic development:

We share with the religious reformists [i.e. Roḥanion] the idea that reforms should concern principally a comprehensive endeavor to boost the rate of national production, ensure a fair distribution of income, equality, and the sovereignty of law.⁷⁶

Given the emphasis on social justice on the one hand and the lack of interest in political reforms on the other hand, Ābādgarān can be justifiably categorised as pragmatic and an advocate of statism. For some analysts, the group's rise is explained in terms of 'state reconsolidation' after a period of duality of power under the previous parliament.⁷⁷ Despite his conservative inclination, the supreme leader is more identified with the pragmatic trend as much as his immediate advisor, Hashemī Rafsanjani.

The Reformist Camp

The core of the Islamist left consists of Sazmān-e Mojāhedīn Enghelāb Islāmī (SMEI), the clerical Majma' Roḥanion Mobārez (MRM) and the Islamic Society of Students (Anjoman-e Islāmī Daneshjouyan, later known as Daftar-e Tahkīm-e Vaḥdat). The trend appeared in the early 1970s with the flourishing of leftist tendencies in Iran.⁷⁸ At the time, the political opposition was dominated by the Tudeh Communist party, while the Islamist trends were seen to be generally impotent, as in the case of the formal religious establishment, or highly influenced by socialism, as was the case with the militant group Mojāhedīn-e Khalq. The Islamist left had overwhelming popularity during the first post-revolutionary decade, enabling it to secure the majority in the parliament until 1992. After the rise of Ayatollah Khamenei to supreme leadership in 1989, the

⁷⁵ 'Āries̄h Gurouhhā dar Entekhabāt', *Hamshahrī*, (Feb., 18, 2004).
www.hamshahrī.org/hamnews/1382/821129/world/siasatw.htm

⁷⁶ Bahonar, M. R., cited in *Kayhān*, (Feb., 25, 2004), p. 14.

⁷⁷ Ibrahīmī, N., 'Purojeh Yak-dast Shodan', *Shargh*, (Apr., 18, 2004).
www.sharghnewspaper.com/830130/polit.htm

⁷⁸ Zibākalām, *Ṣādiq, Moqaddameh bar Enghelāb-e Islāmī*, (Tehran 1999), p. 262.

faction came under intense pressure to force it out of the political arena.⁷⁹ According to Mosavī Lārī, the minister of internal affairs and a member of Roḥanion, the conservative campaign took the form of slander and intimidation.⁸⁰ The faction's decline was worsened by the sweeping victory of the right wing in the general elections of 1992, which caused the left wing to lose almost all its positions in the government.

The transformation of the leftist faction into a democratic movement was incited by the change of the political atmosphere in the early 1990s, on both internal and international levels. The conclusion of the war with Iraq in 1988 and the death of Ayatollah Khomeini in 1989 resulted in a wide decline of revolutionary and leftist tendencies among the population. The international development, notably the collapse of the Soviet Union in 1991 also has an impact in this respect. As noted in chapter V, proposals for religious reformation had been already in the public domain since early 1988. Nevertheless, they were viewed as an elitist concern. The earliest political expression of the reformist trend emerged in February 1991. Ayatollah Mosavī Khoānīhā, a radical leftist cleric published his daily paper *Salām*. Its early issues focused on the critique of the economic policies of Rafsanjānī's government, but gradually developed a general theme of political reform criticising the autocratic rule and calling for openness and plurality. In October, *Kiyān* appeared as a monthly journal dedicated to new thinking on religion and the state. Coming at the right time, both publications gave a great boost to the reformist tendency and drew attention to the split within the religious trend on both theoretical and political levels. In fact, they paved the way for the reformist trend to be recognised as an insider force, though distinguished from the mainstream within the political system.

Kargozarān Sāzandegī

The Party of Kargozarān Sāzandegī (The Executives for Reconstruction) was formed in January 1996 by sixteen of President Rafsanjānī's assistants and

⁷⁹ Baktiari, op. cit, p. 217

⁸⁰ Cited in Murtaǵā, op. cit. p. 18

cabinet members. Its immediate aim was to defend the reforming agenda of Rafsanjani which is known as *Siāsat-e Ta'dīl*, or the Policy of Adjustment. The most significant point in the party's experiment has been its breaking of the clerical control of nomination for the Majlis. After the 1984 legislative elections, there was a common feeling that only the candidates supported by Roḥaniat Mobārez had the chance of winning the elections. This was particularly asserted in respect of the major cities. President Rafsanjani's technocratic group used to fight elections on the conservative lists. On the eve of 1996 legislative elections Roḥaniat Mobārez decided to exclude the group from the camp's lists due to their liberal propensity. The decision was apparently influenced by Mo'talefeh which, according to Shadlo, had warned that it would block its financial contributions which make up the bulk of the camp's budget for the electoral campaign.⁸¹ As a reaction, the party was formed and allied with the leftist camp to fight the elections against the conservative lists. The result was impressive; the party and its allies won forty one seats,⁸² although the majority (around 170 seats) remained with the traditional right.⁸³ The unexpected success of the new group was surprising to both factions. The general impression, however, was that the political atmosphere was about to change decisively. The influence of the clergy showed a relative decline compared to the rise of lay professionals. Kargozarān's successful alliance with the left-wing was the first indication of the emergence of the reformist camp. On the other hand, that success has drawn the attention of the left-wing to the increasing appeal of such ideas as political reform, democracy, freedoms and so on.

The emergence of Kargozarān highlights the conflict between the revolution and the state as different institutions with distinctive objectives, requirements and mechanisms of action. Such a difference was obvious since the first days of the revolution. The post-revolutionary interim government made an abortive attempt to bring the revolutionary forces under state control. The decision came at the wrong time and thus failed to make any difference. That

⁸¹ Shadlo, op. cit. p. 104.

⁸² Shah Alam, op. cit.

⁸³ Deliri, J., 'Farzandan-e 'Asr-e Enghelāb va Iṣlahāt dar Reqabatī Tāzah', *Iran*, (Jan. 11, 2004).

was, according to Barzin, a result of the hostility of the then powerful revolutionary forces to state bureaucracy. It is argued that the left-wing deemed the state bureaucracy as being inherently conservative and lacking in sensitivity to popular concerns, while the religious-traditional trend was suspicious of its inherent tendency to expand its control over social and cultural activities.⁸⁴

After a decade, most of the state institutions, as well as the state-owned industries, came under the dominance of the revolutionaries who would gradually adapt to the distinctive preoccupations of bureaucracy. The rise of the professional and pragmatic forces in the wake of the eight-year war with Iraq effectively blurred the lines between the state and the revolutionary institutions. This was just another example of how the bureaucracy relaxes the fever of revolution and accommodates its forces. Through their presence in the state's upper and middle ranks, the new bureaucrats came to recognise the difference between paying lip-service to political objectives and having the means to put them into effect. The advance of this trend aided the rise of a rational and pragmatic type of culture at the expense of idealism and passionate types of action familiar among the revolutionaries. In a sense, the rise of Kargozarān reflected the decline of revolutionary momentum and the emergence of a new reference group, characteristically pragmatic and professional.⁸⁵

Since its formation, Kargozarān has remained an elitist circle limited, in terms of membership, to high and middle ranking professionals and executives.⁸⁶ The bureaucratic background of the party has earned it some of its distinctive features, such as the advocacy of statism, pragmatism and technocracy.⁸⁷ Its advocacy of economic development and its moderate attitude in respect of political and cultural issues has earned it the support of the urban middle class. Nevertheless, this support has not been translated into organisational power, simply because the party itself shows no interest in expansion. According to H. Mar'ashī, the deputy leader, 'the party is more concerned with the quality than

⁸⁴ Barzin, Sa'īd, *Jenāh-bandi Siāsī dar Iran*, (Tehran 2000), p. 60.

⁸⁵ Qūchānī, M., *Yeqch-Sefīdhā*, (Tehran 2000), p. 86.

⁸⁶ Shadlo, op. cit. p. 110.

