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OF MULLAHS AND MEN: SURVIVAL PROSPECTS FOR THE ISLAMIC REPUBLIC OF IRAN

by,
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AN ABSTRACT OF THE THESIS OF

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The Islamic Revolution of 1979 established an Islamic Republic with republican and theocratic characteristics. Ayatollah Khomeini and the Shi'a clergy founded the new state based on the ideology of *velayat-e faqih*, or the guardianship of the jurist. The Shi'a clergy in Iran developed this idea over time, progressively increasing their role in society from political quiescence to the current system which sees the principle reins of power in their hands. They were aided in claiming an expanded role through Iran's historical transformations in the 20th century which saw massive social upheaval and political change prior to 1979.

I claim that the current manifestation of *velayat-e faqih* that is practiced in the Islamic Republic suffers from a crisis of legitimacy, based on its own determinants and qualifications. The political leadership in Iran has thus far proved unable to overcome the factional differences that, while extant in any political structure, are particularly debilitating in Iran and contribute to the system's illegitimacy. Political expediency and the difficulty in reproducing the kind of leadership that only Ayatollah Khomeini could provide – but which is now critical for the system to operate – both augment the difficulties the system faces in routinizing itself and its exercise of power. I argue that these institutional obstacles in the Islamic Republic, in its current form, make its long-term survival prospects bleak.

CONTENTS

To my parents,
whose love and support I appreciate more than I will ever be able to adequately express,
and to whose example I can only hope to aspire

And to Muhammad,
for whom I will always be waiting

CHAPTER I

INTRODUCTION

A. Objectives

This thesis will assess the viability of the Iranian system of government, determine its characteristics and the forces that shaped it, and make a reasoned judgment about its sustainability. Excluding external factors such as forced regime change, this study addresses the dynamics of the Iranian state structure with particular emphasis on the locus of power and the legitimization of its existence. The Islamic Republic's ideology and methods of control are explored, with specific focus on the sustainability of the system in the face of principally domestic questions of reform and democratization. This thesis will examine the unique characteristics of the Iranian state, explain the way in which it developed, and explore institutional factors affecting its ability to perpetuate itself.

B. Significance

There are two principle reasons this study is significant. First, given the nature of international affairs in general and the situation in the Middle East in particular, analyzing Iran's long-term circumstances becomes a necessity. While this study will not focus on Iran's foreign policy, the magnitude of its role in the region and its importance to the regional system require study of its internal structure and the dynamics of the forces that determine its actions.

Secondly, this study is significant because it seeks to determine whether Iran's political experiment has legs. Iran's 1979 Revolution overthrew a brutal authoritarian monarchy that sought to bring Iran into the modern world and westernize, and replaced it with a brutal Islamic authoritarian republic ruled by clergy that shun the West and the foundational principle of which rests on the prophesized return of an Imam who disappeared over a thousand years ago. I am not claiming that one government is more legitimate than the other, rather I am pointing out that Iran went quite dramatically from one end of the ideological spectrum to the other, while managing to remain authoritarian. The Islamic Revolution of 1979 brought into being a system of government with no direct precedent in human history. Iran is governing itself in a unique fashion, and because of this, its continued existence in the modern world demands an analysis of its survival prospects and its strengths and weaknesses.

C. Research Question

This study will address the question, 'What are the long-term survival prospects for the Islamic Republic?' I will claim that Iran's long-term prospects for survival are bleak. The principle component of the argument will be based upon an analysis of Iran's state structure, which will illustrate that the system has thus far been unable to successfully legitimize or routinize itself and its exercise of power. The thesis will explain upon what principles the state is based, how the state operationalized those principles, how the system works in reality, and how the system developed in the first place.

D. Literature Review

In order to successfully accomplish this study, I decided to focus my research first on the contemporary history of Iran in order to determine the forces that yielded the current system. Afterwards, my research was focused on the performance of the system since the 1979 Revolution and the political forces that now exist in Iran and the dynamics of the system. This required research into the ideological background of the current state, specifically into the principles of *velayat-e faqih*, or the guardianship of the jurist. Thankfully, literature on the Islamic Republic and the 1979 Revolution in English is vast, but in choosing pieces for research I exercised caution. Many of the most prolific writers are Iranians who left before or during the Revolution, and sometimes their emotional attachment to the events betrays their objectivity. This reality made selecting pieces for background research difficult, in that many of the primary documents translated from Persian are used by those authors. Thankfully, there existed enough relatively objective research done on the topic that I was able to satisfy my requirements without eliminating too many sources. Granted, my inability to read Persian certainly limited my ability to use primary documents. While the constitution itself was easy to find in English in its original form, I depended on secondary sources for the lion's share of the research.

1. Transformation of Iran

That Iran underwent dramatic changes in the 20th century is a given. Literature on the topic varies, however, in where authors place the impetus for that change. In analyzing the causes behind the 1979 Revolution, Masoud Kamali lays particular emphasis on what he terms 'Islamic civil society,' which differs from the traditional, western model of civil society in that the former is not comprised of individuals, associations, and groups, but of communities and institutions.[1] Specifically, he refers to the *ulama*[2] and the bazaar in this context, and credits their relationship and evolution as institutions as playing a major role in the 1979 Revolution. Kamali at length describes the ideological evolution of the *ulama* from political quietism to activism through events, beginning with the clergy's introduction into society with the Safavids, through their first steps into political activism in the Constitutional Revolution, culminating in their assumption of power through Ayatollah Khomeini and *velayat-e faqih*. Kamali also bemoans the lack of sociological analysis of the 1979 Revolution and what he sees as the over-dependence on economic and political analytical frameworks. Kamali asserts that the transformations were a result of the interplay between this Islamic civil society and the state, and that the empowerment of the *ulama* and their ascendancy in the country coincided with and was abetted by the creation of the dispossessed, the *mostazifin*. The Shah's failed attempt at modernization contributed to his own demise, a point also made by Ervand Abrahamian.

[1] Kamali, 11

[2] Shi'a clergy

While Abrahamian also emphasizes the role of the *ulama*, especially its transformation from quietist traditionalism to revolutionary fundamentalism, he places less emphasis on civil society as the motivating force in contemporary Iranian history. For Abrahamian, the transformation of the country was driven by the growth of the state from the weak and ineffectual Qajars to the Islamic Republic's expansive and powerful bureaucracy and structure.[3] Abrahamian argues that the state's role in either ignoring the people it ruled or in trying to modernize them placed enormous pressure on society, which manifested itself in mass movements. With the growth of the state, the societal forces that it sought to dominate have come to also play a role in determining the state's actions, largely through the revolutions. M. Reza Ghods does not engage in an attempt to construct a new theoretical framework for understanding Iranian development, but instead points out the various political and ideological trends that shaped the country, while also emphasizing the role of the individual in shaping events. Ghods adds that Iran maintains a "religious, patrimonial culture" that dominates the socio-political realms and lends itself to the existence of autocratic governments at the expense of liberal movements and ideas.[4]

Mark Downes uses a unique interpretation of revolutionary theory as his analytical framework in studying Iran. Downes argues that a Revolution is not a singular event that occurs and is over in a set amount of time, but a process that goes through stages.[5] Downes uses the theory of binary opposition to explain revolution and applies a formula to measure

[3] Abrahamian, 6,7

[4] Ghods, 230

[5] Downes, 45

the relationship between the two forces, in this case the Iranian state and the Iranian people. In analyzing the 1979 Revolution in this manner, Downes argues that Iran is continuing a revolutionary process, that the *ulama* essentially moved in as an elite group and used the mass movement behind the revolution to merely install themselves in as a sort of oligarchical ruling class replacing the autocracy of the Shah. In this case, the process whereby the Iranian state is reconstituted in terms of binary opposition and power in the country is shifted towards the people, towards popular sovereignty, is still ongoing. This view contrasts with the majority of the other literature on the subject that tends to perceive the 1979 Revolution as an event that occurred and ended, but had lasting repercussions on Iranian society resulting in the political situation that exists today. Downes argues that the current political situation is another phase in Iran's revolutionary progression, which will not be complete until the initial motivating factors of the Revolution are satisfied.

For Downes, these factors are not religiosity and a demand for Islamic government, but liberty and freedom. Fakhreddin Azimi concurs with this last point, arguing that the upheaval in 20th century Iran is a result of the Iranian people's desire for democracy and to live by democratic ideals of popular sovereignty, liberty, and rule of law, and to reject authoritarianism and repression.[6] According to Azimi, beginning with the Constitutional Revolution of 1906, and continuing with the 1979 Revolution up the modern day, the Iranian people have been striving for greater social and political freedoms and democratic republicanism. Azimi argues along the same lines as Downes, that the 1979 Revolution created a situation of upheaval, wherein the *ulama* essentially hijacked the movement for

[6] Azimi, 422, 423

greater political freedoms and democratic government to install themselves as a new ruling class. This account contrasts with Ghoncheh Tazmini, who argues that the principle motivators of the 1979 Revolution were a rejection of western modernism and the forced secularism of the Shah.[7] Abrahamian and Keshavarzian – who focuses his writing on the relationship between the bazaar and state in Iranian society – take a more nuanced approach, and emphasize that the forces that carried out the Revolution constituted a wide range of actors that tended to rally behind terms like freedom and justice, but that in the end Khomeini was able to outmaneuver the rest and establish his preferred system.[8] In fact, Abrahamian seems to argue that the principle motivating factor of the Revolution was the Shah himself, in managing to alienate his dwindling allies while strengthening his enemies with his increasingly delusional schemes and repressive rule.[9]

2. Performance of the System and Ideologies

In terms of the founding ideology, Said Saffari argues that the idea of *velayat-e faqih* is the pillar upon which the rest of the Iranian political system is built. This point is repeated in various ways by nearly all of the sources I used to research the ideology and performance of the system, including James Bill, Mehdi Moslem, Mehrdad Haghayeghi, Mohsen Milani, H.E. Chehabi, Cyrus Masroori, Ibrahim Moussawi, Anoushiravan

[7] Tazmini, 29

[8] Keshavarzian, 147

[9] Abrahamian, 155

Ehteshami, Eva Patricia Rakel, and Forough Jahanbakhsh. Without it, the clergy are not legitimated in their claim to political power during the occultation of the 12th Imam. Saffari notes that even the reformists, paralyzed and marginalized as they are now, accede to the principle of *velayat-e faqih*.[10] Their proposals if implemented would weaken the office to varying degrees, but the extents that the conservatives dominating the government have gone to in order to undermine the reformists suggest the frailty of the system, and that if the *faqih*, or jurist, becomes open to criticism and any attempt is made to check its power, the entire system would be thus weakened. Masroori also argues this point in his critique of the reform movement, noting that Khatami vacillated between reformist ideology which would put checks and balances on the *faqih*, and adherence to the current conservative-promoted system of absolute control with effectively no accountability to the electorate.[11]

Mehdi Moslem concurs and explains the process of the Revolution and the forces that existed at the time. He puts special emphasis on the constitution's basis in the idea of *velayat-e faqih*, and underlines how the theocratic elements in the document ended up outweighing the republican elements. God's sovereignty ended up trumping popular sovereignty. According to Moslem, the framers of the constitution sought to fuse theocracy with democracy, but the way in which they designed the constitution left the system vulnerable to factional politics and institutional overlap. James Bill contests this analysis, and argues that the constitution created a system where checks and balances leave power diffused, and therefore the system is more adaptable to change and to different solutions to

[10] Saffari, 82

[11] Masroori, 185-191

political problems. According to Bill, the fragmentation and institutional overlap contribute to the stability of the system.[12]

Accounts differ in the literature in the details surrounding the political factions that exist or existed in the Islamic Republic. One minor point of contention exists over whether the 'modern right' or 'pragmatists' led by Rafsanjani constituted a separate faction during the 1980s and at what point they split from the traditional conservatives. Moslem argues that Rafsanjani and the conservatives were effectively one faction during Khomeini's lifetime, but that after he died and the leftists were marginalized, he began acting independently of the conservatives and even ran afoul of them beginning in 1992, and officially split in 1996.[13]Abrahamian also argues the split occurred in 1992, whereas Rakel places the split in the mid-1980s.[1415] This disagreement over the timing of Rafsanjani's split does not affect the general consensus that initially Rafsanjani was partnered with the conservatives against the leftists, but then later split from the former and ended up allying with the latter. The literature is essentially unanimous in describing the pragmatists as led by Akbar Hashemi Rafsanjani, and overall is in agreement that currently, four main factions exist: the traditional conservatives, the neoconservatives, the pragmatists, and the reformists.

Regarding the dynamics of the system, Mohsen Milani points out how the power relationship between the president and the *faqih* has evolved in Iran over time, and how the

[12] Bill, 405, 406

[13] Moslem, 48

[14] Abrahamian, 184, 185

[15] Rakel, 51

experience of the first president, Abolhassan Banisadr, turned many political elites in Iran against the idea of a strong president.[16] Milani points out that many of the *ulama* feared a Saddam or Ghaddafi figure that would abuse the presidency, a claim backed up by Grand Ayatollah Ali Montazeri.[17] The literature is consistent in pointing out that the system implemented after the Revolution included both republican and theocratic principles, but that the latter outweigh the former in strength, with the notable exception of Ibrahim Moussawi. He argues that *velayat-e faqih*, as Ayatollah Khomeini practiced it and the way it was constructed in the constitution, is already democratic in that it was derived from Islam, which opposes tyranny. Further, the *faqih* is constrained from becoming a despot in three ways: monitoring through the Assembly of Experts and their ability to remove the *faqih*, constructive criticism which can be leveled at the *faqih*, and popular monitoring of the *faqih* by the general population.[18] These points would be roundly refuted by most of the other literature, particularly Mehdi Moslem, who points out that candidacy for the Assembly of Experts is controlled by the Guardian Council, which in turn is directly and indirectly controlled by the *faqih*. Moslem also points out that constructive criticism is generally frowned upon or punished by censors and the state's security apparatus, as is 'popular monitoring' which would take place in an open society with a free press, which the Iranian state does not permit to exist. Interestingly, Moussawi's defense of the *velayat-e faqih* system describes the structure in a way that objectively does not exist. In other words

[16] Milani, *Power Shifts in Revolutionary Iran*, 366-369

[17] Abdo and Montazeri, 17, 18

[18] Moussawi, 132

he is defending the principle from a theoretical basis, as in what *velayat-e faqih* should be, as opposed to what it currently is. In this way, Moussawi could indirectly be criticizing the current *rahbar*, Ayatollah Khamenei, for acting in a manner that contradicts the true principles of *velayat-e faqih*, sourced from his predecessor, Ayatollah Khomeini.

Another prominent discourse occurs in the literature over the reasons for the failure of Muhammad Khatami's reform program and the subsequent marginalization of the reform movement. There is wide consensus that the religious supervisory bodies – controlled as they were by Khatami's foes, the conservatives – played a major role in stymieing Khatami's programs and legislation. Moussawi, Abrahamian, Tazmini, Ehteshami and Zweiri, and Masroori all make this point. However, Moussawi, Tazmini, and Masroori go further and claim that Khatami's own political and ideological vacillation weakened his position. These authors argue that his passivity in rallying the reform movement and failure to challenge the conservatives in a direct manner led to a weakening of his support from those who expected more from him. As mentioned above, Masroori in particular argues that Khatami's failure to clarify his ideology regarding the juxtaposition of *velayat-e faqih* and republican principles allowed him to build coalitions and not rock the boat, but opened him up to harsh criticism when his policies failed and made him appear ambiguous ideologically.[19] All the authors also note the reality that Khatami was restricted in what he could accomplish anyway, and that further antagonizing the conservatives could have led to more dire consequences for him personally and the reform movement generally.

[19] Masroori, 191

3. Conclusion

Thus, in literature covering Iran's transformations in the 20th century, opinions vary on what forces played the biggest role, and how the transformations took place. There is also debate on the lasting consequences of the Iranian Revolution, and whether or not the Revolution was hijacked by the *ulama* or if the Revolution is actually complete. Regarding the ideology of *velayat-e faqih* there is disagreement over its implications and implementation. These debates also reflect the views of political factions in Iran, all of whom accept *velayat-e faqih* as the foundational principle of the state but have different opinions on how it should be actualized. The literature also contains a diversity of opinions regarding the extent to which theocratic principles trump republican principles in the state structure, with the exception of Moussawi who argues that in theory they do not. The electorate's role in choosing members to the Assembly of Experts, the Majlis, and the presidency are generally pointed to in defending the republican aspects of the regime, while the *faqih*'s overwhelming power over all other organs of the government and the religious supervisory bodies' senior position vis-à-vis the republican bodies is given as proof of the theocratic nature of the state.

This thesis argues that in practice, the theocratic nature of the state based on the principle of *velayat-e faqih* suppresses the republican aspects of the state through authoritarian means. Popular sovereignty, while alluded to and given rhetorical praise by the constitution and politicians, does not in reality determine legitimacy for the supreme leader. Further, the supreme leader's and the religious supervisory bodies' ability to legally interfere in the republican processes of the state illustrate their dominant position in the

structure. Several of the authors, including Masroori and Saffari, allude in passing to the irreconcilable position of the *faqih* regarding democracy and popular sovereignty, and a possible future crisis of legitimacy for the state. This thesis explores that possibility to its furthest extent, and explains how the current system is not sustainable in the long run.

E. Thesis Structure

This thesis is composed of six chapters, including the introduction as the first chapter and the conclusion as the last. Chapter I will introduce the thesis, explain its argument in general terms, provide a review of pertinent literature, and lay out in broad strokes the outline of the rest of the study. The thesis proceeds in roughly chronological order, tracing the beginnings of the *ulama*'s ascent to political power up through contemporary times.

Chapter II will explore the development of Iranian society beginning with a brief explanation of the Iranian political landscape in the 19th century, with analysis of other relevant history. Emphasis is placed on the role of the Shi'a clergy and the ideological evolution of their role in society, along with the other major factors and events that affected Iranian politics up until the 1950s.

Chapter III addresses the period directly preceding the 1979 Islamic Revolution. The policies of Muhammad Reza Shah that spurred the Revolution are explored in depth, with particular emphasis placed on the clergy and the other political forces that participated in the downfall of the monarchy, and their motivating ideologies.

Chapter IV explains how Ayatollah Khomeini developed *velayat-e faqih*, the principle that eventually won out during the Revolution and served as the foundation for the clergy's right to rule in Iran. The Iranian Constitution is also analyzed, as are the institutions and state structure it created. At this stage, the dynamics of the system are explored in depth. The position of the supreme leader is analyzed as the lynchpin of the entire system, and the authoritarian nature of the state is explored.

Chapter V examines the performance of Iran's institutions, primarily under Khomeini's successor, Ayatollah Ali Khamenei. This chapter analyzes the factions of the Islamic Republic and the manner in which they compete for power in the system. Focus in this chapter is given to the legitimacy of the system, and how the actions of Khamenei and the rest of the Iranian political leadership have been unable to routinize its existence and exercise of power in the period after the death of Khomeini.

Chapter VI reviews the findings of the thesis and reiterates the most pertinent points. The thesis concludes that the survival prospects for the Iranian system are bleak due to its inability to routinize itself based on its own foundational principle, and that the Islamic Republic will suffer from a crisis of legitimacy under the system it currently operates under.

CHAPTER II

THE TRANSFORMATION OF IRAN AND THE *ULAMA*

A. Introduction

This study will argue that the long-term survival prospects for the Islamic Republic of Iran are poor, due to its failure to legitimize itself based on the founding principle, *velayat-e faqih*. This chapter will explore the relevant aspects of Iranian history pertaining to the evolution of its society and political system. Armed with this background information, the chapters that follow will be put into context, improving understanding of the dynamics of the Iranian political system – including its strengths and weaknesses. Taken as a whole, Iranian history of course stretches back quite some time. For the purposes of this thesis, I will focus Chapter II on the period beginning with the Safavid dynasty and the introduction of the Shi'a *ulama* into the country stretching to the 1953 Coup. Emphasis in this chapter is placed on the role of the Shi'a *ulama* and its ideological progression from their initial political quietism to their position on the cusp of claiming absolute political power for themselves via the ideology of *velayat-e faqih*.

The first section of the chapter will address the condition of Iran during the Qajar dynasty, the role of the *ulama*, and the bazaar. This will provide the background history of Iran – specifically the role of various actors in society – necessary to build on for the rest of the thesis. The next section will explain the events of the Tobacco Protest and the Constitutional Revolution and will underline the importance of the beginning of mass political movements in Iran, the introduction of republicanism, and the political evolution

of the *ulama* in the Constitutional Revolution wherein they begin asserting their role in political governance. The last section will chronicle the rise of the Pahlavi dynasty beginning with Reza Shah's authoritarianism, interrupted by the relative openness of the 12 years between Muhammad Reza Shah's assumption of the throne in 1941 to the coup that ousted Muhammad Mossadeq as prime minister in 1953. This section details the high water mark of the secular, constitutionalist movement in the country and the relative marginalization of the *ulama*. This period is important because it set the stage for the events detailed in Chapter III, namely, the Revolution of 1979 and the formation of the Islamic Republic of Iran. Taken as a whole, this chapter explains the transformation of Iran from a feeble despotism to an authoritarian dictatorship with a strong central state on the cusp of massive upheaval, as well as the evolution of the *ulama* from quietist guardians of society to heavyweight political actors, agitating ruthlessly for the protection and advancement of their position in Iran.

B. The Qajar Dynasty, the Ulama, & the Bazaar

The Qajars were a Turcoman tribal confederation that consolidated their control over Iran – at the time still called Persia – in the late 18th century.[20][21] While one could describe them as despots, it would be necessary to clarify that they did not possess the methods to enforce their despotism. There was no real bureaucracy to speak of, nor did they

[20] Abrahamian, 9

[21] Ghods, 15

maintain a monopoly of violence in the country. They lacked a legal code, a strong central army, and a police force, the main instruments of state coercion. Instead they ruled by playing various communities against each other, manipulating tribal, regional, ethnic, and religious differences, and using the carrot of royal backing with the stick of support for a rival to ensure that local leaders were sufficiently subordinate.[22] The heads of these communities were generally tribal chiefs, landlords, clerics, and wealthy merchants, oftentimes tied to the Qajars through political marriages.[23] This landed aristocracy paid 'tribute' to Tehran and in exchange enjoyed various channels of royal largesse, including an ever expanding range of flowery titles. In this haphazard manner the Qajars collected a paltry amount of tax for the coffers through local notables which they generally spent on themselves. They legitimized their rule by adopting the imagery and pageantry of ancient Persia, in addition to shrouding "themselves in a religious aura. They declared themselves Protectors of Shi'aism, Keepers of the Qur'an, Commanders of the Faithful, and Girders of Imam Ali's Sword."[24] Their state was not one which significantly affected the society over which it ruled, but instead floated above it and was primarily concerned with the balancing act.[25] While this system allowed them to rule for over a century, it was in the end unable to save them from the serious problems facing the country that could only have been addressed by a strong centralized state.

[22] Ibid., 14

[23] Abrahamian, 14

[24] Ibid., 15

[25] Ibid., 33

The Safavid dynasty – which fell in the 18th century – established Shi'aism as the state religion of Iran, a decision that would irrevocably shape the future of Iran and its politics, introducing an entirely new sociopolitical actor. Since then, the Shi'a *ulama* had occupied a privileged position in society, generally aligned with but separate from the state. This position they held proved itself crucial in Iran's political development, allowing the *ulama* a degree of independence from and power over the state. Two main factors made their position possible, namely the ideological evolution of *niyabat-e Imam* and *marja-e taqlid*, and the *ulama's* financial independence. The first factor resolved itself after a doctrinal dispute between two different schools of Shi'a thought.

Twelver Shi'a doctrine in the 18th century was split between two different schools of thought, the Akhbari and the Usuli. According to belief, the Shi'a community was waiting for the savior – the 12th Imam who was in *gheybat-e kubra* (the great occultation) – to return and lead the community at the end of days. The disappearance of the 12th Imam, the Mahdi, in 941 C.E. produced a situation where Shi'a leaders could no longer claim political leadership over the community as it was concentrated in the Mahdi who was not dead, but merely in occultation and would eventually return.[26] This resulted in the beginning of the Shi'a political tradition of quietism and acceptance of Sunni political domination.[27] For the Shi'a, the only legitimate leadership of the community was transferred down the line of the descendants of the Imam Ali, and when the 12th Imam disappeared – but did not die – the political power remained with him. Therefore it became

[26] Kamali, 21-23

[27] Ibid., 23

acceptable for them to accept the rule of another – the Sunni Caliph – while waiting for the Mahdi's return.

The Akhbari school of Shi'a thought argued that the writings and sayings of the previous 12 Imams and the Prophet Muhammad were sufficiently clear for individual members of the community to interpret and follow. They did not see the need to concentrate religious authority in members of the clergy beyond the role of community and prayer leaders. The Usuli school claimed that a trained religious scholar who is able to interpret texts and other sources should be invested with religious authority, as lay religious members of the community do not have the necessary education to make their own determinations. The Usulis went further and argued that since religious authority could only be invested in senior learned scholars – *mujtaheds* – that the most learned of them should be *marja-e taqlid* – sources of emulation – for the rest of the community, and that *muqalleds* – lay members of the community – are obliged to choose one of the *maraji* to follow.[28] The *maraji* would produce religious edicts – *fatwas* – covering issues from the method of prayer, marriage, eating habits, sexual habits, various lifestyle choices, theology, and civil and business law; essentially every aspect of life could be addressed.

The Usulis eventually won out, and designed a loose hierarchy of clergy that grew into the form recognized today by the majority of Twelver Shi'as. This hierarchy developed in tandem with the *ulama*'s relationship with the Iranian state. Lay religious individuals would go to Shi'a religious seminaries – *hawzas* – designed to train people in *fiqh*, Islamic jurisprudence. These *fuqaha* would study the practice of *ijtihad*, that is making

[28] Ibid., 30, 31

interpretations on various matters affecting the community based on the sources of *fiqh*, which included the Qur'an, *hadith* and *sunna* (sayings and teachings attributed to the Prophet Muhammad), and *revayat*, the pronouncements and anecdotes of the 12 Imams.[2930]The goal would be to become well-qualified enough in *ijtihad* that one would be recognized by their peers as a *mujtahid*, an expert in *ijtihad*. The most competent and highly regarded of these would then be recognized as a *marja-e taqlid*, and could be followed by *muqalleds* as a source of emulation. The system of advancement, while generally following guidelines, was not an official process, as the clerical system was not a formal structure with official decisions made on promotions. Rather, recognition of advancement was based on the judgment of peers, especially the more senior *mujtahids* who took on students that studied under their guidance.[31] Later, the *ulama* would use terms like 'Hojjat al-Islam'[32] and 'Ayatollah'[33] to delineate new superior ranks in the clerical hierarchy.

Consequently, the senior leaders of the most important *hawzas* – Isfahan and Qom in Iran, and Najaf in Ottoman Iraq – had considerable power over large populations. In fact, when it came to daily life and society, the *ulama* were much more involved in the regular activities of Iranians than the Safavids or the dynasties that followed them, including the Qajars. This created, non-rigid hierarchy allowed the Shi'a *ulama* to focus their power in

[29] Moslem, 96

[30] Kamali, 29

[31] Ibid.

[32] 'Authority/Proof of Islam', a mid level cleric

[33] 'Sign of God', a senior cleric

specific people and positions, thus giving them the ability to wield it more efficiently. They used this power to shape their relationship with the state.

Initially, the Safavids had invited the Shi'a *ulama* to leave the Ottoman Empire where they were oppressed to come to new *hawzas* in Iran. They did this to obtain the blessing of the *ulama* in establishing their Shi'a state and lend themselves legitimacy in the eyes of those they ruled.[34] In order to solve the problem of political power remaining with the 12th Imam in occultation – thus precluding anyone from establishing a Shi'a state except the Mahdi – the Safavids claimed the role of *niyabat-e Imam*, the vicegerent of the Hidden Imam. In the Mahdi's absence, the Safavids claimed they were the temporary stewards of the Shi'a community. They wanted the *ulama* to come to Iran, grant the Safavids legitimacy, and ensure that the population supported the state in both a political and religious sense. In exchange the *ulama* were protected from persecution and were given sole dominion over religious, judicial, and social matters.[35]

The *ulama* came to Iran, but they did not give their clear blessing and subservience to the state. Instead, they claimed that the Safavid state was a *mulk-i ariya*, a borrowed state, and that it did not have a rightful claim to *niyabat-e Imam*. They granted that the Safavids possessed temporary legitimacy, and also avoided openly criticizing the monarchy.[36] What developed instead was the notion that the Iranian state would act as the

[34] Kamali, 27

[35] Ibid., 43-50

[36] Ibid.

guardian of the Shi'a Dar al-Islam[37], protecting the community from Sunni oppressors and other hostile communities. It was for this pragmatic purpose that the *ulama* decided to partner with the state.[38] In a sense, the *ulama* declared that it was themselves, not the state, which had the best claim to *niyabat-e Imam*. This, coupled with the aloofness of the state and the *ulama*'s daily interactions with the populace, gave the latter considerable power in Iranian society. These ideas laid the foundation for the *ulama*'s increasing level of participation in governance.

The second pillar of the *ulama*'s position was its financial independence. Rather than depend on taxes gathered and redistributed by the state, which would have given the state a leash on the clergy, the *ulama* maintained several other funding sources, which developed over time. These included the religious *khums* and *zakat* taxes, and funds collected as the administrators of religious properties – the *awqaf*[39]. The *ulama* eventually constituted one of the most significant communities of landowners in Iran, administering mosques, *hawzas*, and other various religious buildings and the lands around them.[40] This process was accelerated after various shahs attempted to exert more control over the *ulama*, forcing the latter to strengthen their non-governmental means of support, which they succeeded in doing. Therefore the state's attempts at bringing the *ulama* to heel resulted in the opposite effect, and over time the clergy became more independent and more

[37] "Abode of submission," in religious terms where the community of believers, the *ummah*, lived. Its opposite is the Dar al-Harb, or abode of war, where non-believers live

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[38] Kamali, 61

[39] Singular: *waqf*

[40] Ibid., 30

powerful.[41] The most important relationship the *ulama* developed in order to sustain this position was with the institution of the bazaar.

While the term 'bazaar' is used in many different ways, consisting of a variety of meanings, for the sake of expediency this study offers two chief characteristics, the second being the more crucial for the study. Physically, the bazaar is the Iranian equivalent of the Arab *souq*: an enclosed space consisting of streets and alleys, usually covered, where commodities are bought and sold, a space of daily interaction amongst citizens from different social strata, and where most mercantile activity in the city, town, or village occurs. Secondly, the bazaar is an institution, a faction of Iranian society unto itself, consisting of the merchant class and socially rooted networks that defend their own interests and act as channels for the mobilization of the individuals in the network.[42] It is not, for example, a diffuse class of businessmen one might find in Europe or the United States, in that it is not just a profession or a title. It is a critical aspect of its member's identities, fusing their interests together and allowing them to act in concert.

The *ulama*-bazaar relationship grew out of both convenience and necessity. Shi'a mosques were generally built in or near the town bazaars allowing for daily public interaction between the two groups. The mosques also acted as locations for the practice of *bast-beshastan*, wherein members of the population would take refuge in certain places to escape danger or persecution, usually from the government.[43] Families belonging to the two

[41] Ibid., 20-39

[42] Keshavarzian, 233

[43] Ibid., 232

different groups often intermarried, forging closer ties. Sons of bazaaris would oftentimes go to *hawzas* to join the *ulama* and sons of the *ulama* would become bazaaris.[44] Additionally, the two groups fulfilled critical roles for each other. In order to legitimate their income and increase their standing in society, bazaaris would pay large sums of *zakat* and *khoms* to the *ulama*. In turn, the clergy would use their status as arbiters of the legal sphere to 'bless' the activities of the bazaar, rule in their favor in disputes, and promote the bazaar's reputation amongst the population at large, amongst whom the clergy wielded considerable influence. The *ulama* legitimized and propagated, through religious and legal means, the livelihood of the bazaaris who reciprocated through generous donations and economic partnerships. This constituted the most significant channel of financial support to the *ulama* which allowed them to remain independent of the state.[45][46][47]

The Safavids brought the *ulama* in to provide their new Shi'a state with legitimacy. The *ulama*, however, managed to forge a position in society based both on the privileges granted to them by the state and their own efforts in forging close relationships with another power center – the bazaar. They also developed Shi'a religious ideology to increase their own power in this new system by shaping a loose hierarchy of clerical authority. This represented their first ideological step in determining the role of the *ulama* in politics. This path would eventually lead to the idea of *velayat-e faqih*, the idea that the *ulama* should hold state power that serves as the basis of the Islamic Republic of Iran. By the time of the

[44] Kamali, 56-60

[45] Ibid, 30-33

[46] Keshavarzian, 233

[47] Moslem, 55-57

Qajar dynasty, the *ulama* effectively held dominion over legal, religious, and social affairs in the country, while the bazaar acted as the center of commerce and economic wealth. The Qajar state was supposed to act as the arbiter and protector of the country, but lacked the coercive and authoritative apparatuses – an effective army and a bureaucracy – to enforce their own authority. The Qajars instead remained in power by continuously manipulating tribal and regional groups and distributing royal largesse. Once allied, the *ulama* and the bazaar counter-balanced the authority of the state, which was almost completely absent from civil society. These two groups mobilized political support when they felt their interests and position in society was threatened. This does not mean that the alliance was permanent or that one necessarily came to the other's aid if their interests were not at stake. The response depended upon the threat. As the study will show, the most significant of these threats came from reform efforts begun by the state.