⁸⁷ Barzin, op. cit., 59.

the quantity of its membership, thus it focuses on attracting the elite'.⁸⁸ Such a tendency emanates from a conviction that the elite collectively represent the real power for change in the country. In the words of Gholam Hossein Karbaschi, the party leader:

The political party is an effective means for bringing about a consensus among the national elite [...] Such a consensus is the most agreeable basis for development and the most viable means of countering threats to national security [...] If we fail to bring together the national elite and introduce a consensual long-term strategy, the socio-political system will gradually wear out and erosion will be a serious possibility.⁸⁹

Economic progress is the major preoccupation of Kargozarān. Indeed, it deems itself the pioneer of the idea in the Islamic Republic.⁹⁰ The party is of the idea that political, cultural and economic development is so intertwined that any reasonable progress in the political respect cannot be achieved without a considerable improvement in the living standards of citizens. To achieve such an objective, the country has to push towards a level of urbanisation and economic efficiency that meets international standards. The predominance of the economy among the party's concerns is the principal source of contention between it and other supporters of President Khatami, since the latter's overemphasis on political development, says Muhammad Hashemi, a leading figure in the party, 'will get nowhere'.⁹¹

During his first term in office (1988-1992), President Rafsanjani's plans to liberalise the economy won stable support from the traditional conservatives, in spite of being modelled on the advice of the International Monetary Fund. The support has by and large declined during his second term due to his tendency to elevate the industrial sector to the status of mainstay of the Iranian economy, at the expense of traditional trade which hitherto made up an essential part of the

⁸⁸ Cited in Shadlo, op. cit. p. 110.

⁸⁹ Cited in *Hamshahrī*, (Sep., 3, 2000). www.hamshahri.org/hamnews/1379/790613/siasi.htm

⁹⁰ Shadlo, op. cit. p. 122.

⁹¹ Cited in: Sepāh Islamic Research Centre, *Ahzāb va Tashkīlat-e Siāsī Iran*, (Qum, n.d.) c. edition, retrieved in August 16th, 2004, from: www.tooba-ir.org/siyasi/ahzab/kargo/fehrest.htm

conservative's strength.⁹² The inclination of the party towards a modern industrial economy caused some analysts to identify it as the representative of the modern upper class.⁹³

The party advocates a strong and effective government. Its model of government lies between the rule of an experienced oligarchy and a representative government. The best rule is embodied by the professionals who enjoy the trust and support of the public.⁹⁴ In fact, the party prefers the rule by technocrats to the rule by politicians. Hussayn Mar'ashī, the deputy leader, describes the party members as Muslim technocrats 'technocracy is part of our essence'.⁹⁵ According to Centeno, the most common perspective on technocracy is a variant of elite theory 'that asks whether or not an oligarchy of technicians controls the administrative, economic, and political arms of a given state'.⁹⁶ The idea had long been established in the traditions of the Greek philosophers as well as the nineteenth century works of Auguste Comte (1798–1857) and Saint-Simon (1760–1825), where the idea of the separation between ownership and the effective control of power was applied to the decisions being taken by those who control the means of production, namely, the learned technicians.⁹⁷ In the 1930s the idea attracted more attention aided by the flourishing of the assumption that progress is owed to the advancement of technology. On the other hand, technocratic rule was criticised on the basis that the technician's view of his fellow human being is likely to be utilitarian, i.e. people are to be treated as a means of production.⁹⁸ The core distinction between technocratic and democratic rule lies in the philosophy of government, being an administration of things or a representative of its citizens' interests.⁹⁹

⁹² Qūchānī, M., *Yeqch-Sefidhā*, p. 78.

⁹³ Qūchānī, *ibid.*, p. 126.

⁹⁴ Barzin, *op. cit.* p. 58.

⁹⁵ Cited in Shadlo, *op. cit.*, p. 110.

⁹⁶ Centeno, Miguel, 'The New Leviathan: The Dynamics and Limits of Technocracy', *Theory and Society*, vol. 22, no. 3. (Jun., 1993), 307-335, p. 309.

⁹⁷ Carlisle, Robert, 'The Birth of Technocracy: Science, Society, and Saint-Simonians', *Journal of the History of Ideas*, vol. 35, no. 3. (Jul. - Sep., 1974), 445-464, p. 449.

⁹⁸ Centeno, *op. cit.*

⁹⁹ Centeno, *ibid.*

Kargozarān's focus on the technical skills of state officials discomforts the conservatives who see it as inferior to an ethical commitment.¹⁰⁰ Its economic policy is another point of contention and seen, as argued by Bahonar, to be inconsistent with the revolution's values: 'they [Kargozarān] put rationality and rational administration before a religious one, while the others [the conservatives] emphasise simultaneously economic development, justice, values and the maintenance of the regime'.¹⁰¹ In response, Muhajerānī, a senior member of the party, argues that it is logical that each working unit is administered by the most learned. Technocracy is not a value-free model of rule, the party's focus on the skills does not contradict its religious commitment.¹⁰²

The party views the religious establishment as an essential ally of the government. However it prefers the former to be subordinate to the latter, rather than vice versa, as argued by the clergy.¹⁰³ At the same time, the party is less interested in the theoretical issues related to religion and religious reformation. It takes a pragmatic approach to the application of religious rules and emphasises the calculable interests borne out by the rule rather than its metaphysical authority. Rafsanjani's experience as chairman of the Expediency Council offers a good example of the way he likes to organise the interaction between religion and government. In this respect, the relevance of religious rules is judged upon their capacity to deliver the interests identified by the government or the Parliament. The party's standpoint towards wilāyat al-faqīh is another example of its pragmatism, as Karbāschī says:

We accept wilāyat al-faqīh within the frame of the people's sovereignty [...] The faqīh is the leader elected by the majority and not the appointee of God. The authority of the faqīh is grounded in the Constitution. In fact our acceptance of wilāyat al-faqīh is originated in our adherence to the Constitution.¹⁰⁴

¹⁰⁰ See for example the speech of Ayatollah Khamene'i on the eve of the 1996 elections in Sarjouei and Sadatian, *Entekhabāt-e Majlis Panjom dar Āyeneh Maṭbo'at*, (Tehran 1999), p. 259.

¹⁰¹ M. R. Bahonar, cited in Zarifiniā, op. cit. p. 102.

¹⁰² Cited in Sepāh Islamic Research Centre, op. cit.

¹⁰³ Barzin, op. cit., 59

¹⁰⁴ Cited in Shadlo, op. cit., p. 116

The party holds a liberal propensity to social and cultural issues, forwarding an agenda entitled 'leniency and tolerance' (*tasahul va tasamuh*). Karbaschi, the former Mayor of Tehran, and Muhājerānī, the former minister of information, held the responsibility for putting the agenda into action. Consequently, the two have been singled out for criticism by the conservatives. In 1998, the mayor was sentenced to five years in prison and banned from political activity for ten years.¹⁰⁵ Muhājerānī, who dedicated two of his books to defend his liberal agenda,¹⁰⁶ was forced out of the cabinet in 2000. In 2004, he was subjected to a smear campaign to force him out of the political arena amid rumours about his possible nomination for president in the 2005 elections.¹⁰⁷

The party operates within the reformist Front of 2nd Khordād. After pioneering political reforms in the early 1990s, the party was overtaken by other reformist groups, due to the advance of the reformist discourse, as suggested by Muhājerānī.¹⁰⁸

It is commonly felt that Kargozarān's sole purpose is to win elections. After its formation, its activity was limited only to election times. The lack of any broad organisation and membership puts some constraints upon the party's movements. Its efficiency in political contests is widely dependent upon its alliance with other factions. For this reason, the party has to be very moderate and intrinsically pragmatic in dealing with political and social issues, keeping a reasonable distance from all active factions.¹⁰⁹ This tendency can be interpreted as a strength, as all other factions can see the party as a possible ally. The other side of the coin, however, suggests that the party is no more than a half-way ally. It could be allied with on a tactical basis, but with no security in the long run.¹¹⁰

The relationship between the party and the former president Rafsanjānī is quite complex. The party leaders do not deny the 'special' link with Rafsanjānī.

¹⁰⁵ *BBC News*, (Jan., 25, 2000). http://news.bbc.co.uk/2/hi/middle_cast/618351.stm.

¹⁰⁶ Muhājerānī, 'Ata'ollah, *Hekāyat Hamchenān Baqiest*, (Tehran 1999) and *Estizāh* (Tehran 1999).

¹⁰⁷ *ISNA*, (Nov., 17, 2004).

¹⁰⁸ Muhājerānī, A., interview with Iran, (Jun., 3, 2002).

¹⁰⁹ Qūchānī, *Yeqeh-Sefidhā*, p. 88.

¹¹⁰ 'Ali Darabī, cited in *Mehr News Agency*, (Feb., 9, 2004).

In the list of the party founders, there are four Rafsanjanīs, including his younger brother and daughter.¹¹¹ The central committee comprises mainly Rafsanjanī's former assistants. Muhājerañ admits that the party observes the views of the former president regarding major issues but denies that he is the party's 'Godfather'.¹¹² Rafsanjanī is one of the top three men of the regime; nevertheless, he could neither protect the party leaders from conservative hostility, nor did he help them to have access to the state institutions dominated by the conservatives, such as the judiciary, the armed forces, and so on.