C. The Tobacco Movement and the Constitutional Revolution

In 1891 the Qajar ruler Nasser al-Din Shah sold a concession to an Englishman for a monopoly on the sale, manufacture, and export of tobacco, one of Iran's principle exports at the time.[4849] He did this in order to offset the massive debts the Qajars had incurred over the preceding years, mostly due to rapid inflation and the inability of the central

[48] Abrahamian, 38

[49] Keshavarzian, 234

government to collect enough taxes to fund itself and continue bribing regional notables.[50] Debts notwithstanding, the impotency and weakness of the state constituted the foundational issue the Qajars were unable to deal with. This issue contributed to Iran's failure to prevent being manipulated and exploited by foreign powers, and also prevented the government from rectifying domestic problems caused by foreign penetration and their own governance, or lack thereof.

Throughout the 19th century, military, economic, and ideological penetration by others took a severe toll on Iranian society. Wars with the Russian and British empires – at the time referred to colloquially in Iran as the 'northern' and 'southern' neighbors respectively – severed off various territories, roughly resulting in the borders Iran controls today.[51] Iran became a front line in the "Great Game" between Russia and Britain, with corresponding zones of influence that split the country into north and south. Northern territories supplied Russia with agricultural goods and hordes of unskilled laborers for its factories, while the south supplied Britain with opium and later, oil. Iran became a new market for Russian and British manufactured goods, and humiliating treaties forced capitulations on the Qajars that granted special status to foreign merchants, including immunity from courts and prosecution, and monopolies on various trade markets.[52] The two

[50] Abrahamian, 38

[51] Ibid., 36

[52] Ibid., 37

'neighbors' also established political influence in the country, overruling the Qajars on gubernatorial appointments and competing for influence in the Qajar court itself.[53]

Ideological penetration resulted in the emergence of a new intelligentsia, who spoke English and French, had studied in Europe, and argued in favor of Enlightenment ideals over traditional Islamic or Persian values. As Ervand Abrahamian writes:

> They venerated not royal authority but popular sovereignty; not tradition but Liberty, Equality, Fraternity; not Shadows of God on Earth but the inalienable Rights of Man. They talked not of social equilibrium and political harmony, but of the need for radical change, fundamental transformation, and the inevitable march of human progress. They promulgated not the advantages of absolutism and conservatism, but of liberalism, nationalism, and even socialism. Their outlook was shaped not so much by the Koran, the shari'a, and the Shi'a Messiah, but by the Age of Reason and its radical notions of Natural Rights – rights citizens possess by virtue of being humans.[54]

While not officially colonized, Iran had become subordinate to foreign powers. These developments did not favor the traditional alliance of clergy and bazaar. When the Tobacco concession was made, a furor went up amongst the bazaaris who began protesting, closing the bazaars, inundating the Shah with a flood of petitions urging him to rescind the concession, and publicly burning their tobacco.[55] Initially the *ulama* were involved sporadically, but later they became more organized. The senior *mujtahids* in various cities led demonstrations and gave sermons denouncing the concession and mobilizing urban populations to participate in mass protests, something the Qajars had never dealt with before.[56] Notably, the most senior *marja-e taqlid* produced a *fatwa* prohibiting the use of

[53] Ghods, 17-22

[54] Abrahamian, 35

[55] Keshavarzian, 235

[56] Kamali, 78

tobacco, which brought tobacco use in the country to a halt.[5758] The ban was said to have been so successful that "women in the shah's harem quit smoking and his servants refused to prepare his water pipe."[59] The Shah, lacking the coercive means to quell such a widespread mass movement, cancelled the concession.[6061]

As Abrahamian puts it, the Tobacco Movement was a "dress rehearsal for the Constitutional Revolution."[62] It represented the first country-wide, mass political movement against the Qajars, and it showed simultaneously how powerful the *ulama*-bazaar alliance had become, and how weak the monarchy had become. Additionally, it laid the societal groundwork for the Constitutional Revolution, because it saw the relationships and networks created in and amongst the bazaar and *ulama* mobilized on a large scale. In modern parlance, it developed the grassroots networks needed for political mobilization, to get the urban classes onto the streets to demonstrate against the government.[63]

Some 15 years later, similar circumstances brought about protests that the Qajar monarch, Muzaffar al-Din Shah, was unable to quell. Spiraling inflation, a cholera outbreak, continued concessions, mismanagement by regional governors, and the Shah's perceived indifference and unwillingness to do anything about the situation besides take out

[57] Keshavarzian, 235

[58] Kamali, 77-80

[59] Nasr, 122

[60] Keshavarzian, 235

[61] Kamali, 80

[62] Abrahamian, 39

[63] Kamali, 80

more loans brought about massive strikes and protests that dwarfed the scale of the Tobacco Movement.[64] In 1905-6, a clampdown by the Shah's meager police forces killed some protestors and occupied the bazaars, but was unable to stop the movement. Thousands of demonstrators – the majority made up of bazaari merchants and members of the new intelligentsia – took refuge in the garden of the British Legation's summer retreat near Tehran, which became a focal point for the protestors.[65] Their demands evolved over the crisis, and at the end they called for an elected majlis and a constitution, which the Shah agreed to in August, 1906.[66]

On paper at least, the Iranian Constitution of 1906 established a constitutional monarchy, where the Shah remained as head of the executive but was subject to checks and balances from the two other branches of government: the Majlis and the courts. It guaranteed freedom of speech, the right to assemble and organize, equality before the law, protection from arbitrary detention, and declared that the Majlis would be the only body that could make laws.[67] The Majlis was also empowered to investigate anyone or anything it deemed necessary, it could pass or shoot down all "laws, decrees, budgets, treaties, loans, monopolies, and concessions," and could dismiss ministers appointed by the Shah. As part of the legislature, the constitution stipulated that the Shah was supposed to appoint 30 senators to an upper house, and that the Majlis was to elect senior members of the *ulama* to

[64] Abrahamian, 41-43

[65] Ibid., 43-44

[66] Ibid., 45

[67] Ibid., 47

a 'Guardian Council' that would vet all legislation passed by the Majlis.[68] The former was not convened until 1949, and the latter would not come into being until the Islamic Revolution of 1979.

The *ulama* had mixed reactions to the crisis and the constitution which it yielded.[6970] Many of the *ulama* that supported the movement initially split off in the later stages as their understanding of the crisis evolved. Many saw the emerging constitutionalist movement as a threat to their position in society, and argued that a majlis would promote secularism and erode the Islamic nature of the country.[71] They were led by the *mujtahid* Sheikh Fazlullah Nuri, whose insistence led to the inclusion of the Guardian Council in the constitution, ensuring that the *ulama* retained a dominant voice in the legislature, at least on paper.[72] Nuri railed against what he saw as the majlis' ability to pass laws that were not in accordance with Islam, and argued that the only laws Muslims needed had already been given by God to the Prophet Muhammad, and that the *ulama* should be the only group that could write new laws, sourced and supported by *shari'a*, Islamic law.[73] These *ulama* that split off were generally in favor of limiting state control and foreign domination, but when the political ramifications of the Constitutional Revolution became clear and they saw constitutionalists as a threat to their position, they withdrew their support.

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[68] Ibid.

[69] Kamali, 105

[70] Keshavarzian, 236

[71] Kamali, 112

[72] Ibid., 112-115

[73] Ibid., 114

The *ulama* that split off joined forces with Muhammad Ali Shah – the successor to Muzaffar al-Din Shah – and in 1908 he moved against the Majlis. With Russian support he clamped down on the capital and executed constitutionalist opponents, sparking a civil war that ended two years later with a victory for the constitutionalists.[74] The following years were spent in a mire of political misery and instability. The Majlis – split between the conservative 'moderates' and more secular, liberal 'democrats' – found itself unable to enact meaningful reform because the foundational issue of state weakness and indebtedness to foreign powers persisted.[75] The First World War and the following years did not improve matters for Iran. The country was formally split into northern and southern zones of military control between the Russians and the British, and the central government controlled little outside of Tehran.[76] A series of bad harvests, outbreaks of cholera, typhus, and the 1919 Flu Pandemic claimed the lives of around two million Iranians, or around a quarter of the rural population.[77] To make matters worse, after the war the United Kingdom attempted to transform Iran into a protectorate with Lord Curzon's 1919 Anglo-Persian Agreement. The backlash from the newly-formed Soviet Union and the Iranian population forced the British to back down.[78] At that point, the chaos and instability even had some of the constitutionalists looking for a "man on horseback," as Abrahamian puts it, to move in and stabilize the country.

[74] Abrahamian, 49-53

[75] Ibid., 54

[76] Ibid., 56-61

[77] Ibid.

[78] Ibid., 61, 62

The Constitutional Revolution and the events that followed it irrevocably transformed Iran. While by some measures the constitutionalists did not succeed in their objectives, they did manage to introduce the ideology of republicanism into the country. They failed because they lacked the political instruments to implement their reforms. True, they passed laws, but the state of the constitutionalists differed little from that of the Qajars in that there existed no dependable method for tax collection, there was no reliable bureaucracy that could extend the writ of the government to the provinces, and the coercive apparatus was not strong enough to enforce any of the government's decisions. Critically in this period, and most importantly for this study, the *ulama* and the bazaar evolved politically. They illustrated the extent of their influence in society, and showed that they could successfully challenge the state in a confrontation when they deemed their interests to be threatened. Additionally, the *ulama* evolved politically. They took the next step in the ideological shift towards greater clerical involvement in governance. Sheikh Nuri's tirades about the un-Islamic nature of parliamentary government led to the inclusion of the Guardian Council in the constitution, and for the first time the *ulama* argued that they should play a role in the state's governance of Iran beyond the judicial sphere, specifically in the creation of laws. This ideological shift away from previous, more quietist tendencies represented the next step in their relation to state power. They would suffer several setbacks, however, before making the final leap to *velayat-e faqih* and the Islamic Revolution of 1979.

D. The Pahlavi Dynasty

On February 21st 1921, a Persian Cossack general named Reza Khan occupied Tehran and established martial law.[7980] Eventually he would officially depose the Qajar Shah, crown himself, change his name, and establish the short-lived Pahlavi dynasty. He brought order to the country, gripped by chaos in its preceding years, acting essentially as a military dictator. Inspired by the authoritarian states of Europe, he was obsessed with state power, industrialization, and modernization.

The two pillars of his state were the bureaucracy and the military. The former grew by 17 times and the latter by 10 times by the end of his rule.[81] He steamrolled reforms, using force and his control of the military to turn the Majlis into a rubber stamp body. In order to finance his centralization and growth of the state, he relied on four sources: the discovery and exploitation of oil, higher customs duties, new taxes on consumer goods, and extractions from tax delinquents.[82] He refused to take out foreign loans, depending only on his own government's tax-collecting abilities and the slowly growing royalties from oil.[83] Reza Shah brought in foreign experts to advise on creating a central bureaucracy to make this kind of tax collection possible, but insisted that they be paid by the Iranian state instead of by foreign powers.[84] He built roads, railroads, factories, cinemas, libraries, new schools,

[79] Ibid., 63

[80] Kamali, 128

[81] Abrahamian, 66-67

[82] Ibid., 67

[83] Kamali, 131

[84] Ibid., 129-133

and he nationalized major industries.[8586] Towns became cities with hospitals, modern buildings, telegraph lines, electrical plants, and soccer fields.[87]In the architecture of buildings and on currency, stamps, and other images of the state he chose to emphasize Iran's pre-Islamic past, eschewing the cloak of Shi'a legitimacy created by the Safavids. He even changed the name of the country from Persia to Iran – the land of the Aryans.[88] His desire to prevent foreign domination and to bring Iran into the 20th century contributed to this emphasis on infrastructure and state-building, but it was driven most of all by his desire to expand the power of the state, and thereby, his own power.

Additionally, he made reforms that were targeted to marginalize both the bazaar and the *ulama*. Initially the bazaar supported Reza Shah and his efforts in ending concessions to foreign powers and his imposition of tariffs to protect local markets.[89] The majority of them, however, did not appreciate his nationalization methods which drove the weaker members of the bazaar out of business. The more elite members were able to build relationships with the state monopolies and benefit from the cornering of various markets.[90] Reza Shah also provided the bazaar with secure trade routes and general economic stability. The growth of the state in terms of bureaucracy and manpower also saw the growth of Tehran, which conclusively eclipsed more traditional cities in terms of economic and

[85] Ibid.

[86] Abrahamian, 66-91

[87] Ibid.

[88] Ibid., 86

[89] Kamali, 130-131, 138

[90] 138

political power, leading to the Tehran bazaar's position at the top of the Iranian bazaari ladder.[91] In essence, Reza Shah was not opposed to the merchants being influential; rather he wanted to ensure the primacy of the central state over the bazaar in the final analysis.

Reza Shah's policies challenged the *ulama* more directly. He created a uniform code of justice and mandated that only the state's courts could adjudicate legal matters. He also established a government-run school system with a uniform curriculum, and ordered that only state-approved authorities could teach.[92] Both of these areas, justice and education, had long been the preserve of the Shi'a *ulama*. In his effort to undermine their power, Reza Shah did not try to dismantle the *ulama,* but as Abrahamian writes, "In other words, the state for the first time determined who was a member of the *ulama*…Reza Shah aimed not so much to undermine religion with secular thought as to bring the propagation of Islam under state supervision."[93]

Naturally, Reza Shah's reform efforts met significant opposition in the economic, social, and political realms. His biggest opponents were the tribes who wanted the state to remain weak, the clergy who wanted to retain their monopoly in social affairs, and the nascent urban intelligentsia who wanted a return to true constitutionalism, all of whom were savagely repressed.[94] He dealt with them all with brute force, imprisoning and executing dissenters while lavishly rewarding those loyal to him. Disagreement with the Shah was tantamount to treason and would generally be rewarded with a stint in one of the

[91] Keshavarzian, 43

[92] Abrahamian, 84-88

[93] Ibid., 85

[94] Ibid., 92-96

new prisons built by the Shah, introducing long-term incarceration as a punishment for the first time in Iran.[95] Reza Shah was untouchable, the quintessential strongman, and neither the *ulama* nor the bazaar were able to organize significantly against him.

Reza Shah's end came fairly abruptly during Second World War. He declared Iran's neutrality and refused to allow the transfer of supplies from British posts in the Gulf to the embattled Soviet Union. This did not sit well with either the British or the Soviets, and so in 1941 they swiftly occupied the country, deposed Reza Shah, sent him to South Africa by way of Mauritius, and installed his son Muhammad Reza as Shah.[96] The limits the Allies placed on the Shah during their occupation of the country carried over to a certain extent to the post-war period.[97] This, combined with the young Shah's inability to rule as a despot like his father, at least at this stage, resulted in the following 12 years witnessing a revival of parliamentary government, the curtailing of the Shah's power, and the rise of socialist and nationalist movements.[9899] Muhammad Reza Shah retained control over the armed forces, but lost the direct influence his father had over the bureaucracy and the patronage system.[100] Power was no longer concentrated in one office, but split between the Shah, the Majlis, the Cabinet, and the nascent nationalist movements.

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[95] Ibid., 89

[96] Ibid., 97

[97] Ibid., 97-101

[98] Azimi, 124,125

[99] Abrahamian, 97-101

[100] Ibid.

The leftist Tudeh[101] party was founded in this period of relative political liberalization and grew to become the most powerful labor movement in the country.[102] In the 1940s, Tudeh was successful in organizing the growing urban masses – migrants from the rural areas looking for work in the new factories of the cities – and in leading strikes which led to the first comprehensive labor law in the Middle East.[103] Supported by the growing leftist intelligentsia Tudeh published newspapers, held cabinet posts, and became a powerful force in the Majlis.[104] The Tudeh Party was the first real modern, organized, political mass movement in Iran. Other political forces pursued fairly narrow interests that were unable to galvanize similar popular support.