Mojāhedīn Enghelāb

Sāzmān-e Mojāhedīn Enghelāb Islāmī (The Organisation of the Fighters of the Islamic Revolution) was established in 1980 as a merger of seven smaller groups. Apparently, it was meant to counter Mojāhedīn-e Khalq, the quasi-Marxist Islamist group.¹¹³ Its presence in the state was noticeable after the revolution. Many of its members have occupied senior positions in the armed forces, intelligence units, cabinet, academic and parliamentary posts. The group is seen as the dynamo of the left wing and generally treated by both the pragmatist and right wing factions in a manner which is far from friendly.¹¹⁴

Since 1982, Mojāhedīn Enghelāb has been in decline. First, Ayatollah Khomeini outlawed the membership of military personnel in political groups, resulting in scores of the group's cadres walking out. A year later, thirty seven leading figures left the group in the middle of internal differences over its leftist tendencies. Finally the group was disbanded in 1986 on the advice of Rāstī Kashānī, a senior right-wing cleric designated by Ayatollah Khomeini to oversee the group's operations.¹¹⁵

In 1991 the group was restored by the left-wing. In 1994 the group started publishing *'Asre-mā*, a fortnightly paper which deeply influenced the political

¹¹¹ For some details, see Qūchānī, *Pedar-khondeh*, p. 30.

¹¹² *Iran*, (Jun., 3, 2002)

¹¹³ Mohsen Rezāyī, cited in *Kayhan* (Feb., 8, 2000).

¹¹⁴ Haidarī, M., 'Enqelāb-e Islāmī dar 'Asr-e Mā', *Iran* (May, 20, 2002).

¹¹⁵ Murtajā, op. cit. p. 22.

scene in this period.¹¹⁶ It was known for its thorough analysis on issues previously left untouched, including the structure of the political scene, the composition of influential factions, state-religion and state-society relations and so on.¹¹⁷ It has also paved the way for the next wave of writings on such issues as democracy, civil liberties and the role of modern elites. Before it was shut down by the judiciary in March 2002, *‘Asre-mā* was among the most influential publications of the country. It has played a prominent role in advancing the reformist discourse among the supporters of left.

Mojāhedīn Enghelāb of today is far removed from its professed principles of the early 1980s. Its leftist tendency has been extensively modified, it came to advocate public consent, rather than wilāyat al- faqīh, which it upheld in the past as the basis for the legitimacy of the regime. Its rigid interpretation of religion was also replaced by a more liberal one.¹¹⁸ The group has been harshly treated by the conservatives and slandered as being secular, a conspirator and so on. In 2002, the Association of the Professors of Qum Seminaries (JMHI) issued a communiqué declaring the group religiously illegitimate and appealing for its exclusion.¹¹⁹ This came shortly after Hāshim Āghajārī, a leading member of the group, was arrested and later sentenced to death for blasphemy and insulting religious beliefs.¹²⁰

The group made a crucial contribution to the rise of the reformist camp and after 2000 it became a major partner in the government. It is this determining role that caused the group’s rivals to regard it as the hidden power behind the reformist camp,¹²¹ not least because the dominant partner of the camp, the Moshāreckat party, is led mainly by former members of Mojāhedīn.

¹¹⁶ Haidarī, M., op. cit.

¹¹⁷ Haidarī, M., ibid.

¹¹⁸ Shadlo, op. cit, pp. 247-258.

¹¹⁹ *ISNA* (Jul., 9, 2002).

¹²⁰ The sentence was later quashed by the Supreme Court of Justice and Aghajari was released in the early 2005. An English translation of the lecture upon which Aghajari was arrested, is available in *Faith*, <http://ilrs.org/faith/aghajaritext.html>

¹²¹ Amīr Moḥebiān, cited in *Resālat* (Dec., 23, 2002) p. 2.

Mojāhedīn Enghelāb has never had clergy members within its organisation,¹²² probably for an anti-clerical tendency common among those who have been influenced by ‘Alī Shari‘atī. It resembles Kargozarān in its elitist composition. The group remained relatively small and dominated by professional politicians and intellectuals.¹²³ It also emphasises an industrial-based economy against the dominance of traditional trade.¹²⁴ In respect of state-society relation, most of the group’s views resemble those held by the Moshārekāt party. Mojāhedīn was banned from participation in the legislative election of 2004. Since then it has tried to shift from its tradition of elitism and secrecy to being a popular and broad-based organisation. The new policy of expansion was declared in the group’s seventh general congress, the first held in public, in April 2004.¹²⁵

Majma‘ Roḥanion Mobārez (MRM)

Roḥanion (Assembly of Combatant Clergy), the faction of the clerical left, has been the closest group to Ayatollah Khomeini. Its differences with the mainstream traditional and pragmatic right came to the fore after the death of Muhammad Ḥussayn Beheshtī, the leader of the Islamic Republic Party in June 1981. Beheshtī was able to keep the revolutionary groups together despite their contradictions.¹²⁶ The leftist group was operating within the clerical association of Roḥaniat Mobārez (JRM) until 1988 when an internal dispute reached deadlock, days ahead of the legislative election.¹²⁷ The conservative trend was generally supported by the senior clerics, the religious establishment and the pragmatic wing of the Islamic Republican Party. The leftist faction had the support of Ayatollah Khomeini, Mojāhedīn Enghelāb, the younger clerics and the student organisations. According to Rafsanjanī, Khomeini’s support of the faction was due to its being informally led by Aḥmad, Khomeini’s son and his

¹²² Qūchānī, *Yeḡch-Sefīdhā*, op. cit., p. 109.

¹²³ Ḥaidarī, M., op. cit.

¹²⁴ Murtaajā, op. cit., p. 108.

¹²⁵ Raḥīmī, R., ‘Kongereh Haftom yā Kongereh Avval’, *Shargh*, (May, 1, 2004).
www.sharghnewspaper.com/830212/polit.htm

¹²⁶ Shadlo, op. cit. 70.

¹²⁷ Murtaajā, op. cit. p. 16

personal assistant.¹²⁸ Apparently, the group was the only political party whose formation was publicly endorsed by Khomeini, not surprising when ten out of twentyseven of its founders had been working at Khomeini's office and six others were among his representatives. Like Kargozarān, Roḥanion lacks the basic features of a political party. It has no organisation of its own, no distinctive ideology, and even no definite position with regard to many of the issues posed in the political fray. The final communiqué of its first congress (November 2003) expresses a deep concern over the hegemonic attitudes of the conservatives and emphasises the group's commitment to reform. Nevertheless, the position taken in respect of many of the controversial issues is mostly vague.¹²⁹ The viewpoints expressed by the group's members diverge widely, implying the lack of a coherent ideology that otherwise would have fostered collective and united positions towards the major issues posed in the political arena.¹³⁰ The group had a good link with the students' associations brokered notably by Mosavī Khocinihā, which was a great help to Roḥanion in political contests. Since 2002 however, this relationship seems to have weakened due to disillusionment, and the rise of secular tendencies among students. In the legislative elections of 2004, many of the group's candidates were disqualified. The others have failed to retain their seats, including Mahdī Karrūbi and Majīd Ansarī, two leading figures with pragmatic tendencies. The failure was blamed on the reformist allies' retreat from the fray. In fact, the group was not capable of winning battles on its own. The withdrawal of its younger allies has left Roḥanion with no means to fight.¹³¹

Jebhe Moshārekat Iran Islamī (JMII)

Despite its short history, the Islamic Iran Participation Front (*Jebhe Moshārekat Iran Islamī*) has proved remarkably competent in mobilising the people behind its programs. Only six months after it was established, the party

¹²⁸ Safirī, op. cit. p. 84

¹²⁹ See the final communiqué of the group's congress, *ISNA*, (Jan., 12, 2004).

¹³⁰ See the speeches delivered in and about the first congress of the group, *ISNA*, (Dec., 4-7, 2003).