Tudeh ran into trouble, however, when the patron of the leftist world, the USSR, took two actions which put them in an awkward position. First, in 1945, the Soviets demanded an oil concession in the north, right after Tudeh's parliamentarians had agitated for the nationalization of all oil and the refusal of any concession. Many in the Tudeh party were split between their nationalist tendencies and their loyalty to socialist solidarity. This split in the ranks opened Tudeh up to rampant criticism from their opponents, mostly the traditional powers that remained in control of the Cabinet. To compound the issue, in 1946 the Soviets, "for reasons best known to themselves,"[105] decided to support Kurdish and Azeri agitation for independence. This opened up Tudeh to accusations of supporting

[101] *Hizb-e Tudeh* Persian:Party of the Masses

[102] Abrahamian, 107

[103] Ibid., 110

[104] Ibid., 108-110

[105] Ibid., 111

secessionist movements and being a communist puppet for the Soviet Union. This, combined with a failed assassination attempt on the Shah in 1949, gave the government the room it needed.[106] By the end of the 1940s Tudeh was banned, its newspapers shuttered and its leaders arrested or exiled.[107] The Shah also used this moment to reassert some of his father's old powers, convening a new constituent assembly that granted him greater control over the Majlis and forming a loyal Senate along the lines of the one outlined in the 1906 constitution.[108]

Muhammad Mossadeq picked up the pieces of the nationalist movement in the wake of Tudeh's castration. Mossadeq was respected around the country by the intelligentsia and the urban middle classes for his previous public service before Reza Shah in support of the Constitutional Revolution, and was recognized as a strict nationalist and constitutionalist.[109][110] He abhorred any notion of foreign capitulation and disapproved of the Shah's power over the military, arguing that the monarch should "reign, not rule," in a real constitutional monarchy.[111] If Tudeh could be described as solidly left, Mossadeq's National Front was center-left. It was supported by an alliance of middle-class nationalist and labor organizations formerly aligned with Tudeh.[112] Mossadeq also enjoyed the

[106] Ibid., 112

[107] Ibid.

[108] Ibid.

[109] Ibid., 114-116

[110] Azimi, 139, 140

[111] Abrahamian, 114

[112] Ibid., 115, 116

support, at least initially, of Ayatollah Sayyed Abul-Qassem Kashani, one of the most prominent members of the *ulama* at the time, who also held ties to the *Fedayeen-e Islam.*[113] The *Fedayeen* developed in the 1940s as a fundamentalist Shi'a organization demanding *shari'a* law, and also carried out assassinations of government and secular figures.

Two main issues dominated the National Front's agenda: limiting the Shah's expanding power, and the nationalization of the oil industry, since the early 20th century controlled by the British through the Anglo-Iranian Oil Company. In 1951 Mossadeq became Prime Minister and was able to form a government with the support of enough of the Majlis and the public based on the oil nationalization platform. In the next two years he nationalized Iran's oil production sparking a crisis with Britain, successfully challenged the Shah over control of the military, and began floating the idea of transforming Iran into a full republic.[114] Later, Mossadeq's lack of enthusiasm for enforcing *shari'a* law led to Ayatollah Kashani switching support to the monarchy.[115]

This was arguably the high water mark for the constitutionalist/nationalist movement in Iran. The events leading up to the 1953 Coup illustrated both the weakness of the monarchy and the strength behind the nationalist movement. Muhammad Reza Shah was forced to back down over control over the military, his supposed bastion of strength, and repeatedly proved he did not possess the support or the political ability to do deal with

[113] Ibid., 116

[114] Ibid., 117, 118

[115] Ibid., 114-121

Mossadeq.[116] Iran's oil was under its own control (albeit embargoed by Britain), the military was being gutted of monarchists, the National Front enjoyed widespread support amongst Iran's middle classes including the bazaar, and the power of the palace was being actively curtailed by Mossadeq's Majlis.[117] [118] [119] The Shah's feeble attempts to rein in Mossadeq served only to increase the latter's power and made the Shah look increasingly weak, dependent on British support and beholden to foreign interests. There are few pivotal moments one can point to in the history of a nation and argue that if things had turned out differently at just this moment in time, the course of history could have altered dramatically. The 1953 Coup that overthrew Mossadeq was one such moment for Iran.

The coup, planned and undertaken by the American and British intelligence services in August 1953, managed to oust Mossadeq as prime minister after destabilizing his government and having the military move against him.[120] The Shah, who had fled the country during the coup, returned and made the most out of the situation. He used the overthrow of Mossadeq to reassert monarchical powers. The nationalist movement had been dealt a crushing blow, and the Shah followed it up by arresting and executing the leaders of the movement and those around the former prime minister.[121] This period of

[116] Ghods, 182-189

[117] Ibid.

[118] Abrahamian, 117, 118

[119] Kamali, 141

[120] Azimi, 146

[121] Ghods, 189-191

relatively open political democracy had come to an end, and in its place an authoritarian police state spread its roots from where it had paused 12 years earlier, in 1941.

E. Conclusion

As outlined in this chapter, Iran underwent dramatic transformations from the decline of the Qajars to the period preceding the fall of the Pahlavi dynasty. The state grew from an ineffectual despotic head, sitting atop a precarious balance of tribes and landowners, to a powerful, modern-style authoritarian dictatorship, replete with bureaucracy and a coercive apparatus extending its control throughout the country. Society underwent massive shifts as well, with the emergence of an urban, educated middle class agitating for liberalization and adherence to constitutional precepts at the expense of the state and other traditional forces.

Most importantly, the *ulama* transformed quite dramatically. When they were initially invited into Iran by the Safavids the *ulama* were given remit over education and societal affairs, including the legal realm, in exchange for blessing the monarchy and encouraging adherence to its mandate. They developed a robust relationship with the bazaar, increasing their own power and cementing their senior position in society. This partnership flexed its muscle during the Tobacco Protest, and during the Constitutional Revolution the *ulama* evolved politically, demanding a role in the creation of laws in the 1906 constitution. This signified their first major foray into the role of governance, something they had eschewed previously on doctrinal grounds. Later under the Pahlavis

they suffered setbacks, but in short time they would come to use their position of strength and influence in society to finally force the decision in their favor.

When the state moved against the nationalist/constitutionalist movement, the *ulama* either remained on the sidelines or agitated against Mossadeq and the National Front. They feared Mossadeq's secular brand of republican government more than the Shah's tyranny, no matter that the coup itself was orchestrated and carried out by the foreign powers they consistently railed against – and continue to rail against today. Later, however, Muhammad Reza Shah moved to restrict the position of the *ulama*, resulting in the final step they took on their path to legitimizing their role in the state – *velayat-e faqih*. Following the earlier stages under the Safavids and Qajars and the Constitutional Revolution, this pivotal idea dominated the constitution that came out of the Revolution of 1979, and remains the ideological basis of the Islamic Republic of Iran. The failure of the nationalist/constitutionalist movement – embodied in the 1953 Coup – effectively sidelined the liberal forces in the country, leaving the political space open for the Shah in the short term, and the *ulama* in the long term. Chapter III will explain how this process culminated in the Islamic Revolution of 1979.

CHAPTER III

THE ISLAMIC REVOLUTION OF 1979

A. Introduction

This chapter will explain how Mohammad Reza Shah's ineptitude and dictatorial rule led directly to the Revolution of 1979 and the eventual victory of the *ulama* in establishing the Islamic Republic. Paired with the second chapter, the content of this chapter will provide sufficient background to the stages of development Iranian society took on the way to the Islamic Republic. With an understanding of the events which directly led to the creation of Iran's modern state structure, the dynamics of that structure will be more accurately analyzed.

The first section will detail the rule of the Shah from the 1953 Coup to the mid-1970s. Particular focus is placed on the reforms the Shah initiated in order to shape the country in the manner he saw fit. These reforms irrevocably transformed Iranian society, creating the forces that would eventually cause the Shah's downfall in 1979 and the ascent of the *ulama*. The second section focuses on the opposition groups arrayed against the Shah, excluding the *ulama*, who will be explored in depth in Chapter 4. This section explains the role of Ali Shariati, one of the leading ideologues of the Revolution, in addition to that of Mehdi Bazargan and other nationalist forces that eventually are marginalized and wiped out in the aftermath of the Revolution. The last section chronicles

the events of the Revolution itself, and explains how the *ulama* under the leadership of Ayatollah Khomeini positioned themselves as the figureheads of a movement, whose supporters did not necessarily understand the clergy's true motives. In a broad sense this chapter explores the principal failures of the Shah, including his repression of the Iranian population, his corruption, and his remarkable ability to simultaneously politically isolate himself, alienate his supporters, and strengthen his enemies. These failures set the stage for the rise of the *ulama* and their victory during the 1979 Revolution.

B. The Failure of Muhammad Reza Shah

The Shah used the period from 1953-1979 to essentially pick up where his father had left off, leashing the Majlis and vastly expanding the reach of the state. Financed by the rise in oil prices, the Shah vastly expanded the military and the bureaucracy, as his father had done, and also established the Pahlavi Foundation to manage court patronage, embezzling state funds and financing the royal family and those connected to it.[122] The Foundation eventually became a major financial player in the Iranian economy, collecting income from oil revenues in addition to returns from holdings in all sectors of the economy, while nominally remaining a 'charitable' organization.[123] The 'charitable' *bonyads* of the Islamic Republic would play a similar role after 1979. The military received the most attention. Its budget grew 12 times in a period that saw the Iranian Navy become the largest

[122] Abrahamian, 123-127

[123] Ibid., 127, 128

in the Persian Gulf and its army become the 5th largest in the world.[124] With American and Israeli guidance, the Shah set up SAVAK, the Iranian secret police, which became infamous for torture and for maintaining a vast network of informants, creating an environment of fear and suspicion amongst the Iranian public.[125] The bureaucracy grew to the point that even the smallest hovel in the most remote village in Iran felt the grip of the central government, its ranks swelling such that about half of all salaried employees in the country were paid by the state in 1977.[126] During this period, the Shah became increasingly detached from reality. He became infamous for making wildly delusional pronouncements, claiming that due to his reforms, Iranian civilization would eclipse the grandeur of its ancient past, and that Iranians' standard of living within twenty years would surpass that of Europe and the United States.[127] He also claimed he received messages from God, that there was no opposition to him in Iran, and that all Iranians loved him and the monarchy.[128]

Beyond expanding the power of the state, the Shah enacted sweeping social reforms. His White Revolution, begun in 1963, was aimed at empowering the landless peasants in the rural areas in order to ward off socialist agitation against the state.[129] It also was meant to bring the mass of rural laborers firmly on the side of the Shah, to be used as a counterweight to growing numbers of the intelligentsia and the middle class urban

[124] Ibid., 124

[125] Ibid., 126

[126] Ibid., 127

[127] Ibid., 131

[128] Ibid., 153

[129] Ibid., 131

population. This move severely undercut the landed nobles, parceling off their holdings to formerly landless workers grouped into rural collectives managed by the state.[130] While this reform did succeed in weakening the landed nobility, it was planned poorly enough that the land divided and given to the laborers was not sufficient to make a living, and the requirements for receiving land contracts from the state were restrictive and convoluted. This resulted in not enough land being given to not enough people.[131] Due to the difficulties brought about by the reform in the rural areas there was a massive increase in urbanization as people flocked to the cities for work after being abruptly cut off from their traditional modes of life. This reform thus alienated the landed nobles whose wealth was reduced, the peasants whose livelihoods were mismanaged, and served to vastly increase the population of the group that the Shah sought to use the peasants as a foil to: the urban classes.[132][133] This reform also had the effect of essentially wiping out the remnants of the nomadic tribes that once characterized the Iranian hinterland, sending them to the cities in droves looking for work.[134]

The Shah also directed the government to carry out a series of five-year plans, attempting to industrialize the country and build modern infrastructure.[135] While the Shah's reforms did result in some tangible benefits for Iran – including massive increases in school

[130] Kamali, 173, 174

[131] Ibid.

[132] Ibid.

[133] Abrahamian, 131-133

[134] Ibid.

[135] Ibid., 133

enrollment at all levels, an increase in literacy from 26 to 42 percent, more roads and trains, a tripling of the number of doctors, suffrage for women and the right to run for office, and a significant decrease in infant mortality – overall his efforts were misguided and led to wide scale antagonism in the population.[136] By the mid-1970s, the intelligentsia and the urban working class had quadrupled in number, creating vast shantytowns around cities like Tehran.[137] The Shah's reforms did not account for the massive public health infrastructure required by a quickly growing and urbanizing population, nor did it make any significant effort to bring public health infrastructure to the rural areas, denying them clean running water and electricity, not to mention hospitals.[138] Industrial production rose for heavy industries and consumer products, but agricultural production decreased dramatically due to the land reform, such that by the 1970s Iran was importing food whereas a decade earlier it had been a net exporter.[139] The state privatized many of the industries and channeled oil revenues to the elite families tied to the Pahlavi court, who in turn ran those major industries and developed large conglomerates that controlled various sectors of the economy.[140] This supply-side economic structure proved unable to trickle-down the wealth, such that by the 1970s Iran had one of the most unequal income distributions in the world.[141]

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[136] Ibid., 131-134

[137] Ibid., 139

[138] Ibid., 142

[139] Ibid.

[140] Ibid., 140

[141] Ibid., 140, 141

The Shah's policies also negatively affected the bazaar. As a result of the 1973 October War, oil prices surged and the Shah's five-year plan was actually amended to account for the extra cash flow.[142] These five-year plans tended to focus on heavy industry and other big-name infrastructure projects. Funds for small businesses and the bazaar were not forthcoming, although the inflow of petro-dollars proved to be a net positive for the traditional merchant class. However, the Shah went further in antagonizing the bazaar by targeting them specifically in new projects. The state made it a point to build modern supermarkets and stores to compete with the bazaars because the Shah saw the bazaar as a worn-out sector of the economy that had to be removed in the name of progress.[143] He was quoted as saying, "The bazaaris are a fanatic lot, highly resistant to change because their locations afford a lucrative monopoly. I could not stop building supermarkets, I wanted a modern country. Moving against the bazaars was typical of the political and social risks I had to take in my drive for modernization."[144] Despite the state's overtly hostile intentions to the bazaar, the latter managed to maintain its position in society, as the bazaar remained the most significant economic force in the country by the eve of the 1979 Revolution.[145] They were able to do this in part because they did not have to compromise with the labor unions of the 1940s, now banned by the Shah, and they also benefitted from the influx of

[142] Ghods, 200

[143] Ibid.

[144] Kamali, 164

[145] Ibid., 170

unskilled laborers from the rural areas, similarly minded socially and economically.[146] The Shah's supermarkets, while an affront, did not significantly threaten the bazaar.

The unskilled landless peasants coming into the cities due to the failure of the land reform could not find jobs in the growing bureaucracy because they were uneducated, and so ended up finding work on the margins of society as "street-sellers, porters, free-workers of the bazaars, square-workers, vegetable sellers, construction workers, peddlers, and so forth."[147] These rural migrants were generally more religious and socially conservative. They also tended to have more children due to their rural background, and combined with the improved health care facilities in the cities as compared to the countryside, more children survived infancy so they had larger families. This relatively new class of impoverished working families would prove to be very receptive to the pronouncements of the *ulama*, who dubbed them the *mostazafin*.[148]

By the mid-1970s, opposition to the Shah was becoming more vocal. In the aftermath of the 1953 Coup, the Shah had outlawed Mossadeq's National Front and the Tudeh parties, however they continued to operate underground.[149] In order to maintain the façade of parliamentary democracy, the state set up a two party system involving the Mardom Party as a permanent minority and the Melliyun – later Iran-e Novin – Party as pro-regime puppets.[150] Tellingly, they were nicknamed the 'yes,' 'yes, sir', and 'yes, of

[146] Ibid., 171

[147] Ibid., 175

[148] Ghods, 193. The word translates to "dispossessed, oppressed, meek, wretched of the earth"

[149] Abrahamian, 130

[150] Ibid.

course' parties.[151] In his 1961 memoirs the Shah boasted that he was benevolent enough to allow a multi-party system, and did not have to resort to a single-party state the way Adolf Hitler did.[152] In 1975, however, he did just that by abruptly banning all parties and creating the Rastakhiz Party, turning Iran into a one-party state. His memoirs were removed from bookshelves by SAVAK as part of the process.[153] The Shah took this decision after the oil boom of the early 1970s faded, slowing down the infrastructure projects of the government and causing massive inflation in the country.[154] Cash flow suffered to most sectors the government spent money on, except, of course, the military. This resulted in increased unrest, which the single-party system was meant to stifle.

Membership in Rastakhiz became essentially mandatory, as those who did not join were dubbed traitors and harassed by SAVAK.[155][156] Rastakhiz devoured what civil society the Shah had previously allowed to exist and set up new organizations to mobilize the population in favor of the Shah and his policies. It took over government ministries, set up newspapers spouting ideological rhetoric, and coerced people into joining the party and voting during elections.[157] Initially, Rastakhiz was meant to also serve as a conduit for political participation by the masses, an outlet to express concerns and ideas in a loyal and

[151] Ibid.

[152] Ibid.

[153] Ibid., 149-150. Rastakhiz translates to 'resurgent'

[154] Ghods, 203, 204

[155] Zonis, 75

[156] Kamali, 244, 245

[157] Abrahamian, 150, 151

pacified manner.[158][159] Instead the Shah grew fearful that the members of the party he created – and forced people to join – might voice dissent, so in 1976 he banned party debate.[160]

Rastakhiz specifically targeted the bazaar, banning its traditional trade guilds and forcing bazaaris to join the party, institute minimum wages, and provide health care for its employees.[161] Even worse for the bazaar, Rastakhiz initiated a system of price controls and sent goons in to harass bazaaris for 'profiteering', the bazaar's alleged practice of which the Shah blamed for the rampant inflation. These raids resulted in massive fines, arbitrary arrests and the imprisonment of 8,000 merchants, and the shuttering of 250,000 businesses.[162][163] The state even mulled over plans to demolish the Tehran bazaar and build an eight-lane highway.[164] All these steps were taken in accordance with the Shah's personal disdain for the bazaaris and their traditional role in Iran. Obsessed as he was with 'modernization,' for the Shah the bazaars simply represented an obsolete economic system that was already on its way out. The state built department stores and supermarkets to take the position the bazaaris had held over time, but the policies implemented by Rastakhiz

[158] Ghods, 203

[159] Abrahamian, 149-153

[160] Ghods, 203

[161] Abrahamian, 151

[162] Ibid., 152

[163] Keshavarzian, 242

[164] Ibid.

represented the first time the Shah had openly attacked the bazaar in an effort to punish them into irrelevancy.[165]

The clergy also suffered under the Shah's reforms. The Shah's rhetoric emphasized his connection to Iran's pre-Islamic past, much in the same way his father did.[166] This move disturbed the *ulama* who perceived their role as the legitimizers of the Shah's rule threatened. He also introduced a new calendar based on 'Imperial' Iran, disposing of the Islamic one, further antagonizing the religious establishment.[167] Additionally, he made moves to marginalize the *ulama*'s role and increase the state's role in the field of religion. Abrahamian wrote:

> Moreover, the Shah sent special investigators to scrutinize the accounts of religious endowments; announced that only state-sanctioned institutions could publish religious books; and expanded Tehran University's Theology College, as well as the Religious and Literacy Corps, so that more students could be sent into the villages to teach peasants 'true Islam'. In the words of one paper close to the *ulama*, the state was out to 'nationalize' religion.[168]

These moves, combined with the Shah's reforms giving women the right to vote and allowing them to run for office, seriously challenged the *ulama*'s role in society. The Shah's emphasis on western culture and his close alliance with the United States also disturbed the clergy, turning them vehemently against him after a period of détente following the Shah's victory over the secular forces during the 1953 Coup.[169]

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[165] Ibid., 133, 134

[166] Abrahamian, 152

[167] Ibid.

[168] Ibid.

[169] Kamali, 150

Thus, the White Revolution and Rastakhiz on balance were colossal failures. The land reform alienated former bases of support and quadrupled the population of the social strata the Shah sought to marginalize. The state's massive bureaucracy and opulent spending failed to bring critical infrastructure and jobs to those who needed it. Political dissent and free speech were repressed leading to resentment. Rather than cement the Shah's support in the population, the imposition of the Rastakhiz Party further alienated the regime from its citizens, and turned the bazaar decisively against the monarchy. The clergy turned against the Shah due to his policies marginalizing the established *ulama*'s remit on religious affairs in Iran. Gripped with megalomania and delusions of grandeur, the Shah managed to simultaneously antagonize his opponents, increase their strength, alienate his allies, and weaken his position. With an economy in shambles and civil liberties stifled, antagonism manifested itself in open opposition to Muhammad Reza Shah.

C. Shariati, Bazargan, & the Opposition

The most prominent non-clerical thinker whose ideas helped drive the 1979 Revolution was Ali Shariati. He was representative of the emergent middle class, and was educated in both Iran and in France, the latter in the turbulent early 1960s. Shariati was heavily influenced by Marxism and revisionary Shi'aism, seeing them both as revolutionary ideologies emphasizing anti-imperialism and socialism.[170] As Abrahamian writes, "[Shariati's] prolific works have one dominant theme: that the true essence of Shi'aism is

[170] Abrahamian, 143, 144

revolution against all forms of oppression, especially against feudalism, capitalism, and imperialism."[171] In Shariati's view, the Prophet's message was not just a religious one but a means to bring about social revolution leading to a classless society.[172] He combined the class struggle and utopian vision of Marxism with the fervent passion and martyrdom lexicon of Shi'aism. In his view, Islam is a dynamic, progressive, revolutionary force in human civilization, aimed at liberating the *mostazifin* from the clutches of elitist oppression. Shariati did not spare the Shi'a *ulama* from criticism, describing them as out of touch, archaic, immobile, operating in a vacuum, elitist, as 'zombies mindlessly regurgitating *fiqh* lessons', and as obstacles on the path to social revolution.[173] [174] To emphasize the social action aspect of Shi'aism – that Shi'aism is not a set of mundane principles but something people should be living at all times in their lives – he coined the term, "Every place, Karbala. Every day, Ashura. Every month, Muharram."[175] His ideas were immensely popular amongst student groups and the intelligentsia in Iran, provoking them to agitate enough such that Shariati was arrested and exiled to England, where he died at the age of 44 in 1977.[176] His ideas represented one of the primary schools of thought in

[171] Ibid., 143

[172] Ibid.

[173] Ghods, 195

[174] Kamali, 155

[175] Abrahamian, 145. Karbala was the location where the 3rd Imam, Hussein, was martyred. Ashura is the day the martyrdom is commemorated, during the month of Muharram, the second-holiest month of the Islamic calendar next to Ramadan.

[176] Kamali, 156

the post-Shah era, what Mehdi Moslem refers to as 'subsystems', competing with the ideologies of the *ulama* and the less radical vision of nationalists like Mehdi Bazargan.

A pious highly-respected academic with ties to the bazaar, Bazargan was involved with Mossadeq's National Front, and along with his friend and ally Ayatollah Taleqani had criticized Ayatollah Kashani for abandoning the nationalist leader during the 1953 Coup.[177] Bazargan and Taleqani later formed the Freedom Movement, made up of former National Front members and other nationalists. The most important difference between the two nationalist groups was that the Freedom Movement was decidedly more religious. Bazargan's Freedom Movement advocated a larger role for Islam in Iranian society than the secular National Front, while still adhering to republican and constitutionalist principles. He was an ardent supporter of republican government, free speech, and freedom of worship and expression.[178] Bazargan and the leaders of the Freedom Movement found it difficult to organize successfully, however, due to constant harassment by state security forces.[179] Nevertheless, by the advent of the 1979 Revolution Bazargan was one of the most popular leaders opposing the Shah.

To varying degrees, both Bazargan and Shariati posed threats to the clergy's monopoly on religious guidance.[180] Both held that Islam was inherently opposed to tyranny, and was not something esoteric that only a handful of individuals could grasp. Rather, for Bazargan and Shariati, Islam called for social justice, and for taking action to benefit

[177] Ghods, 191

[178] Jahanbakhsh, 106-109

[179] Ghods, 191

[180] Kamali, 164

mankind.[181] Neither were trained clerics, yet they both espoused visions for Iran's future involving Shi'a Islam as they interpreted it, bypassing the *ulama*. Shariati, specifically, spoke out quite vehemently against the *ulama* in his last writings before his death, declaring the clergy as part of the propertied classes, in alliance with the traditionalist bazaar, and using their declared superior knowledge of Islam to keep down their followers.[182] He wrote, "The task at hand is nothing less than the total liberation of Islam from the clergy and the propertied classes."[183] Given his massive following and the fact that these views came at the end of his life just before the Revolution began, it is arguable that events during the 1979 Revolution would have played out differently had Shariati lived.

The remnants of the Tudeh Party also remained, continuing their underground work against the Shah. In the period after the 1953 Coup, Tudeh was crippled by SAVAK and split by the ideological arguments gripping the global socialist movement.[184] Members of its youth group split off in the early 1970s and formed the Fedaiyan-e Khalq, a small, militant Marxist group that engaged in bombings and assassinations against the Shah's government.[185] Another similar group also engaged in armed struggle against the Shah was Mujahedin-e Khalq, founded in 1965, also vaguely Marxist but more taken with the Islamist ideology of Ali Shariati.[186] These two organizations occupied the lion's share of

[181] Jahanbakhsh 93

[182] Abrahamian, 145, 146

[183] Ibid., 146

[184] Ghods, 206, 207

[185] Ibid., 207-210

[186] Ibid., 207

SAVAK's attention in the 1960s and 1970s.[187] Another organization that played a role in the 1979 Revolution was the Islamic Students' Society, a student group based outside of Iran that also agitated against the Shah. One of the group's principle leaders in France was Abolhassan Banisadr, the future first president of the Islamic Republic.[188]

D. The Revolution

In order to silence the forces arrayed against him, the Shah resorted to a staggering amount of repression via his secret police organization, SAVAK. Over time these human rights abuses drew international attention, including mention by US President Jimmy Carter when condemning human rights abuses around the world as part of his 1976 election campaign.[189] In the same year, Amnesty International described the Shah as "one of the worst violators of human rights in the world."[190] While not entirely sympathetic to these characterizations from NGOs, pressure from US rhetoric and the attention of international media in general forced the Shah in 1977 to relax his grip on the political sphere, allowing for various civil rights organizations and political groups to have their voices heard.[191] He also relaxed the severity of the judicial system, guaranteeing open trials for civilians with

[187] Kamali, 180

[188] Ghods, 213

[189] Abrahamian, 157

[190] Ibid.

[191] Ghods, 216

defense attorneys of their choosing.[192] Finally allowed a space and a voice, many opposition groups formed and spoke out against the abuses of the Shah's government and expressed their frustration with the economy and the Shah's disastrous reforms.[193][194] Most of the groups that emerged consisted of and were led by former National Front supporters. One of the most prominent of these groups was the Committee for Defense of Freedom and Human Rights in Iran, founded by Mehdi Bazargan.[195] Bazargan sent a letter to the Shah in June 1977 asking for a return to constitutional democracy and the curbing of the monarchy's powers.[196]

The Shah, in typical vacillating fashion, met these demands with both conciliatory gestures and repression, failing to execute either properly or decisively. He replaced his long-time premier Hoveyda – in retrospect a shuffling of the Titanic's deck chairs – with the head of the Rastakhiz Party, signaling the extent of his disconnect with the demands of the opposition groups.[197] Jamshid Amouzegar, the new prime minister, ended the policies antagonizing the bazaar, but as part of his austerity he cut state subsidies to the *ulama.*[198] Overall his policies were unable to make a significant difference to the opposition groups, whose continuing insistence on a curtailing of the Shah's power finally provoked the

[192] Abrahamian, 157

[193] Ghods, 217

[194] Downes, 106-109

[195] Ghods, 216

[196] Ibid., 217

[197] Downes, 109

[198] Ghods, 217

traditional response.[199] Towards the end of 1977, SAVAK was unleashed once more upon dissenters, harassing opposition leaders, arbitrarily arresting people, and forcefully breaking up political meetings.[200][201] It is important to note that at this stage, no one was calling for the overthrow of the Shah, merely a return to the constitution and other reforms.

The major turning point occurred in January 1978 when the pro-regime newspaper *Ettela'at* published an article attacking Ayatollah Ruhollah Musavi Khomeini, then in exile in Najaf, Iraq.[202] Khomeini's constant criticism of the regime had incensed the Shah, who arranged to have the opinion piece published in order to discredit the cleric.[203] The article accused Khomeini of being a British agent and a communist, amongst other ridiculously offensive claims.[204] The article was a catastrophic miscalculation by the Shah, severely backfiring against him by provoking outrage from Qom and other *hawzas*.[205] Students in Qom took to the streets, protesting against the Shah's policies and calling for the return of Khomeini, amongst other reforms. Security forces in the city reacted with typical brutality, killing an undetermined number of protestors.[206] This event, the article and the protestors killed denouncing it, would act as the initial spark for the mass mobilization of the Iranian

[199] Ibid.

[200] Ibid.

[201] Azimi, 207

[202] Ghods, 217

[203] Azimi, 207

[204] Abrahamian, 158

[205] Ghods, 217

[206] Ibid.

people, eventually resulting in one year's time in the overthrow of the Shah. Demonstrations in support of those killed in the initial Qom protest took place after 40 days – the standard commemoration day for the dead in Shi'a Islam – and on those days more protestors were killed, resulting in a cycle of major protests every 40 days.[207] After the article and the closing of ranks behind him, Khomeini felt comfortable in openly advocating for the overthrow of the Shah.[208] These demonstrations grew in numbers and intensity as the cycle continued and more people were killed, thus perpetuating the movement against the Shah.[209]

The *Ettela'at* article also cemented Khomeini's role as the figurehead of dissent against the Shah. Before the article, Khomeini had retained a significant following but lacked broad appeal amongst the non-clerical establishment.[210] The Shah unintentionally brought Khomeini to nationwide prominence. As Mark Downes wrote:

> Khomeini in the aftermath of the article's publication was elevated out of his exiled obscurity. For a number of years the government's activities against the secular opposition left the movement without a charismatic leader behind whom they could unite. The Shah had inadvertently placed the persona of Khomeini into a position behind which all shades of opposition could unite.[211]

This elevation to national prominence was also abetted by the fact that most of the other leading *ulama* were jailed, leaving Khomeini, in exile, as the most prominent voice of

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[207] Abrahamian, 159

[208] Azimi, 208

[209] Abrahamian, 159

[210] Downes, 111

[211] Ibid.

the clergy, communicating through cassette tapes smuggled into the country of his sermons and pronouncements against the monarchy.[212] Khomeini had been in Najaf since 1963, when he first spoke out against the monarchy during the White Revolution. The Shah, in another decision that would backfire against him, decided to ask the Iraqis to expel Khomeini, who then moved to France in October 1978.[213] While in France Khomeini had access to an international media spotlight and free speech that he did not enjoy in Iraq, in addition to more lax travel restrictions for his supporters and other members of the opposition in Iran to travel back and forth from Tehran to confer with him in exile.[214] In grand tradition, the Shah thus further enabled his enemies to act against him.

Khomeini masterfully used his position as revolutionary figurehead to court the support of the nationalists and convince the international community he was a viable alternative to the Shah. He issued a declaration with the National Front leaders claiming that Islam and democracy were the principles of the revolution, described his planned post-Shah government in sufficiently vague terms, denounced communism, and most importantly, never mentioned *velayat-e faqih* or his intention to press the right of the *ulama* to directly rule the country.[215] [216] In this manner he gained legitimacy across the spectrum of opposition groups, cementing his position as the leader of the revolution that was rapidly increasing in strength.

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[212] Ibid., 110, 111

[213] Ibid., 113, 114

[214] Ibid.

[215] Ibid., 114

[216] Ghods, 219

The Shah's continuing vacillation and mishandling of the protest movement pushed the opposition to a point where they were unwilling to compromise, and roundly demanded his removal. During this period there were also a series of bombings and attacks on government forces by both the Fadaiyan and the Mujahedin, which contributed to the idea that the Shah was unable to handle the situation, and could be defeated.[217] Besides the street clashes that took place during demonstrations that continued throughout the year, two other bloody incidents occurred in 1978 that essentially sealed the Shah's fate. In August a fire in Abadan that destroyed a cinema and killed over a hundred people was blamed on SAVAK, and in September government forces killed a large, but undetermined, number of unarmed protestors in Jaleh Square in Tehran, in what became known as Black Friday.[218] These events hardened the opposition's resolve and united the country against the Shah.

By December 1978 the Shah was essentially finished. The army was unwilling to confront the Iranian people on a massive scale, and the Shah was also unwilling to order it to do so.[219] Demonstrations now involved millions of people across the country – *mostazifin* mobilized by the clergy, middle class intelligentsia, laborers of all stripes, bazaaris, and even the multitudes of government employees – and were unanimous in their calls for him to leave.[220] He attempted to satisfy the opposition by appointing Shahpour Bakhtiar, one of the leaders of the National Front, as prime minister, and promising to abide

[217] Downes, 111-115

[218] Ibid., 112, 113

[219] Kamali, 189-191

[220] Downes, 112-114

by the constitution.[221] Khomeini and the other opposition leaders, unwilling to compromise at this point, denounced Bakhtiar as a traitor, and continued their calls for the overthrow of the monarchy.[222] [223] On January 16th 1979, suffering from cancer and the staggering weight of his own manifold failures, Muhammad Reza Shah left his country for exile.[224] Two weeks later, after more than 15 years in exile, Ayatollah Khomeini returned to Tehran to a crowd of millions gripped in ecstatic jubilation.[225] At this point, few in Iran had an accurate idea what Khomeini had in mind for the nation in upheaval.[226] [227]

E. Conclusion

This chapter outlined the manner in which the Shah's failed policies climaxed in an eruption of dissent that ended with his overthrow. He systematically managed to antagonize and empower the forces that would be arrayed against him, while at the same time weakening his own position and alienating what support he could have mustered. His vacillation and incompetency in handling the demands of the protestors led to the end of monarchical rule in Iran. Iranian society underwent large shifts as well, with the creation of

[221] Ibid., 115

[222] Ghods, 219

[223] Azimi, 218

[224] Downes, 108, 115

[225] Abrahamian, 161

[226] Ghods, 219

[227] Downes, 117-119

an enormous class of urban poor, the marginalized *mostazifin*. Deprived of their traditional livelihoods and forced into poverty by the failing boom-and-bust economy the Shah created in the 1970s, they found solace in the words of the *ulama*, who successfully mobilized them during the Revolution to demonstrate against the monarchy.