¹³¹ Ebrahīmī, N., 'Unhā Sherkat Kardand' *Shargh*, (Feb., 17, 2004).

secured the majority of the local councils elected in February 1999.¹³² This was followed by a similar victory in the legislative elections held in February 2000 securing the upper hand in both the Majlis and cabinet.¹³³ The party is categorised as liberal democratic. Some Iranian analysts view it as a social democratic party in line with the modern left, apparently because of the leftist orientation of its founders.¹³⁴

The seeds of the party were planted in the ‘*Āyen Circle*’, a group of intellectuals who, during the period of 1994-95, were busy preparing to publish a new liberal-oriented journal. With the nomination of Khatami, the group’s leader, for the presidential elections in early 1997, the circle shifted into the headquarters of his campaign. With Khatami elected as president, the circle’s focus moved towards establishing a political party advocating the proposals that won him the presidency.¹³⁵ The party was established by a group of 110 of politicians, professionals and journalists. At this early stage, Sa‘eed Ḥajjārīān was said to have been the brain behind the party,¹³⁶ traces of his opinions are easily found throughout the its publications. For many Reformists, Ḥajjārīān is the principal theorist of the political reforms in today’s Iran.¹³⁷ Like many of the party leaders, Ḥajjārīān has been a member of Mojāhedīn Enghelāb . The two groups are so interlinked that their rivals deem Moshārekāt to be the public proxy of Mojāhedīn.¹³⁸

¹³² Abdo, Geneive, ‘Electoral Politics in Iran’, *Middle East Policy*, v. 6, no. (Jun., 4, 1999). www.mepc.org/public_asp/journal_vol6/9906_abdo.asp

¹³³ In the 2000 parliamentary elections, Moshārekāt won 80 seats, Roḥānion 60, Kargozarān 15, Hambastagī 30, the conservative faction 50 out of a total of 290 seats. Ibrahīmī, Z., ‘Jenāḥ-bandihāye Siāsi Majlis Sheshun’. *Hamshahrī* (Sep., 9, 2000). According to Na‘īmipour, the head of Moshārekāt parliamentary faction, his faction consists of 120 MPs among which 30 are committed members of the party. *Nourūz*, (Jun., 2, 2002) p. 7.

¹³⁴ Shadlo, op. cit., p. 127

¹³⁵ Jebhe Moshārekāt Iran Islāmī, *Bayānāt va Mavāze‘ ta Congerch Avval*, (Tehran 2001), p. 222.

¹³⁶ ‘Eslaḥāt dar Mosharekat’, *Hamshahrī*, (Aug., 22, 2002)

¹³⁷ Jalaipour, Ḥamīd, *Dawlat-e Penhān*, (Tehran 2000), p.205.

¹³⁸ Amīr Muḥebian, cited in: Jebhe Moshārekāt, op. cit., p. 194.

Moshārekat is thought to be the largest political group in respect of membership and regional presence.¹³⁹ Before it was shut down by the conservative-dominated judiciary in July 2002, the party's newspaper, *Nourooz*, was one of the top Iranian dailies in terms of circulation.¹⁴⁰

According to 'Alavītabār, an Iranian analyst, three trends could be identified within Moshārekat party:

- a) The traditional left with religious orientation originated in the Line of the Imām, which developed into a moderate advocate of broader public participation and controlled political contest.
- b) The centre left, oriented in the intellectual, religious reformist trend which supports a quasi-secular democracy.
- c) The professional politicians who hold pragmatic, liberal views and moderate religious attitudes.

'Alavītabār suggests the latter trend is more likely to determine the future direction of the party. If it happens, the party will develop into a professional political party, whose activity revolves around the contest for power.¹⁴¹

The party's proposals have so far proved to have a significant appeal to the new generation. Its main slogan 'Iran for all the Iranians' had a great influence on the segments of the society which felt alienated, notably the youth and women. Thus it is widely believed that the party has attracted to the political fray a segment of the population which hitherto was indifferent. An opinion poll carried out in January 2004 showed that despite the public dissatisfaction with the performance of the outgoing parliament, which was dominated by Moshārekat, the party was still the favourite party among the electorate.¹⁴²

¹³⁹ 'Kongereh Sevom Moshārekat dar Āstaneh Taḥavul', (Report on the 3rd annual conference of the party) *Iran*, (Jul., 22, 2002).

¹⁴⁰ *Hamshahrī*, (Jun., 27, 2002).

¹⁴¹ 'Alavītabār, 'Ali, 'Moshārekat va Mojāhedīn Enghelāb Dou Hasteh Aslī Dovom Khordād', *Nourooz*, (Jul., 11, 2002).

¹⁴² The official website of the Council for the Maintenance of the Constitution, (Jan., 18, 2004). www.irisn.com/akhbar/1382/13821029/13821029_irisn_00005.htm

Political reform represents the major preoccupation of Moshārekāt. It holds the idea that the new socio-political situation of the country and the world requires an extensive rethinking of political culture, structure and the standards by which the Islamic state functions.¹⁴³ It advocates liberal democracy as the only model of government capable of meeting the challenges of modern times. Thus it emphasises such notions as civil constitutional rights, the establishment of the public will as the essence of the regime's legitimacy, the sovereignty of law, transparency and accountability as the major objectives of the reformist movement.¹⁴⁴ For the party, the rise of the reformist trend embodies the shift of the revolutionary movement brought by the Islamic revolution towards rational, practical, peaceful and locally-developed forms of action. Muhammad Rezā Khatami, the party's leader argues that the course of democratisation has been hindered by idealist tendencies, populism and autocracy on the part of the conservative rulers, and on the other hand by the yearning on the part of the secular opposition for an intervention by foreign forces.¹⁴⁵

The fifth general conference of the party (2003) dedicated a good deal of its time to considering what the party members, indeed most of the democratic forces, take as a dead end reached by the reform movement. Nevertheless, in the final communiqué, the party reaffirmed its primary principle of peaceful struggle within the limits of the Constitution and the country's laws. This assertion was meant to highlight the line distinguishing the party from the groups which seek a wholesale change of the Islamic regime, as well as the friends of the party who see no way out under the current system.¹⁴⁶

The party views the extensive powers retained by the supreme leader in the absence of a systematic means of accountability as a major source for

¹⁴³ See the party agenda for the legislative elections of 2000 in: *Jebhe Moshārekāt*, op. cit., p. 229.

¹⁴⁴ *Jebhe Moshārekāt*, ibid., pp. 222-8.

¹⁴⁵ Khatamī, M. Rezā, 'Inauguratory speech of the party's fifth general congress'. (Oct., 16, 2003). Retrieved from <http://news.gooya.com/politics/archives/000487.php>.

¹⁴⁶ The final communiqué of the the party's fifth general congress. (Oct., 17, 2003). Retrieved on Jan., 8, 2004 from www.ardekan.com/msh_bayaniejebhe.htm

political irregularities.¹⁴⁷ Its four-year parliamentary experiment is characterised by serious endeavors to adjust the legal system and power relations to enhance public rights. The controversy between the Moshārekāt-dominated Majlis and the conservative-dominated Council for the Guardianship of the Constitution shows that the former was principally aiming to enhance the people's influence on the political process.¹⁴⁸ For Moshārekāt, the Constitution of the Islamic Republic has fundamental defects, yet this cannot be entirely blamed for the hesitant progress of reforms, as Rezā Khatami says:

The existing Constitution has serious shortcomings in such respects as the definition of the power relations and power distribution within the political system [...] Given that, we do not believe that the advance of reforms is contingent upon the change of the Constitution [...] We believe that the fundamental defect in the country is the lack of an absolute and impartial sovereignty of law [...] Even if our Constitution and other laws are perfectly democratic, given the current situation, there is absolutely no guarantee of having them implemented. Therefore the ultimate assignment of the reformist movement must be to establish the sovereignty of law.¹⁴⁹

The party is of the opinion that the course of democratisation can advance properly only with structural changes leading to the balance of power becoming in favour of the society and its democratic forces. The seventh general conference has seen a strong emphasis on the role of political parties and other civil society groups as the principal means of translating public opinion into political power.¹⁵⁰

The party identifies itself as the intellectual trend of religious reformation. It advocates a wide role for religion in both public and private life.¹⁵¹ However, it rejects the extension of the sanctity of religion to the state. It deals with the religious branch of the state, including wilāyat al-faqīh, the

¹⁴⁷ The final communiqué of the the party's fifth general congress, *ibid.*

¹⁴⁸ See for instance the list of the bills passed by the Majlis but rejected by the constitutional council published by *Nourūz*, (10, 11, 12, 13, and 20 June 2002). The list covers the first year of the sixth Majlis works.

¹⁴⁹ Khatamī, M. Rezā, Inauguratory speech of the party's fifth general congress.

¹⁵⁰ The final communiqué of the party's seventh general congress, *Emrooz*, (Aug., 4, 2004) www.emrooz.ws:81/ShowItem.aspx?ID=4980&p=1.

¹⁵¹ *Jebhe Moshārekāt*, op. cit., p 222.

Council for the Guardianship of the Constitution, and so on, on a legal or a political rather than a religious basis. In the same line, the party does not see religion as a part of the state's business and calls for the separation between the religious establishment and state institutions.¹⁵²

Although President Khatami is a member of the clerical assembly of Roḥanion Mobārez (MRM) rather than Moshārekāt, his campaign promises and intellectual publications make up the essence of the party's teachings.¹⁵³ Therefore, it is widely believed that he is actually the founding father of the party, a similar relationship to that of Kargozarān with Rafsanjānī.¹⁵⁴ Two points however, might be considered in this regard. First: as a large and country-wide organisation, the making of Moshārekāt's common views and positions is primarily a function of the organisation, rather than the persons of the leadership. This function was very clear in the seventh congress held in July 2004.¹⁵⁵ Second: the presence of a considerable number of intellectuals, professionals and politicians within the party's organisations enhances the value of collective opinion and reduces the influence of individual charisma in the process of decision-making. Among all of the political groups in the country, Moshārekāt seems to have the largest number of thinkers and professionals. On the other hand, many intellectuals who have been alienated during the last two decades were able to voice their ideas through the party-inspired publications.¹⁵⁶

Prior to the legislative elections of 2004, all of the party's candidates were disqualified by the Council for the Guardianship of the Constitution, forcing the party out of the contest. Previously, it was thought that the party was not going to win the same majority as it enjoyed in the sixth Majlis (2000-2004). In the second local election of 2003, the party endured a sweeping defeat in the

¹⁵² Khatamī, M. Rezā, Inauguratory speech of the party's seventh general congress, *ISNA*, (Jul., 23, 2004). www.isna.ir/news/NewsContent.asp?id=409466&lang=P

¹⁵³ Jebhe Moshārekāt, op. cit., p. 222.

¹⁵⁴ *Salām Iran*. (Dec. 7, 1998). www.salamiran.org/Media/IranNews/981207.html.

¹⁵⁵ Roh, M. J., 'Moze' Moshārekāt darbāreh Nānzadī Mosavī' (Report on the 7th congress of the party) *Shargh*, (Jul., 22, 2004). www.sharghnewspaper.com/830503/index.htm.

¹⁵⁶ Kiyān, 'Alirezā, 'Ustad wa Shagerdānesh', *Hamshahrī* (*Naurūz* special edition) (Mar., 20, 2003).

major cities at the hands of the new conservative Coalition of Ābādgarān. This setback was blamed on the party's failure to deliver on its promises at the local level, in addition to its engagement in fierce rivalries which frustrated its electorate.¹⁵⁷

Conclusion

Despite the emergence of political parties after the Islamic Revolution, their effectiveness became tangible only after the changing of the political environment in the 1990s. The Iranian parties, notwithstanding their many defects, have helped at least to hinder the evolution of totalitarianism which seems to have been pursued by both the left-wing in the 1980s and the conservatives in the 1990s. This shows that political groups are, even in difficult circumstances, crucial for maintaining pluralism, and, when the situation improves, they can be helpful in accelerating the course of democratisation.

This chapter shows that among the factions discussed, only two have the shape and machinery of a modern party, namely, Mo'talefeh and Moshāreckat. Three other groups, namely Roḥaniat, Roḥanion and Kargozarān are more like elitist clubs with no coherent organisation. The first two appear to be increasingly losing their power and political influence, probably due to the general decline in the hitherto exemplary status of the clergy.

Some analysts assumed that Iranian politics were characteristically fluid. I contend that such an assumption has to be taken very reservedly. As we have seen throughout the chapter, the composition of each of the two broad camps remained by and large stable. The change of positions and alliances resulted mostly from the sharpening of the lines which differentiate the factions from each other. In my opinion, the said changes resemble the overall evolution of the political system of the Islamic Republic. Since the rise of the Reformists in 1997, however, the line separating the modernists from their traditionalist rivals has become clearly demarcated as it never was before. This was aided by the accentuation of the different ideologies standing each of the two trends.

¹⁵⁷ Razavī, H., 'Saff-ārāy-e Tāzeh', *Hamshahrī*, (May, 12, 2003).
www.hamshahri.org/hamnews/1382/820222/world/intep.htm

Most of the assumptions about fluidity relate to the changing alliances during the running for general elections. It is a matter of fact that the majority of party politics in Iran revolves around elections. As Baktiari rightly noticed, the Majlis has been at the centre of elite factionalism and power rivalry, 'who controls the Majlis, and in what numbers, has become an important indicator of factional victory in revolutionary Iran'.¹⁵⁸ This chapter shows that four of the eight parties studied have been formed shortly before elections. The others have weakened after they lost elections. It is understood that power represents the pivot of party politics, and a party is defined as 'a team seeking to control the governing apparatus by gaining office in a duly constituted election'.¹⁵⁹ The problem with the Iranian parties, however, is seen in their exaggerated attachment to elections, and hence power, in the sense that, if there is no election, there is no activity, while for the course of democracy to mature, an effective opposition is as necessary as an effective government. This requires the political groups to remain active at all times and not only at the time of elections. This idea seems to have been finally understood as we see three groups, Mo'talefeh, Mojāhedīn and Moshārekāt, declaring plans to expand their organisations and focus on civil society, a typical propensity of an 'outside-government' party politics.

The rise of the coalition of Ābādgarān has attracted little analytical attention outside Iran as it was generally perceived to involve more of change of personnel rather than of ideology.¹⁶⁰ In this chapter I have tried to locate this development within the structural transformations of the society, which inevitably affect the conservative camp, as well as the other parties. For the conservatives, however, it signifies that domination within the camp has shifted from the traditional clergy and market traders to the middle-class technocrats. The change will probably ease the camp's rigidity, nevertheless its implications in the course of political reform are yet open to question.

¹⁵⁸ Baktiari, op. cit., p. 235.

¹⁵⁹ Schlesinger, J., op. cit., p. 374.

¹⁶⁰ See, for instance, M. Amin, 'Iran Politics Turns to Right?', *The Washington Times*, (May, 28, 2004). <http://washingtontimes.com/upi-breaking/20040528-035422-8502r.htm>

Conclusion

For some researchers, the rising trend of political reform in Iran signifies a reversal of the religious-political model which prevailed since the Islamic Revolution of 1979. The tendency by the Islamic Republic in recent years to come into line with the universal standards of politics and administration is explained by this group of researchers as an evidence of the failure of religion to meet the demands of a changing world. There is nothing novel in this assumption since it affirms a common theme in the study of development suggesting that the religion will inescapably give up to the compelling realities produced through the process of modernisation.

While appreciating the above argument, this study seeks to develop a different hypothesis on the possibility of formulating a model of relationship between religion and modern politics capable of fostering a viable democracy. The thesis puts forward two major arguments: the first concerns the adaptability of religious principles, particularly those which concern public affairs, to modern demands. The second emphasises the crucial role of religion in bringing about a consensual and participatory political system. The two arguments have been advanced through a threefold scheme of analysis including a historical analysis of the evolution of the Shī'ī political worldview, an analysis of the present debate over the correspondence between Islam and modernity in Iran, and an empirical assessment of the achievements and failures which were made through the ongoing experience of the Islamic Republic.

Adaptability

Throughout the long history of Shī'a, the changing realities of the community's life have been mirrored by a reciprocal change in their religious worldview. The latter change took the form of a continuous reinterpretation of the basic principles of religion, signifying its disposition to free itself from the contextually conditioned relations and interpretations. The adaptive character of the religion is explained on four bases:

First: there is a relatively clear distinction between two scopes of religiosity, the scope of worship, or the pure relation between man and God (*i'badāt*), and the scope of mutual relations between the people (*mu'amalat*). In the latter scope, religion offers mainly general principles most of which are in line with common rationality. Thus it leaves a wider room for reasoning with reference to the society's collective rationality and changing needs.

Second: the absence of a formal religious establishment, hence a single authority to interpret and enact the religious rules, allows the religious scholar to review his peers' interpretations in the light of the new demands and realities of life.

Third: the production of ideas by the religious scholars and thinkers is highly influenced by their relations with the intellectual and social trends outside the religious realm. Thus we can find among the religious trends groups leaning towards socialism or liberalism, nationalism or internationalism, traditionalism or modernity, authoritarianism or democracy, and so on. All these groups ground their claims on a religious basis. Nevertheless, they can be properly understood only by locating them within the broader variety of ideologies and trends on the global level.

Fourth: the above process highlights also an inherent tendency among the religious leaders to ensure religion's responsiveness to the varying concerns of the community. This tendency is meant to preserve the basic threads which tie the believers to their basic beliefs. Therefore the religious leaders tend not to be too rigid about the change of attitudes and lifestyles as long as they stop short of damaging the bedrocks of the religious association.