This chapter also explained the principle ideologies driving the Revolution, besides a generalized contempt for the Shah. The Shi'a revivalism of Ali Shariati influenced the leftist, religious segments of the intelligentsia, inspiring the Mujahedin movement, and later the '*maktabi*' faction in the Islamic Republic. Bazargan stood as the most prominent of the old nationalists, more religious in nature than Mossadeq but cut from the same cloth of constitutionalism and republican government. His ideas would go on to influence the contemporary reform movement, and politicians like Muhammad Khatami and Mir-Hussein Mousavi – albeit not until later in their careers. While these ideologies persist, neither was as successful during the Revolution as Khomeini's development of *velayat-e faqih* in the determination of the character of the Islamic Republic. The development of that idea, and the shape the Iranian state took as a result, are the subjects of the fourth chapter.

CHAPTER IV

THE INSTITUTIONS OF THE ISLAMIC REPUBLIC

A. Introduction

Using the background information laid out previously in the thesis, Chapter IV will explain the manner in which the Islamic Republic established itself and the forces that shaped its formative years. In this chapter, the Iranian state structure will be explored in depth, and placed in the larger context of Iranian society as a whole as it developed in the 1980s. This chapter's principle importance lies in its introduction of this thesis' main arguments supporting the claim that the Iranian state structure, as it exists now, is untenable in the long term.

The first section explains Ayatollah Khomeini's conception of *velayat-e faqih*. It also explains its antecedents covered in the two previous chapters and the circumstances under which it was developed and received during the Revolution. The second section illustrates how the process of writing the Islamic Republic's Constitution played out, and what it produced. Emphasis here is placed on the resulting state structure and the competing ideologies at work in the system. The third section addresses the period of consolidation that took place during the 1980s and the forces at work in Iranian society at the time. The fourth section details the reforms that took place at the end of the 1980s and the death of Khomeini. The changes undertaken in this period reflect the political elite's recognition of structural problems with the Islamic Republic and their desire to fix them in order to

perpetuate the system's existence. These problems were centered on the role of the supreme leader, or *rahbar*.

The sections in Chapter IV will establish that the theocratic elements of the Islamic Republic outweigh and command authority over the republican elements, that the system was purposefully structured to weaken the role of popular sovereignty in the state to the advantage of the *ulama* and their role as the guardians of the state and executors of its power. This chapter will also show how the entire state structure is dependent on the principle of *velayat-e faqih*, and how the *ulama* maintain their rule through authoritarian means. Finally, it will illustrate how the position of the *faqih* was fashioned with Ayatollah Khomeini in mind, creating a crisis of legitimacy for the future of the institution which the 1989 constitutional reforms attempted, but failed, to remedy.

B. Ayatollah Khomeini and Velayat-e Faqih

Prior to the development of *velayat-e faqih*, the Shi'a *ulama* had gone through several stages in their political evolution. As explained in the preceding chapters, the clergy progressed from political quietism to pseudo-integration into the socio-political structure of the Safavid state, from there to the demand that they have a say in the creation of laws in the 1906 Constitution. They suffered setbacks during the Pahlavi dynasty, as the state encroached on their traditional provinces of social affairs and justice, and increasingly tried to leash them, or at least create a mechanism to authorize their activities and keep them under the thumb of the monarchy. The adoption of *velayat-e faqih* as the ideology of the Islamic Republic, however, represented the most extraordinary leap the *ulama* have ever

taken.[228] Had it been presented at any time before the bedlam of the 1979 Revolution, its validity would probably have been challenged more severely than it was when introduced by Khomeini.

An important point regarding *velayat-e faqih* is that Khomeini – famous for his unwavering, uncompromising attitude – was not enamored with the concept until much later in his career.[229] [230] He grew into *velayat-e faqih* as a legitimate principle over time, but after he proposed it, the concept became infallible and he defended it with a characteristically belligerent zeal. Before his expulsion from Iran in 1963, however, Khomeini's writings and pronouncements did not introduce new ideas.[231] In his early years at the *hawza* in Qom in the 1930s, Khomeini followed the lead of his first mentor, Ayatollah Abdul Karim Haeri, who was decidedly apolitical.[232][233] When Haeri died in 1937, Ayatollah Boroujerdi took Khomeini under his wing.[234]

Opposition to the Shah from the *ulama* developed over time, and was generally fragmented, at least initially. Before the White Revolution, the senior *ulama* of the time, Ayatollahs Behbahani, Shahrestani, and Boroujerdi were on relatively good terms with the

[228] Abrahamian, 146

[229] Moslem, 12

[230] Abrahmian, 146, 147

[231] Chehabi, 72

[232] Downes, 86, 87

[233] Moslem, 12

[234] Downes, 87

monarchy.[235] As mentioned before, the Shah moved decisively after the 1953 Coup to crush the nationalist/constitutionalist movement, which was secular in nature. The *ulama*'s fear of those groups drove them to support the Shah, and this cordiality continued for the most part until the White Revolution. Ayatollah Boroujerdi was the most senior *marja-e taqlid* from the late 1940s until his death in 1961, and he advocated a minimal role for the *ulama* in politics, refusing to become actively involved in the 1953 Coup as opposed to the more radical Ayatollah Kashani.[236] Due to the position Boroujerdi held amongst the *ulama*, political involvement was frowned upon while he was alive. His death combined with the onslaught of the Shah's obnoxious policies opened space in the *hawzas* for members of the *ulama* to speak out publicly against the monarchy.[237]

In 1942, however, Khomeini showed little sign of divergence from Shi'a thought as it had progressed to that point. In his first major book, *Kashf-e Asrar*,[238] Khomeini advocated a role for the *ulama* that was already called for in the 1906 Constitution, that of a vetting role to ensure that laws produced by the government conformed with Islamic principles.[239] Regarding the role of the monarchy, he wrote, "the *mojtahids* never have and never will oppose kings and temporal powers even if they pursued un-Islamic policies."[240] It was not until after Boroujerdi died and the 1963 White Revolution reforms of the Shah

[235] Kamali, 150

[236] Ibid., 141

[237] Ibid., 181

[238] 'Secrets Revealed'

[239] Moslem, 12

[240] From *Kashf-e Asrar*, as quoted in Moslem, 12

were introduced that Khomeini began openly criticizing the government, both for being un-Islamic, and perhaps more importantly, unconstitutional.[241] During these kinds of episodes, Khomeini purposefully used language that simultaneously riled up the religious base while not necessarily alienating the secularists who supported him against the Shah, because Khomeini realized that he needed a wide appeal in order to maintain influence.[242] He later said, "if we talk about the constitution, it is because the government uses it to justify its existence, and we want to beat them at their own game. We neither care about the constitution nor want anything to do with it. Our constitution is the law of Islam."[243] This is also the reason why, later on during his unveiling of *velayat-e faqih* and during the Revolution he was purposefully vague, so as not to scare away the nationalists supporting him.[244]

After being exiled in 1963, Khomeini re-located himself in the Shi'a *hawza* of Najaf, Iraq. It was during this time in Najaf that he began formulating and lecturing on his interpretation of *velayat-e faqih*, which translates to 'guardianship of the jurist'. Until Khomeini, the scope of guardianship in the concept was limited to the jurisdiction of the *faqih* over the people's social affairs, wherein the *ulama* would rule on judicial matters, maintain *awqaf*, and aid in financially maintaining widows, orphans, and the mentally disabled.[245] This was the role played by Shi'a *ulama* traditionally in history, including the

[241] Downes, 89

[242] Ibid.

[243] Khomeini in 1982, as quoted in Downes, 89

[244] Downes, 98, 99

[245] Abrahamian, 146

Safavid and pre-Constitutional Qajar period described in the second chapter. In 1970, Khomeini's lectures on the topic were turned into a book called *Velayat-e Faqih: Hokumat-e Islami*, wherein he laid out his drastic re-interpretation of the idea.[246]

Essentially, Khomeini argued that the right to rule was passed from the Prophet Muhammad to the twelve Imams, and that due to the greater occultation, the *gheybat-e kubra*, the most learned interpreters and scholars of *fiqh* have the authority to rule in the 12th Imam's absence.[247] [248] Because sovereignty – *hakimiyya* – is not derived from the people, but from God, arguing against the *ulama* implementing this system is construed as arguing against the will of God.[249] Traditional scholars maintained that authority to rule remained with the 12th Imam as explained in the second chapter, and that the *ulama* must continue Islamic teaching and care for the community, but must refrain from acting in his stead and remain apolitical. Khomeini argued that because the 12th Imam's absence was indefinite, and the time of his return was unknown, the *ulama* should not be passive in society and should not merely wait, but should actively work to create an Islamic government in accordance with the *fiqh*.[250][251] He explained that this *rahbar*, the *mujtahid* who acts as supreme leader of Iran, must be a *marja-e taqlid* in order to exercise the necessary authority in *shari'a* for the community, although this would later change when

[246] Ibid.

[247] Moslem, 13

[248] Moussawi, 57, 58, 59

[249] Jahanbakhsh, 133

[250] Chehabi, 73

[251] Abrahamian, 146

Ali Khamenei, who was not a *marja*, succeeded Khomeini as *rahbar*. The specifics of Khomeini's Islamic government were not laid out at this point. Khomeini remained sufficiently vague in his descriptions of the extent of the *faqih*'s powers and the institutions that would act as pillars of an Islamic government.[252] [253] The writings themselves were not circulated widely, and so when Khomeini burst back onto the scene after the *Ettela'at* article in 1978, the idea was not necessarily associated with him by the mainstream.[254] [255] Iranians initially saw him in a more general sense as the most stalwart, charismatic, uncompromising opponent of the Shah, not as a religious innovator who stood for theocracy.

In a way, interpreting *velayat-e faqih* in this manner was a logical next step for the Shi'a *ulama*. It can be seen as a reasonable outcome in the old Akhbari-Usuli struggle to determine the role of the clergy in the absence of the sources the clergy derived their own authority from. The question was, in the absence of the Prophet or the infallible Imams, how was society and state to be ordered? In the aftermath of the Usuli school's triumph over the purely apolitical, anti-hierarchical Akhbaris, the *ulama* developed a hierarchical clerical system. The more learned a *mujtahid* was in *fiqh*, the higher up on the clerical ladder they were, and the more authority they commanded. The top of the ladder, the *marja-e taqlid*, wielded considerable power over the community of *muqalleds*. This easily

[252] Moslem, 14, 15

[253] Milani, *Power Shifts in Revolutionary Iran,* 360

[254] Abrahamian, 146

[255] Milani, *Power Shifts in Revolutionary Iran* ,360

solved the problem of dealing with social matters, judicial disputes, and the like. Regardless, the question of political power remained.

Khomeini took a step – or a leap – and argued that if Muslims were meant to live by Islamic principles, then they would need an Islamic state, and in the absence of the 12th Imam the individuals most qualified to act on his behalf and carry out the injunctions of *fiqh* are the *ulama*, naturally. Secular leaders could not be expected to rule based on Islamic principles, and a lay member of the Muslim community would not have the expertise required to make decisions in line with *shari'a*, even if they were pious Muslims and intended to act in an Islamic manner. The foundation of the argument is that those who understand the law are the only ones who are qualified to exercise political power in accordance with that law. The logic, objectively, has merit. And, as Ibrahim Moussawi argues, Islamic government is not despotic because it rules in accordance with Islamic law, which is divine, and as long as the population is a Muslim one, then the state is democratic in that the people have chosen to live in accordance with that law.[256] In fact, Khomeini would later point out that the people had already voted for Islamic government through their marches and demonstrations.[257] Many of Khomeini's nationalist allies and opponents would come to disagree with that characterization.

[256] Moussawi, 59

[257] Moslem, 18

C. The Constitution of the Islamic Republic

When Khomeini returned to Tehran in 1979 he was held as the embodiment of the Revolution and opposition to the Shah. By returning to Iran he had essentially become the de facto head of state, and with this popular authority he appointed Mehdi Bazargan to be prime minister to set up a caretaker government while the new state was built.[258] At this stage, the nationalists allied with Khomeini were eager to begin the work of re-writing the constitution – specifically along the lines of the French Republic – and did not perceive the *ulama* as a dangerous force. After all, in France in 1978 Khomeini had said that the *ulama* would have a minimal role to play in the new government.[259] This, however, proved to be another one of the statements Khomeini made in order to assuage members of the opposition into siding with him. It is arguable if Khomeini knew the whole time that he would marginalize the nationalists and sweep them aside to introduce *velayat-e faqih*, however he did make things problematic for them even at the outset.

Khomeini, shortly before he arrived and after he was established, created a large network of institutions in Iran, a shadow government that acted parallel to the organizations of Bazargan's provisional government. Acting on the disdain the Iranian people held for the existing organs of the state, Khomeini and the *ulama* moved to consolidate and expand their control over Iranian society by creating these *nehadha-ye inqelabi*, or revolutionary organizations.[260] Of his own volition and purely with the force of his own character,

[258] Ibid., 20, 21

[259] Ibid., 21

[260] Ibid., 23

Khomeini set up a Revolutionary Council to give direction and oversee the actions of the provisional government.[261][262] He appointed a Revolutionary Tribunal to organize the activities of courts that had sprung up around the country, and the senior clergy supporting him led by Ayatollah Beheshti founded the Islamic Republican Party (IRP) to coordinate the *ulama* politically in support of Khomeini.[263] He also directed the establishment of *bonyads* – Islamic charitable foundations – to begin the sweeping social programs in support of the *mostazifin* some of the *ulama* had called for. The largest of these, the *Bonyad-e Mostazifin*, took control of the Pahlavi Foundation's assets in addition to seizing the funds of around fifty millionaires.[264] These *bonyads* came to control vast amounts of the country's wealth, and were directly accountable only to the *rahbar*. Khomeini also established a system of revolutionary committees, or *komitehs*, to maintain law and order and carry out the decisions of the central *komiteh* in Tehran, under the control of Khomeini and his followers. It acted essentially in the same manner as a government would, with a networked structure of local *komitehs* carrying out instructions from the central *komiteh* and informing it of local developments.[265] Additionally, the IRP established a paramilitary wing known as Hezbollah, or Party of God, whose members attacked those they deemed opponents of the new system, closing down newspapers and physically harassing

[261] Ibid., 22

[262] Abrahamian, 163

[263] Ibid.

[264] Abrahamian, 178

[265] Moslem, 22-24

civilians.[266] [267] [268] Because the *ulama* could not depend on the regular army to support them they created the Iranian Revolutionary Guard Corps (IRGC), also known as *pasdaran*, whose ranks were mostly drawn from the *mostazifin*.[269] This comprehensive apparatus of *nehads* operated completely independently of Bazargan's provisional government, weakening him severely.

In August of 1979, elections were held for an Assembly of Experts which would write a new constitution for Iran.[270] After a previous 'yes or no' referendum on instituting an 'Islamic Republic' had met with overwhelming approval in April – before which Khomeini had dismissed Bazargan's idea for a third option on the ballot, a 'Democratic Islamic Republic' – the ground was set for Khomeini to solidify the gains the *ulama* had made in the Revolution in the country's constitution.[271] Bazargan submitted a draft constitution in June, a mixture of the Iranian 1906 and French Fifth Republic constitutions calling for a presidential system, making no mention of *velayat-e faqih*, and suggesting for the *ulama* only the same role afforded them in the 1906 Constitution.[272] [273] Using

[266] Ibid., 23

[267] Downes, 122

[268] Not to be confused with the Lebanese Hezbollah, a different organization

[269] Moslem, 22

[270] Abrahamian, 163

[271] Ibid.

[272] Downes, 120

[273] According to Saffari, p 67, Khomeini initially approved the draft constitution and suggested it skip Bazargan's proposed 335-member constituent assembly for revision and go directly to the people in a referendum, only after removing clauses granting women the ability to become judges

Bazargan's draft as a base, the Assembly of Experts was meant to produce a final draft. Candidates running for election to the Assembly were subject to rigorous vetting by various bodies controlled by the pro-Khomeini *ulama*.[274] Consequently, the Assembly was dominated by senior IRP figures, leaders of the *nehads*, members of the conservative *ulama*, and other pro-Khomeini agitators. Debate over the constitution was fierce, but there was not much the anti-*velayat-e faqih* delegates could do in the final analysis. They were hopelessly outnumbered in terms of votes, and the senior figure in the Assembly who ran debate and shaped procedure was Ayatollah Beheshti, the founder of the IRP and an ardent supporter of *velayat-e faqih*.[275] The resulting system – which underwent a series of revisions when Khomeini died – remains the blueprint for the Islamic Republic. Ostensibly a balance between republican and theocratic principles, upon closer study it becomes clear that the former were crippled to the advantage of the latter.