From the historical experience of the Shī'ī community, we learn that the evolution of its political worldview has been profoundly influenced by the degree of its political engagement. Thus, I have argued that the more religion engages in the political process the more it evolves. The direction of the evolution is determined by factors outside the religious realm. An accurate judgment of the capacity of religion to adapt to the modern patterns of politics and socialisation

has to consider the sociological dimension, i.e. the compelling imperatives of the society at question.

The Role of the Religion

This study appreciates the argument that religious traditions are inherently unhelpful for the process of democratisation. Nevertheless it does not view secularisation as a viable answer to the problem. The major reservation on the public role of religion is related to its emotional effect which hinders the individual from grounding his intentions and actions on a rational basis. It is also argued that the organic relationships within the community of believers downgrades individuality and lures individual to accept a status of subject rather than an equal citizen. As a result, a religious-based power will likely justify a kind of dictatorship in the guise of a virtuous authority.

While this thesis is not aiming to refute these assumptions, it tries to expand the scope of investigation, hence probabilities, by redefining the core of the religion-politics problem on the one hand, and assessing the function of the religion from a sociological point of view on the other hand.

Religion-State Antipathy: The study has argued that the religion-democracy aversion is an offshoot of an historical antipathy between Shī'ism and state. The said antipathy, which ensued from the hostility of the state, has been a residual element in the Shī'ī system of thought. After the rise of Pahlavi regime in the early twentieth century, this antipathy was reaffirmed by the tendency of the Iranian state to secularise the society through the course of modernisation. The strategy of removing religion from the public sphere was reacted against by the religious community alienating themselves from the political process and denying the legitimacy of the state and its eligibility to represent them. In this light, I argue that democratisation in Iran has not been hindered by the individual giving up his individuality or the community surrendering its choices to the religious leaders. It was rather that a secular state could not win the hearts and minds of the people as the state of their own.

Accordingly, the reconciliation between the religion and democracy had to be preceded with a reconciliation between Shī'ism and the state in order to bring about a sense of consensus among the people themselves on the kind of political system which meets their ideals and wants. Such a consensus is crucial to revitalise the public willingness to come out of their cognitive confinements, i.e. the traditions of self-alienation, and take part in the process of change. If the course of democratisation is destined to advance vigorously, it has to expand on a renewed willingness on the part of the population to prefer democracy over all the other alternatives. Given that religion remains an agent of social solidarity and its long-established contribution to the national identity of Iran, the stipulation of secularism for democracy, particularly in the sense common in the Western world, is hardly helpful to the course of democratisation in Iran. Basically because it hinders the evolution of a new political culture in the society capable of fostering an active participation in the political affairs.

Religion and Democracy: Whether religion functions in favor of democracy or otherwise depends on factors outside the religious realm. In the modern history of Iran, the change of lifestyle, roles, and institutions have instigated a parallel transformation in the culture including the religious worldview. In this light, we have noticed for example that the wide popular participation in the revolution of 1979 served to affirm the role of the people both as a source of authority and a force of political reform. This is significant particularly because the hitherto-established religious doctrine of authority does not ground authority in the popular will nor does it sanction the people's preferences. Since the revolution, religious doctrine of authority has undergone profound and constant revisions aiming to get it in tune with the compelling requirements of the modern state. These modifications have been undoubtedly the fruit of the structural transformations and particularly its reflections on the tendencies and ideals of the Iranian society.

The Process of Reconciliation

The reconciliation between the religion and democracy involves modifications in the religious worldview as well as some of the principles of democracy. This is seen essential to facilitate a model of governance which concurrently honors the major principles of democracy and the ideals of the society. This is rather a complex process. The current debates over the issue in Iran show that, although a promising advance is being made, a complete harmony between the two is contingent upon resolving a considerable number of issues none of which is negligible or easy to skirt around. Questions like the source of sovereignty, the state's role in regard of the religion, constitutional rights, and so forth are all novel to the religious thought. Some important answers have been given. Thanks to Ayatollah Khomeini who crossed the first but most critical mile on that long road, nevertheless, more theoretical work needs to be done before the new notions get established within the religious school of thought. Interestingly, the challenge of modernity has brought a renewed tendency within the religious scholarly circles to question many of the assumptions that were hitherto taken for granted. It has also boosted the interest in philosophy, sociology, economics, and other disciplines related to political theorisation, which remained by and large at the margin of the scholarly interest until recently.

The course of reconciliation between Shi'ism and democracy in post-revolutionary Iran can be divided into two phases. The first phase was carried out aftermath the Islamic revolution and aimed to integrate the religion into state institutions. In this phase, the state was endowed with religious value providing the possibility of modifying the religious rules in relation to the state's imperatives. The second phase, which is still carrying on, is being undertaken by a reforming trend seeking to bring about a democratic political system on a religious platform. Its aim thus is to reconcile the religious state with democracy through a broader modification of the religious framework.

The first phase was led by religious leaders with traditional-revivalist background. The second phase is driven by modernist intellectuals and activists

and advanced by the civil activities of the middle class and young generations. The reformist trend was instigated by the failure of the revolutionary paradigm to cope with the changing conditions on both the local and international levels. On the local level, the study has highlighted the social transformations which were brought up by the revolution and the war with Iraq, especially the emergence of a new generation unsatisfied with the post-revolutionary's ideology of government. On the international level, the major source of influence has been the collapse of the Soviet Union in 1991 which profoundly discredited the totalitarian and centralised political systems.

The rise of the new paradigm took the form of a spontaneous, cross sectional movement aiming to put into effect a political agenda which involves a broad deviation from the hitherto established principles of ruling, religiosity, and socialisation. The reformist's advent to power in 1997 was labeled by some researchers as the second republic or second revolution.

After eight years in political power, the reformists cannot claim a complete success in conquering the traditional-authoritarian strongholds within the state. The long list of failed attempts to push ahead the course of democratisation brought many analysts to believe that the reformist project had no chance of continuing. Among the reformists themselves, some figures and groups started to propagate a different paradigm involving substantial changes to the Constitution of the Islamic Republic. For example, Akbar Ganjī, who has been in jail since 2000, published in 2002 his *Manifesto for Republicanism*, calling for a complete separation between religion and state. A similar call was supported by one of the major student associations.

Despite the uncertain progress of the course of democratisation, the reformist paradigm seems to have achieved a fair proportion of its objectives. In this regard, I would like to draw a clear line between the evolution of the paradigm itself and the success, in the political sense, of the reformist faction. This differentiation is necessary because the latter is usually assessed according to its assumption of political power. By comparison, the advance of the paradigm must be assessed through its

various effects on the function of the society at large. Thus we deal with three distinct aspects:

- A- The success or failure of the reformist faction to translate the paradigmatic advance into political strength.
- B- The effects of the new paradigm on the functioning of the state.
- C- The effects of the new paradigm on the functioning of the society.

The success at the first level is obviously limited compared with the achievements at the institutional and structural levels. On the other hand, we know that the reformist faction does not seek to replace the existing political system. Thus, its pursuit of democratisation has to be understood as one of reform, not one of replacement. This choice is fairly justifiable from the view that the existing regime does not blindly reject democracy nor does it lack the institutions of a democratic system. The Constitution of the Islamic Republic and many of the conventions which have become established throughout the last twenty five years bear many of the features of other democratic systems. The reform mission thus seeks to redefine the principles, roles and institutions within the political system so as to empower the people to choose and set the preferences of their government. In other words, it is a mission to change the position of the state from being a government above the people to a government of the people.¹

For the particular purpose of this study, I would like to put a special emphasis on the main characteristic of the reformist paradigm, i.e. its being a religious discourse embracing liberal democracy and producing a range of theoretical formulations seeking to break some of the major deadlocks in the religion-modernity debate. Questions like the religious character of the state, the source of sovereignty, the role of the people, and so forth have been addressed

¹ Khatami, M., *Tavse'ah Siāsi*, p. 88.

from an authentic religious platform but in a close correspondence with their counterparts in the liberal thought.

The two phases through which the political thought in Shī'ism has been developing show that the prospect of a religious-based democracy is both realistic and achievable. Such a model provides a practical solution to the impasse of democratisation in many other Muslim societies.

The Way Ahead

Considering both the positive and negative developments, Iran appears in 2005 closer to democracy than it was in the 1970s. The last decade in particular saw a tangible progress in this respect permitting to argue that the course of democratisation, despite all the hurdles, is becoming day after day the compelling among all other choices. There are nevertheless much works to be done before the Islamic regime can stand along the democratic systems. Democracy is not a project to enforce by law nor is it an overnight change of policies or staff. It is rather a long process which often involves difficulties and setbacks. The process of democratisation in Iran is promising because the foundation stones are already in place. The study has shown that many of the previously-assumed impediments to democracy were already addressed theoretically or practically, including the role of the people, the relevance of modernity to religion. It also highlighted the evolution on the cultural and structural levels as well as the gradual upturn of institutionalisation. The shift from the revolutionary-traditional paradigm to the reformist one was an embodiment of the society's awareness of its role. Since then, this role became even more effective and compelling in a way that no political faction could trade on the public ignorance or indifference any more.