The Islamic Republic of the 1979 Constitution boasted the three traditional branches of government familiar to republican models, the executive, legislative, and judicial, with an arguable fourth, the *rahbar*. The Iranian people elected the members of the Majlis and the Assembly of Experts, the latter a separate body from that which designed the constitution, and whose purpose was to choose the *rahbar*, and if necessary, remove him for failing to carry out his duties correctly. Elected every four years, the Majlis wrote legislation, investigated any office or branch of the government, approved or removed any

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and be elected president. Later he was convinced by his supporters to instead hold elections for a 73-member Assembly of Experts, dominated by his supporters

[274] Abrahmian, 163

[275] Saffari, 68, 69

members of the president's cabinet including the prime minister, called the president or any member of his cabinet in for questioning at any time, approved loans and treaties, provided its members with immunity, approved or disapproved of martial law, and with a 2/3rds majority, could amend the constitution. It was also responsible for picking half of the 12 members of the Guardian Council, the other half being chosen by the *rahbar*.[276] The Guardian Council was authorized to veto any bill passed by the Majlis if it deemed it un-Islamic or against the constitution. It was also tasked with vetting all candidates for the Majlis, the Assembly of Experts, and the presidency.[277] The president, directly elected by the people every four years and limited to two consecutive terms, was deemed the second-highest authority in the country, and had the ability to appoint cabinet ministers including the prime minister – a position later eliminated – subject to approval by the Majlis, appoint ambassadors, governors, and formulate a budget and determine domestic and foreign policies.[278] Despite these abilities, the position was severely weakened by the split in power between the president and prime minister, the *rahbar*'s ability to disqualify and dismiss the president, and the fact that the president was not commander of the armed forces.[279] The constitution was vague in differentiating between the powers of the prime minister and the president, which added to the confusion.[280] Compared to the supreme leader however, both major positions of the executive branch were utterly feeble.

[276] Abrahamian, 166

[277] Ibid., 164

[278] Ibid.

[279] Milani, *Power Shifts in Revolutionary Iran*, 364

[280] Ibid., 364-366

The constitution endowed the *rahbar* with sweeping powers. He exercised the authority to override all other offices and institutions in setting policy, have the final word on any issue he chose to involve himself in, mediate between the branches of government, vet candidates for the presidency, dismiss the president, appoint half of the Guardian Council, appoint the chief justice, declare war and peace, and act as commander-in-chief of the armed forces.[281] [282] During the debates in the constitutional Assembly of Experts, the principle of *velayat-e faqih* emerged as the most important factor of the constitution. It split the clergy's ranks, with many of the more senior *mujtahids* refusing to support it. The clergy who won seats in the Assembly, however, were generally mid-level *ulama*, members of the IRP, and were overwhelmingly in favor of it.

The debate recorded several telling statements, a few by opponents of *velayat-e faqih* and the vast majority supporting it. Rahmatollah Muqaddam Maraghei, one of the senior opponents of *velayat-e faqih*, while arguing against it, said, "Islam must command, but Islam cannot be dominated by one group [the *ulama*]. Should that occur, Islam would become but an instrument in the hands of the power-hungry… the struggle was started by all the Muslim people, but now after our triumph a few want to dispose of their partners."[283] In arguing against the article that gave vast powers to the *rahbar*, Ayatollah Shirazi said, "The outside world will call us despotic… they will say that we [the clergy] framed the constitution in order to award ourselves absolute power. We should not render sovereignty

[281] Saffari., 75

[282] Abrahamian, 164

[283] As quoted in Saffari, 72

of the people empty. They [the people] may be silent and accept this article today, but later they will abolish the constitution,"[284] and, "In the name of God do not do this."[285] These arguments, calling for either no role or a more limited role for *velayat-e faqih*, were based on the premise that such an office would effectively override and nullify the republican aspects of the government. Consideration for the rights of the people and respect for their sovereignty would be essentially absent in the new system.[286] The pro-Khomeini *ulama's* response to these arguments centered on the absolute, paramount necessity that this new state be a purely Islamic one. To make it Islamic, it had to be based on *velayat-e faqih*, and if the *faqih* was acting in the name of God for the benefit of the people, that made the system democratic. Nothing else was needed. During the debate, principles of republican government were variously dismissed as superfluous by members of the pro-Khomeini faction, including the office of the president and checks and balances.[287] [288] If the system was Islamic, then no other laws, checks, balances, bodies, elections, or institutions were really necessary besides the *faqih* acting as the *rahbar*. Ali Khamenei, then a mid-level cleric, said, "One who acts on God's behalf is not a dictator."[289]

The constitution also contained ambiguous and contradictory statements regarding the role of the state in society. One of the main tensions clearly visible in the constitution is

[284] As quoted in Moslem, 29

[285] As quoted in Saffari, 75

[286] Moslem, 28

[287] Milani, *Power Shifts in Revolutionary Iran,* 362

[288] Saffari, 68-76

[289] As quoted in Milani, *Power Shifts in Revolutionary Iran,* 362

between the forces of liberalism and conservatism as regards the fields of social affairs and economics. This tension arose from the competition between the leftist forces involved in the revolution and the establishment forces, an issue that will be further explored in the next chapter. Suffice it to say, the leftist forces advocated a more open society in terms of social affairs – for example regarding women's role in society, free speech, censorship, etc. – and a more redistributive economic model, one with heavy state involvement, nationalizations of major industries, and regulation. The establishment conservatives were generally older members of the *ulama* who advocated a stricter, more closed societal model in order to keep out western influence and a hands-off, laissez faire economic model that benefited the bazaars. The constitution contains provisions promoting both of these visions.[290]

Obviously, there was a distinct disconnect between the goals of the pro-Khomeini *ulama* and their opponents. The debate was not one over methods or means, but in the ends they pursued. The word 'republic' in the name of the country for the nationalists and moderate *ulama* generally meant a system, with variations, where sovereignty was derived from the people, laws were derived by representatives elected by the people, and legitimacy for the ruler came from the people. The word 'Islamic' defined the character of the country and the values it promoted, not its system of governance. For the supporters of *velayat-e faqih*, sovereignty lay with God, the laws of the country were already laid out in *shari'a*, and legitimacy to rule came from the *ulama*'s place as guardians of the Islamic community during the greater occultation of the 12th Imam – the *gheybat-e kubra*. If the society was

[290] The Constitution of the Islamic Republic of Iran, Articles 21, 29, 30, 31, 33, 35, 43, 44, 47, 104, 141

Muslim, then *velayat-e faqih* was democratic and could not, by nature of being God's will, be despotic. For them, the word 'republic' was either a concession made to the 'leftists' or interpreted as a given, because the people had already 'chosen' *velayat-e faqih* by overthrowing the Shah and voting 'yes' for the Islamic Republic.

Theocratic authoritarianism ended up trumping republican and democratic principles in several ways. One of the major contradictions of the *nezam*, or system, would later be its arrest and execution of civilians that criticized the regime, despite the constitution's guarantee of the rights of free speech, assembly, worship, demonstration, equal treatment before the law, freedom from arbitrary arrest, torture, etc.[291] Criticism of the system was tantamount to criticism of God, the Prophet, and the Imams. Thus republican principles were overruled by theocratic principles. The sovereignty the people could exercise in electing the Majlis, the president, and the Assembly of Experts was negated by the Guardian Council's ability to vet the candidates to those bodies, in addition to its ability to veto legislation it did not agree with. While half of the Guardian Council was appointed by the *rahbar*, the other half was appointed by the Majlis, but the Majlis could only choose individuals approved by the judiciary, and the *rahbar* appoints the head of the judiciary, so even that avenue for expressing popular will was curtailed. Again, republican principles were overruled by theocratic ones. Essentially, all avenues whereby the electorate could affect change in the *nezam* or express their will through constitutional means were checked and controlled by other institutions dominated by the *ulama*, the 'religious supervisory bodies' as Mehdi Moslem refers to them. They were allowed to

[291] Abrahamian, 167

express popular will as long as the popular will did not 'conflict with Islam', or rather, threaten the position of the *ulama* and the principle of *velayat-e faqih*. Mohsen Milani characterized the government instituted by the 1979 constitution as one promoting 'limited popular sovereignty.'[292] However, in essence, a limited popular sovereignty is not popular sovereignty at all. The sovereignty of God, exercised through the auspices of *velayat-e faqih*, is the only real source of legitimacy conceived of in the 1979 constitution, which effectively established a theocracy with republican trimmings. The institutions of republican government in the constitution were never meant to act as a counter-balance to the *rahbar*, or as a guarantee of the people's sovereignty. Such notions were ultimately not entertained by the constitutional Assembly of Experts.

Thus, three levels of institutions came into being in Iran's formative years and remain the primary institutions of the country today. At the lowest level are the republican bodies, the organizations that are meant to act as the representatives of the electorate. These include the Majlis and the presidency. They are relegated to the lowest level of institutions because they have been purposefully weakened in exercising independence from the other institutional bodies, and because their source of legitimacy, the electorate, is regarded as the least important in the power structure. The Majlis' legislation is beholden to the dictates of the unelected Guardian Council, and candidacy for the Majlis itself is dependent on the approval of the same body. The Presidency is not the sole executive office in the country because the *rahbar* is the commander-in-chief and is regarded as the more powerful and legitimate executive authority. And again, candidacy for the presidency is beholden to both

[292] Milani, *Power Shifts in Revolutionary Iran*, 361

the approval of the *rahbar* and the Guardian Council, both unelected by the people. Therefore the independence of these institutions is fragile and can expand or retract at the behest of the other institutions, while these bodies are incapable of exercising authority over others.

The second level of institutions is composed of the revolutionary bodies, the *nehads*. These have diminished in number over time, but several remain, the most important of which are the IRGC, the *basij*, and the *bonyads*. While the first two have been technically integrated into the structure of the government, they have remained largely outside the authority of the standard bureaucracy. For example, none of these organizations answers to an elected body or office in the government, instead they are all accountable to the *rahbar*.[293] They retain legitimacy through emphasizing their 'revolutionary spirit' and act parallel to and with the authority of the state without any kind of governmental oversight. They are categorized in the second level because their source of legitimacy, the Revolution, is more authoritative than that of the republican bodies. They are not seen as something that needs to be kept in check by the *ulama*, but rather as useful tools of the revolution and the guardians of the revolutionary spirit and the nation's Islamic character.

The highest institutional level in the country is composed of the religious supervisory bodies, including the Guardian Council, the Assembly of Experts, the Expediency Council, and at the top of the heap, the supreme leader, the *rahbar*. These bodies derive their legitimacy through the principle of *velayat-e faqih*, which is based on the sovereignty of God. This source of legitimacy is regarded as the most important by the

[293] Tazmini, 100, 101

state structure. These bodies are beholden to none of the other institutions thus far described, and are tasked with preserving and promoting the Islamic nature of the state as expressed through *velayat-e faqih*. This responsibility is the basis of these organizations' exercise of power over all the other institutions, because they are the only ones that can fulfill that duty. Arguably the two most influential bodies are the *faqih* and the Guardian Council, the former because it wields an extraordinary amount of power over the entire system, and the latter because it vets candidacy for both institutions in the lowest level and for entry to the Assembly of Experts, which chooses and theoretically supervises the *faqih*. In addition to its constitutional powers, the *faqih* also maintains an extensive network of supra-legal bodies that extend its control. These include the *faqih*'s special representatives that are appointed to various government bodies to act as the eyes, ears, and voice of the *faqih*, the Association of Friday Prayer Leaders, the Special Court for the Clergy which handles legal disputes between the *ulama*, and other Islamic and ideological associations.[294] These organizations maintain no legal status but carry with them the weight of the *faqih*'s office, and can interfere in the operations of other less authoritative institutions.

These three levels produced in Iran a system characterized by institutional conflict. Rather than a system of checks and balances on the centers of authority, there are overlapping fields of authority, and powerful bodies lying outside of the legal realm that also exert control and interfere in the operations of legal bodies. This system was developed, structurally and in a purposeful way, to benefit the religious supervisory bodies and the *ulama*'s position as the guardians of society and the centers of political power. The

[294] Moslem, 34

republican bodies deriving their legitimacy from the electorate exist, but are severely marginalized in the exercise of power as compared to the theocratic, religious bodies of the highest institutional level. Mehdi Moslem describes the arrangement succinctly:

> In the final analysis, one can assume that power and authority are distributed among the three groups based on their significance. As a political system with the primary task of conveying and implementing the word of God, the religious dimension would naturally have the most significance. Thus the religious supervisory bodies were given powers above and beyond the republican institutions or the modern institutions of the Iranian state.[295]

The position of the *faqih*, more than any other in the structure, is the lynchpin of the entire system. The ideology of the state, the idea that legitimizes the rule of the *ulama* and the whole structure described above, is *velayat-e faqih*. In turn, the ideology of *velayat-e faqih* is dependent upon the role of the just and pious *faqih* as both the guardian of the community and the executor of God's will on Earth. The line of legitimacy to rule was passed from God to humanity, first to the Prophet, then to the 12 Imams, and during the *gheybat-e kubra* of the 12th Imam, to the *faqih*, chosen from the ranks of *mujtahids*. Without the *faqih*, or with an illegitimate *faqih*, the state structure built upon the ideology of *velayat-e faqih* would lack legitimacy. Similarly, a republic without an independent legislature or executive figure elected by the people would lack legitimacy. Simply, it is the position upon which the rest of the system depends.

[295] Ibid., 36

D. Consolidation & Society

Shortly before the Assembly's draft of the constitution was put to referendum, Prime Minister Bazargan confronted Ayatollah Khomeini and threatened to go to the public with his initial draft.[296] He was horrified with what the Assembly had produced, and accused it of elevating the *ulama* into a ruling class and flouting popular sovereignty. As that issue came to a head, President Jimmy Carter allowed the deposed Shah to enter the United States for medical treatment, whereupon a mob of enraged Iranian students stormed the US Embassy in Tehran, beginning the 444-day hostage crisis.[297] Bazargan resigned shortly afterwards when he realized Khomeini would not order their release and that he had no power to release them himself. He had become increasingly frustrated with the *nehads* and the continued marginalization of the provisional government by the clergy's revolutionary forces, saying, "In theory, the government is in charge; but, in reality, it is Khomeini who is in charge – he with his Revolutionary Council, his revolutionary *komitehs*, and his relationship with the masses," and, "They put a knife in my hands, but it's a knife with only a handle. Others are holding the blade."[298] With his resignation, the already faltering efforts of the liberal nationalist movement were dealt a severe blow. The final act would come with the fall of another prominent lay religious nationalist, Abolhassan Banisadr.

[296] Abrahamian, 168

[297] Ibid.

[298] As quoted in Abrahamian, 163

After the constitution was ratified by a referendum in December, the Islamic Republic held its first elections in January 1980, electing Abolhassan Banisadr as the first president.[299] Like Bazargan, Banisadr's vision for both the country and his position differed significantly with that of Ayatollah Khomeini's.[300] Banisadr wanted the presidency to command more authority than it was given in the constitution, to make his office the center of power in Iran. He also wanted to moderate the activities of the *nehads* and consolidate power in the central government. In both of these efforts he was challenged by the *nehads* themselves and the IRP, which sought to discredit and marginalize Banisadr.[301] Khomeini sided with the IRP in these confrontations, leading to Banisadr's increasing isolation. The Majlis refused his choices for prime minister until he begrudgingly nominated Ali Rajai, a staunch pro-Khomeini figure from a lower-class family who loathed the liberal intelligentsia represented by Banisadr and prided himself on his humble, non-western background.[302] In temperament he draws parallels with the current president, Mahmoud Ahmadinejad. Banisadr and Rajai clashed on nearly every issue, and Rajai's support amongst the IRP and *nehads* increased his influence to the detriment of Banisadr's. Eventually the president's opponents in the Majlis began moving to impeach him, and in desperation Banisadr sided publicly with the Mujahedin, who had since the Revolution taken up arms against the *nehads* and *ulama*, and also called for a national referendum to

[299] Abrahamian, 168, 187

[300] Milani, *Power Shifts in Revolutionary Iran*, 364

[301] Ibid.

[302] Ibid., 365

increase his support.[303] Khomeini sided decisively against him, and Banisadr fled the country in June 1981 after his calls for a rebellion against the clergy fell flat.[304] With his fall, the last major religious nationalist figure to take part in the Revolution was sidelined.