Despite the claimed progress, there remain many questions pertained to the Constitution, culture, elite structure, and other institutions that have to be addressed theoretically as well as institutionally. Here are some of these questions.

1- The Sovereignty of God

The religious perspective of the political participation is considered in relation to the principle of the sovereignty of God over the universe and man. In contrast, democracy is grounded on the idea that sovereignty is naturally oriented in the society. The question of sovereignty is crucial because almost all the institutions within the political system function with reference to the particular definition of sovereignty upon which the system is grounded.

Among the contemporary Muslim leaders, the legislative application of the idea was emphasized by the Indian scholar Abu'l-A'lā al-Mawdūdī vis-a-vis the idea of legislation by man which was advocated by the secular elite after the formation of the state of Pakistan. Sayyid Qutb, the Egyptian theorist took the idea beyond that certain limit and asserted that the sovereignty of God ought to reflect on every aspect of life, and on the government actions in particular. Although the earlier views of Khomeini are similar to Qutb's, at least in the outset,² his later views and practice lean towards investing the sovereignty in the society. In October, 11, 1981, he ruled that a two-thirds majority of the Majlis's deputies could override the views of the Constitutional Council regarding the compatibility of the parliamentary bills with the religious principles.³ He also ruled in 1987 that the government could refer to pure rational justifications to formulate and enforce the executive policies regardless the differing views of the ulamā. This principle was eventually furnished by the Constitution and institutionalized through the newly-formed Expediency Council.

The idea of linking the state policies to the common interest on the one hand and to the public consent on the other started to attract a widening attention among the religious scholars. Nevertheless it is not yet established on undisputable theoretical grounds. Thereby, it is likely to be open for differing interpretations especially with regard to the powers of the faqīh in comparison with those of the directly-elected institutions. The current debate has not yet tackled the core question of sovereignty, that is the recognition of the will of the

² Euben, Roxanne, *Enemy in the Mirror*, (Princeton, 1999), p. 118

³ Khomeini, *Ṣaḥīfah Nūr*, vol. 15, p. 142.

people as the ultimate and unfettered reference for decision-making in the public sphere.

The question of sovereignty can be sorted out only if the political role of religion, and consequently the function of the state in this respect are redefined. It seems that a good deal of the problem emanates from the perception that state functions as a guardian and propagator of religion. Due to the notion of free choice is not deeply seated in the Iranian social system, religious propagation does not take the form of cultural exchange between the various views. It rather unfolds through imposing the particular ideology and lifestyle of the hegemonic group over the whole nation which inescapably infringes their rights as free and equal citizens.

2-The role of the *ulamā*

The clerical hegemony represents an impediment to the evolution of democracy in the Islamic Republic. It involves a kind of discrimination against the majority, it substitutes merit with status, and bestows infallibility and holiness upon the rulers which in turn hinders them being held to account or their authority contested. In comparison, democracy is basically about restricting the powers of ruler and enabling the public or their representatives to scrutinize his work. As maintained by Lord Acton, "The danger is not that a particular class is unfit to govern. [...] Power tends to corrupt, and absolute power corrupts absolutely".

The clerical domination was brought about by a certain chain of events more than a pre-determined policy, however it has been substantially aided by a large body of literature claiming the superiority of the *ulamā*, in addition to the natural disposition to power in every group. The emphasis of the clerical hegemony reached a point where Ayatollah Beheshti, a notable revolutionary leader, asserted once that the *ulamā* "will continuously and determinately

supervise the political process. All the executives must accept this supervision or surrender their positions to those who accept”.⁴

The role of the clergy is deeply seated in the social culture where the adherence to religion symbolizes the highest personal credential. In the early phase of the revolution, people seem to have trusted the religious leaders as humble and graceful persons regardless their capability to deliver on their promises. In the traditional societies, and especially during the revolutionary periods, persons rather than ideas evolve to the focus of public attention. Since the mid-1980s, the clerical role took a downturn; the clerical representation in the parliament has dropped from 45.4 percent in the first two terms (1980-1988) to 28.7 and 25 percent in the third and fourth terms.⁵ In the last elections (2004), clergy won 41 seats, or 18 percent of the total. A field research by Rafi'pour found that although the belief in religion, in the broader sense, was still strong among the general people, it was no longer associated with a similar trust in the *ulamā* or interest in the lifestyle they propagate.⁶ In comparison, the 1990s saw the religious intellectuals emerging as an influential group especially among the youths. According to an official survey in 2004, the religious speeches given on the state TV by lay thinkers attracted more watchers than the ones given by clergy members.⁷

The decline of the clerical popularity will certainly affect their political role. However, a major shift in this regard is not likely to occur soon unless the notions of equal opportunities and accountability are firmly institutionalised. Democratisation requires primarily that roles be linked to merit rather than status, and privileges be offset by accountability and responsibility.

⁴ Cited in Haidarī, “Hizb-e Jumhūrī Islāmī”, *Iran*, Jun., 24, 2002

⁵ Sarjouei, M., & Sadatian, J., *Entekhabāt-e Majlis Panjum dar Āyench Maṭbo'āt*, (Tehran 1999), p. 124

⁶ Rafi'pour, *Tawse'ah va Tazādd*, p. 318

⁷ *Baztab*, May, 1, 2004

3- Equality

In a democratic system all individuals are potentially equal. It is understood that people are usually different in various respects with the effect that some of them get more opportunities than the others. Nevertheless, the law must ensure potential equality and help the less advantaged to overcome their inferiority and achieve the same conditions enjoyed by the average citizens. In the case of Iran, the law restricts the right to assume the highest office in the state not only to the Shī'ī citizens who make the sweeping majority of the population, but to the male ulamā which make just a small fraction of the society. In a recent ruling by the Constitutional Council, women were denied the right to contest for the presidency, although the Constitution does not plainly define the gender of the president. The Constitution opts for equal citizen-based rights for all the Iranians, but it has also some elements which directly conflict this principle. These elements are affirmed by the lack of democratic traditions in the society. The treatment of women and ethnic minorities provide clear evidence on the implications of such discriminatory traditions:

The Rights of Women: Initially, the traditional jurisprudence denies woman eligibility to hold public authority, or the so-called *wilāyah*. One of the interesting things about the Islamic Republic is that, although its leaders promote a kind of sexist society, their strategy of 'Islamising' the universities has unleashed a fresh desire among the rural families to allow their girls to move away from their villages to join the city-based universities. The number of female students has tripled during the 1990s, a development that deeply enhanced the feminist movement and undermined the traditional pattern of socialisation.⁸ In 2003, the debate over woman rights reached climax by the predominantly-reformist Majlis ratifying the United Nations' Convention on the Elimination of all forms of Discrimination against Women (CEDAW). The fierce argumentation by both factions provided an opportunity to reveal the division within the religious seminaries over such a sensitive issue. As expected, the majority of conservative clergy and politicians stood against the Convention

⁸ Sachs, S., "In Iran, More Women Leaving Nest for University" *New York Times*, Jul.,22, 2000

while it was supported by the reformist ones.⁹ The ratification bill was blocked by the Constitutional Council. Nevertheless the debate continued to attract more participants. Ayatollah Šāne‘ī, an exemplar with reformist inclinations made a breakthrough by ruling that woman was eligible to assume all the public offices that were available for man. He also ruled that woman and man were equal in blood money (*Diyah*). In his view, the distinction between man and woman in this respect was not indefinite, it was made to meet the particular economic conditions of the early Islamic period and.¹⁰

The debate on woman rights shows promising signals due mainly to the robust activities by the feminist movement. In 2004, Zainab Association, the main conservative women organization joined the campaign for the woman eligibility to assume presidency implying a major shift within the conservative trend.¹¹ Karroubi, the former Majlis speaker,¹² and Zibakalam, a university professor,¹³ are of the idea that the reservations in this regard are oriented in the sexist character of the religious seminaries rather than religious principles in the strict sense. Both the two are adamant that the society shows increasing tendency to recognize equal rights for woman and sooner or later Iranian women will obtain full rights.

The Rights of Minorities : The handling of the ethnic diversity represents one of the intrinsic deficits in the Iranian political system. The Islamic Republic bears a responsibility to do away with this defect, not only to meet the criteria of modern state but also to honor its own commitment as a religious system. Iran’s drive to democracy depends to a large extent on its readiness to ensure equal rights for all citizens regardless their communal belongings. The minorities should be given extra attention in order to help them catching up with the average national lifestyle, growth, and participation in the public affairs.

⁹ For some details on the different positions in this regard, see *Emrooz*, www.emrooz.org/women/Archive%20Women.htm

¹⁰ Ayatollah Šāne‘ī webpage: www.saanci.org/fa/page.php?pg=women

¹¹ *Iran*, Feb., 5, 2005

¹² *ISNA*, Oct., 29, 2004

¹³ *Shargh*, Oct., 24, 2004

Iran is a multi-ethnic society. Persians represent the majority with nearly 50%. The other half includes around twelve ethnic groups. Turkish Azeris are the largest minority group with nearly 35 percent of the total, followed by the Kurd with 10%, Arab 5%, Turkmen and Baluchis with 2.5% each¹⁴. In respect of religion, Sunni Muslims represent the largest minority with around 10%, Zoroastrian, Jewish, Christians, and Bahā'īs make together nearly 1%. The question of ethnic rights came to the fore first during the Constitutional Revolution as a reflection to the Azeri's significant contribution to that event. The demands of ethnic minorities were recognized by the 1906 Constitution which adopted the system of regional governments as a means to distribute the powers from the central government onto the regional ones. In reality, the law of local government has never been implemented and the successive governments could not restrict its tendency to centralize. Aftermath the 1979 revolution, the Western regions witnessed insurgencies among the Arabs and Kurds. There were also signals of discontent among the Azeris and Baluchis, all of which were crushed immediately. The ethnic issue does not represent an eminent threat to the national security. Nevertheless, there is no insurance on the long-term; the situation may change in the future especially with recent revival of the ethnic identities in the Middle East and Central Asia.

The rights of the ethnic and religious minorities were recognized by the Constitution of the Islamic Republic through the articles 15, 19, and 48. Yet, the current situation of the minorities is far from satisfactory. Except for the Azeris, the others are generally underrepresented in the state system, their regions are underdeveloped, and the right to freely express the peculiarities related to their identities is largely restricted or oversight. Undoubtedly, this is a symptom of a common deficit in the region. In Iran, like all other Middle Eastern countries, the concept of multi-cultural society as well as the state belonging to the whole nation is not deeply-seated in the political culture and state structure. The minorities are viewed as 'others' to the majority and their presence is dealt with

¹⁴ Banī-Taraf, Yousif A., *Qawmiyat-hā va Tuvse'ah dar Iran*, (research paper, 2003). Retrieved on Jan, 20, 2005 from:
www.ahwazstudies.org/Nationalq/nationalities%20and%20development.htm

as a problem or a possible source of problems rather than an opportunity to enriching the cultural diversity of the nation. To this extent, the secular governments of Turkey, Iraq, and Syria do not differ from the religious Iran or traditional Saudi Arabia. In all these cases, the national government is exclusively attributed to the majority and all 'the others' are treated as 'different' or second-class citizens.

In addition, there appears a correlation between the life standard of the minorities and the distance of their regions from the country centres. Statistically, the less advantaged minorities in Iran are the Kurds, the Arabs, and Baluchis, all of whom live in peripheral areas. This location involves two damaging implications; on the one hand, the Middle Eastern state is highly centralised and urban-based in the sense that national affairs as well as the allocation of resources are conducted from the centre and by the centre-based elite. On the other hand, and due particularly to the inherent sense of insecurity among the ruling elites, the inhabitants of frontiers are usually seen as a possible conduit of the outside problems, especially when it occurs among their fellows on the other side of the boarder. In the case of Iran, the state's treatment of the Kurds is highly reflected upon by the insurgency of their fellow Kurds in Turkey and Iraq. The same can be said about the Sunni minority in the east and southeast after the rise of Taliban in Afghanistan, and the Arabs during the war with Iraq.

The rise of the Islamic Republic has brought up a sense of optimism based on the presupposition that an Islamic state would likely call off the discrimination which was common under the previous regime. This supposition was not realistic for it disregarded the structural impediments whose removal required more than the rhetoric or even the constitutional acknowledgment of the minorities rights.¹⁵

For Banī-ṭaraf, an Arab writer and activist from Khouzistān, culture is the main area of discrimination. He argues that the state's disregard of the minorities' cultures has resulted in them failing to make use of the available

¹⁵ Mahdi Karroubi, the former Majlis speaker, cited in *ISNA*, Jan., 2, 2005

resources, in such fields as education and economic development. In the Arab regions for instance, 33% of the pupils in the primary schools quit before finishing the term. The figure reaches 50% in the middle schools and 60-70% in the high schools. In 2003, the Arab university students made 1,5 of every one thousand students nationwide. This figure is by no means comparable to the astonishing ones of the Baluchi community which counts only 5 in 10,000.¹⁶

The demands of the minorities were substantially aided by the reformists' rise, especially with their assertion of the principle of 'Iran for all the Iranians'. Both the Arab and Kurds were represented in the cabinet of President Khatami. The role of the minorities, their concerns, and share of national development was first addressed in a comprehensive and explicit fashion through the Fourth Five-Year Development Plan (2005-2009). In the theorizing process for the plan, the issue of 'ethnicity and development' was put up as one of the eighteen grounding principles for the long-term development. Representatives of the major minorities participated in the Conference of Country's Theorists and Researchers which was held in 2002 by the state's Planning Organisation to discuss the major goals that the plan is set to achieve. During the three-day conference, five papers were dedicated to the rights and demands of the minorities.

Recent political advance of the Iraqi Kurds seems to have had profound impacts on their fellow Iranians. In a recent development, a meeting held by 100 Kurd activists spelled out a set of high-flying demands. The meeting which was organized by the reformist faction has urged the Kurdish community to use their voting power in the presidential elections of 2005 to impose their demands. In a speech before the meeting, Abdullah Ramadhān-Zadeh, a Kurdish activist and the cabinet's spokesman, put this argument;

Kurds have around three million votes to cast in the coming presidential election which can make a big difference. We should not give our votes for free... We can exchange them with certain demands including an appropriate share in the public administration. Sunni community in particular has to be fairly represented in the cabinet, in the embassies, and regional governments. Incomes in the Kurdish regions are the lowest

¹⁶ Banī-Taraf, op. cit.

nationally. The presidential candidates have to pledge extra allocations to address this deprivation.¹⁷

A similar initiative was taken by the leaders of the Balushi community who held a meeting in Tehran and made extensive attempts to lobby the presidential candidates. In brief, the structural change within Iran and the parallel change of the political weigh of the ethnic groups in the countries surrounding Iran have both contributed to the revival of the ethnic identities in the country. These developments will inevitably undermine the centre-periphery relations, and the established domination of one culture. The Islamic Republic will have to redefine its conception of the state-society relations so to get rid of the type of majority-minority relations that have prevailed for a very long time. This is not only necessary to boost the process of democratisation, but also to maintain the religious credentials of the regime. It is absolutely unthinkable that the claim of religious character runs side by side with discrimination. To deal with this problem, Iran needs more than the rhetoric or even the constitutional acknowledgment of the grievances and rights of the minorities. The problem is so deeply-seated in the social and political structure. It can be cured only through a comprehensive and far reaching strategy aiming to enable the minorities to catch up with the national average of development and participation. Such an objective can be achieved only through recognizing the identities and cultures of the minorities and ensuring an appropriate involvement in the state administration, the allocation of economic and other resources, and helping them to have a sounding voice in the national politics.

The Islamic Republic has a good potential to evolve into a democratic political system. Nevertheless, there is much work to be done to arrive at that point. Firstly, it has to put up democracy as its ultimate choice. Secondly, it has to redefine the grounding principles and institutions of its political system so to come in line with the democratic patterns of government and socialisation. Thirdly, it has to make extra efforts to deal with the components of

¹⁷ *Shargh*, Jan., 31, 2005

authoritarianism, discrimination, and suppression which are inherent in the social and political structure.

In the Islamic Republic, Islam is at stake. A vigorous push towards democracy will put an end to the contention over the capacity of religion to foster modernity. In contrast, the reluctance, on whatever justification, will damage not only the credibility of the religious establishment, but the credibility of the religion itself. Modernisation and democratisation are long and continuous processes. A complete transformation of a traditional society requires time and enormous efforts. Nevertheless, it would be much easier with the existence of a model of transformation with a strong appeal to the public and viable capacity for producing solutions to the unforeseen problems.

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