This episode illustrated the weakness inherent in the office of the presidency, who was institutionally crippled from becoming a center of power. The pro-Khomeini *ulama* wanted a different kind of president, someone who would not make waves but would understand that their position was to support the *rahbar*. A series of bombings and assassinations took place that summer, which the Islamic Republic blamed on the Mujahidin. Ayatollah Beheshti, Prime Minister Bahonar, and more than 70 other members of the IRP were killed in a bomb attack on the IRP headquarters in June 1981.[305] Ali Rajai – who had been elected president after Banisadr left – was also killed.[306] A failed assassination attempt on Hojjat al-Islam Ali Khamenei left his right arm crippled. Colleagues came to Khamenei and asked him to run for the presidency in the fall of 1981 to replace Rajai. As Mohsen Milani writes, "[Khamenei] is reported to have said that because of his ill health, he would not be able to spend a great deal of energy as president. 'That is why we are offering you the post', they told him."[307]

With the ascension of Khamenei to the presidency in October 1981, the Islamic Republic began a period of consolidation, marked by the war with Iraq and a sweeping

[303] Ibid., 366

[304] Ibid.

[305] Moslem, 52

[306] Milani, *The Evolution of the Iranian Presidency*, 92

[307] Ibid.,

persecution of political opponents, both aided by the integration of some of the *nehads* into the political structure of the state. Between the beginning of 1979 and June of 1985, Iran executed some 8,500 political prisoners and dissidents, the majority of them supporters of the other opposition groups that had joined the *ulama* in the Revolution against the Shah, including members of the National Front, Tudeh, Mujahedin, Fedaiyan, and Kurdish nationalists.[308] The war aided the state in consolidating itself, politically and economically. It was able to brush under the table the political infighting that characterized the relationship between the Majlis and the Guardian Council – which will be explored later – for the sake of the war effort, and it also nationalized many of the industries previously held by the upper class of the Pahlavi era.[309] The war also brought out the Iranian population in droves supporting the regime, joining the now-formalized IRGC, the regular army – its officer corps purged of Pahlavi-era leftovers, and the volunteer *Basij-e Mostazifin* paramilitary to fight the Iraqis.[310]

Education underwent a massive overhaul, with the state forcefully closing universities and schools, only to be re-opened later with most of their previous faculty laid off, replaced with religiously indoctrinated staff.[311] The *komitehs* remained in this period, arguing that due to their revolutionary credentials and spirit they should remain independent of the central government in order to safeguard and continue the revolution,

[308] Abrahamian, 181

[309] Ibid., 176

[310] Ibid., 175 *Basij-e mostazifin translates to* 'mobilization of the oppressed', and is commonly referred to simply as the *basij*

[311] Haghayeghi, 42-44

but were eventually integrated under Rafsanjani's presidency.[312] The government itself expanded again, building upon the bureaucracy of the Shah, adding new ministries and increasing government spending programs, most aimed at aiding the *mostazifin*.[313] The state declared a 'Cultural Revolution' against what it saw as the cultural imperialism of the west and the Shah, rolling back many of the reforms targeted at women, including new clothing restrictions, and censorship of newspapers, radio, books, and movies.[314] *Bonyads* were strengthened and remained outside the writ of the government, accountable only to the *rahbar* who chose their leaders. The *Bonyad-e Mostazifin* was the largest but there were a wide array of them, each allotted specific charitable functions to perform, granted special tax free statuses, subsidies, and they enjoyed a complete lack of government oversight.[315] They essentially became enormous conglomerates, replete with hundreds of business holdings in industries ranging from shipping, agriculture, factories, mines, construction, textiles, banking, and importing and exporting, usually in partnership with the bazaar whose profits enjoyed tax exemptions due to their partnerships with the charitable organizations.[316] [317] At one point their combined wealth equaled half of the government's budget.[318] Critics of their existence nicknamed the *Bonyad-e Mostazifin* the '*Bonyad-e*

[312] Moslem, 192

[313] Abrahamian, 176-180

[314] Ibid., 177

[315] Moslem, 42-46

[316] Ibid.

[317] Abrahamian, 178

[318] Ibid., 178

Mostakbarin' – or Foundation of the Affluent – but due to the financial benefits they afforded the highest levels of government, and their continued 'revolutionary spirit', they were zealously defended by all factions, or at least the ones who were in power when they were operating.[319]

E. The Death of Khomeini and Reforms to the Constitution

As the 1980s progressed and the war with Iraq came to an end, many of the political players saw a need for a reform of the constitution, especially Khomeini. Throughout the 1980s he had maintained a balance between the competing factions and the institutions they controlled.[320] This was partly due to the need for unity during wartime and also due to Khomeini's style of authority. He was determined to remain above the fray of factional rivalries, and while this contributed to his legitimacy, it also left many critical issues of interpretation unanswered. Factional rivalry between the leftists in the Majlis and the conservatives in the Guardian Council had paralyzed the government, leaving the government unable to make decisions in a time when the population, in the aftermath of the war, expected the state to begin delivering on its revolutionary promises. In other words the Iranian people, exhausted from the turmoil and the war, expected a peace dividend. The issue of succession was also heavy on the minds of the *ulama*, as the heir apparent, Grand Ayatollah Ali Montazeri, had fallen out of favor after criticizing Iran's program of

[319] Moslem, 42-46

[320] Ibid., 65

executing dissidents and lack of political freedoms.[321] Most importantly, the *ulama* recognized that the position of the *faqih* needed reform. As their thoughts turned to an Islamic Republic without Khomeini, who had shaped events with the force of his character, worries increased as to the viability of the institution. The position, with its immense power and unchallengeable authority, was recognized as having been too suited to Khomeini personally, and in order to routinize its existence and transfer of power, reforms were necessary.[322] [323] Fakhreddin Azimi wrote, "Yet this position [of *faqih*], Bazargan added, was 'a cloak tailor-made' for Khomeini; it was unlikely that any other person would have his 'background, authority, and initiative' or be treated with 'the same degree of devotion and obedience.'"[324] Because Khomeini would be gone, depending on his character as a pillar of the state would be untenable. The challenge for the *ulama* was in amending the system to routinize the transitions and office of the *faqih* for the long term survival of the system.

In April 1989, about two months before his death, Khomeini created the Assembly for the Reappraisal of the Constitution. This body, all of whose members were chosen by Khomeini with a few from the Majlis, was tasked with identifying problems with the constitution and writing amendments.[325] During deliberations, it was decided that the duality of power in the executive was unnecessary, and so the position of prime minister

[321] Ehteshami, 32, 33

[322] Ibid., 25

[323] Moslem, 80

[324] Azimi, 370

[325] Moslem, 78

was eliminated, resulting in a more powerful presidency.[326] The Expediency Council, formed earlier by Khomeini, was formalized in the constitution as the body that would mediate during conflicts between the Majlis and the Guardian Council. Created to resolve the institutional deadlock, its members are almost entirely appointed by the *faqih* with other seats reserved for the heads of various branches of the government, and its word is final on disputed legislative issues.[327] The judiciary's structure was streamlined, and a new article was added establishing the Supreme Council for National Security, Iran's version of a national security council.[328][329]

The most important changes, however, were made to the position of the *faqih*. In an effort to institutionalize the post, certain powers were curtailed while others were extended. The *faqih*'s ability to dissolve the Majlis was removed, as was his ability to unilaterally dismiss the President, and he was obligated to consult the Expediency Council in making policy.[330] While this last change, along with the Assembly of Expert's ability to remove the *faqih*, is pointed to as evidence of a real check on the power of the leader, it is important to note that the *faqih* appoints all the members of the Expediency Council.[331] Thus this amendment did little to restrain the powers of the *faqih*. Additionally, being a *marja* was no longer one of the qualifications for the office, which were amended to be:

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[326] Ibid., 78-81

[327] Ehteshami, 41

[328] Moslem, 81

[329] The Constitution of the Islamic Republic of Iran, Article 176

[330] Moslem, 78-81

[331] Tazmini, 102

A. Scholarship, as required for performing the functions of mufti in different fields of *fiqh*.

B. Justice and piety, as required for the leadership of the Islamic *ummah*.

C. Right political and social insight, prudence, courage, administrative facilities and adequate capability for leadership.[332]

There were several reasons behind the decision to remove the *marja* qualification. First, for practical reasons, then-Hojjat al-Islam and Speaker of the Majlis Hashemi Rafsanjani argued that by the time individuals had become *marjas*, they were too old and tired to abide by the rigorous schedule and responsibilities of the *faqih*.[333] The members of the Reappraisal Assembly also realized that bereft of Khomeini's political skill, the office would need a larger pool of possible candidates to choose from to ensure that the individual had proper knowledge and experience in matters besides *fiqh*.[334] During the tenth anniversary of the Revolution in 1989, asked for their thoughts on lessons learned, many of the leading figures of the Islamic Republic remarked how they regretted mistakes made because people who did not know what they were doing were accorded government posts and made decisions on issues they had no experience in.[335] While there were few complaints about Khomeini made, at least publicly, the reality that in the future efforts should be made to find qualified individuals for positions was acknowledged in this decision. Thirdly, this decision made sense for politically expedient reasons, in that the

[332] The Constitution of the Islamic Republic of Iran, Article 109

[333] Milani, *Power Shifts in Revolutionary Iran*, 368

[334] Moslem, 80

[335] Ibid., 71, 72

most likely candidate for the position, Ali Khamenei, was not a *marja-e taqlid*. He was a Hojjat al-Islam, a midlevel cleric who did not possess the religious credentials to be an Ayatollah. Khomeini died on June 4th, 1989, and the next day Khamenei was confirmed as the new supreme leader, the *rahbar*. At this point people began referring to him as an Ayatollah.[336] The decision to remove the *marja* qualification for political expediency contributed significantly to the institutional weakness of the *faqih*, as will be described in the next chapter.

Another change made to the office of *rahbar* occurred in Article 57. A term was added to the guiding ideology, yielding *velayat-e motlaqeh-yeh faqih*, or 'absolute guardianship of the jurist.'[337] According to this addendum, the *faqih* is accorded even more authority, and is capable of suspending the pillars of Islam itself, i.e. *hajj*, fasting etc.[338] This change essentially negated many of the other reforms aimed at curtailing and institutionalizing the power of the *faqih*, again making the republican institutions and their authority appear irrelevant in the power structure of the regime. In an interview in 2001 while under house arrest, Montazeri had this to say about it:

> The term *motlaqeh* (absolute) was not part of Article 57 of the original Constitution, and was added to it in [the 1989] revision. And for this very reason, many did not vote for it, because should it imply that *vali-e faqih* was above the law, it would be in clear contradiction with the intent of the Constitution. Hence it would render senseless all the details such as the election of the members of parliament and the president, and the

[336] Abrahamian, 182

[337] The Constitution of the Islamic Republic of Iran, Article 57

[338] Rakel, 26

> appointment of the ministers, and the extent of the authority and responsibility of *vali-e faqih* in the Constitution…[339]

Thus, the reforms intended to institutionalize and routinize the position of *faqih* failed to fully achieve either objective. The changed requirements for the position certainly opened the field of future candidates beyond the small group of *marja*, which in a sense de-Khomeinized the *faqih*. And the consolidation of the powers of the executive branch into one post, the president, certainly strengthened that particular republican aspect of the system. However, the inclusion of *velayat-e motlaqeh-yeh faqih* negated these effects, officially according the post-Khomeini *faqih* the ability to suspend core Islamic tenets in the interest of the country and making their word absolute. Granting such power to a *faqih* not learned enough in *fiqh* to be a *marja* muddled the efforts of the institutionalizing reforms, simultaneously weakening the theocratic basis of the state and strengthening its authoritarian character.

F. Conclusion

This chapter explained how the idea of *velayat-e faqih* developed and manifested itself in the Constitution of 1979. It also showed how the theocratic aspects of the structure were purposefully designed to overpower the republican aspects, and how the *ulama* use authoritarian measures to enfeeble the institutions relying on popular sovereignty. As explained in this chapter, the entire system is dependent on the ideology of *velayat-e faqih*,

[339] Abdo and Montazeri, 16

and through that, on the position of the *faqih* as the *rahbar*. The clergy's legitimacy in ruling is manifested in the office of the *faqih*. This legitimacy comes from God, which supersedes the institutions whose legitimacy is derived from the Revolution or from the electorate. As mentioned above, three levels of institutions grew out of the constitution and in the aftermath of the Revolution, with the theocratic and revolutionary levels enjoying supremacy over the republican level.

Additionally, this chapter illustrated how the position of the *rahbar* was designed for an infallible figure like Khomeini, one with an unblemished mandate from the people to exercise essentially despotic powers in the name of the country. The last section explained how the Iranian political elite recognized this issue and attempted to solve it, but instead muddled the effects of the amendments. This was in part due to the fact that the political factions that existed during the 1980s and that were involved with the amendment process sought to weaken and strengthen various institutions in anticipation of controlling those institutions in the post-Khomeini period. These concerns outweighed the unease over the long-term viability of the position of the *faqih*, resulting in the diluted reforms. By expanding the field of potential candidates to less religiously qualified individuals but simultaneously increasing the emphasis on the *faqih*'s religiously-based legitimacy through the inclusion of *velayat-e motlaqeh-yeh faqih*, the position failed to move beyond its Khomeini-era characteristics. The interplay between the factions responsible for this outcome and the challenges the structure face as a result are explored in the Chapter V.

CHAPTER V

THE PERFORMANCE OF INSTITUTIONS IN THE ISLAMIC REPUBLIC

A. Introduction

After the successful establishment of the Islamic Republic, political leaders that survived the tumultuous first decade were faced with a new set of challenges. The immediate existential threats of Iraq's armies and the instability of revolution were replaced with structural and institutional issues by the end of the 1980s. As explained in Chapter IV, the death of Ayatollah Khomeini presented Iran with its first major transitional challenge: to find someone to replace the individual who forged the state and embodied the Revolution. The political elite saw the need for reform, and attempted to amend the office of the *faqih* along with the structure of the state to streamline the system and institutionalize its power. This chapter explains how Ayatollah Ali Khamenei's time as *faqih* exemplifies the foundational issues that the reform effort of 1989 failed to adequately address.

The first section describes the contemporary political factions in Iranian society, both old and new. These factions compete for control of the various institutions described in the previous chapter, and were responsible for the muddled reforms of 1989 that saw factions push to strengthen the institutions they anticipated controlling while weakening those of their rivals. It also describes the 1989 constitutional amendments from a factional perspective, as opposed to the institutional perspective presented in the previous chapter. The second section explores Khamenei's time as *rahbar* and places emphasis on the underlying crisis of legitimacy that he has been unable to satisfactorily resolve. A

combination of institutional issues and Khamenei's own actions have contributed to increased factionalism and, most alarmingly for the conservative *ulama*, increased scrutiny of the *faqih* himself. It is this criticism of the current interpretation of *velayat-e faqih* that underpins the efforts of the reform movement, which is the subject of the last section. This section addresses the reasons behind Muhammad Khatami's failure to carry out his reform program and its implications. The authoritarian nature of the Islamic Republic is exemplified here in the victory of the unelected institutions over the republican bodies controlled by the reformists during Khatami's presidency. It also explores the increasing role of the Revolutionary Guards in the domestic sphere, the emergence of the neoconservatives behind President Mahmoud Ahmadinejad, and the current state of Iranian politics.

Chapter V forms the last component of the thesis, and argues that the office of the *faqih* in its current form and endowed with its current level of power is unsustainable in the long term. Building upon the analysis of the institution and its foundation in the previous chapter, this chapter concludes that Iran's current doctrine of *velayat-e faqih* suffers from an inability to sufficiently legitimize itself and routinize its existence and exercise of power. This failure leads to pressure on the institution from the Iranian electorate and political sphere for reform. The reformists are not united in their platforms, but they demand, to varying degrees, less power and more accountability for the *faqih*. When efforts toward reform are repressed by the state or blatantly thwarted by the appendages loyal to the *faqih*, then the lowest level of Iran's institutional structure, the republican bodies, also lose legitimacy. All of this leads to an increase in opposition to the system, the enfeeblement of the republican bodies, and a crisis of legitimacy for Iran's *velayat-e faqih*.

B. Political Factions

Factionalism in Iranian politics increased dramatically in the time after the overthrow of the Shah, but due to the atmosphere of the revolution and the war with Iraq, the fact that there were disagreements amongst Ayatollah Khomeini's supporters was not officially recognized until 1983 when Khamenei noted that the IRP was severely divided.[340] They were defined in broad strokes by the ideological backgrounds underpinning their agendas, and most importantly by the different visions they had of how *velayat-e faqih* should be implemented in society. They believed in different methods of interpreting *fiqh*, they based their ideas on different ideological trends, and they emphasized different characteristics of the state. During Khomeini's time as *faqih* there were generally recognized to have been three groups: the conservatives, the pragmatists, and the leftists. In the 1990s two other groups emerged: the reformists, also known as the 'New Left', and the neo-conservatives. As explained by Moslem, it is important to note that these factions do not boast a formal power structure, nor are their actions regulated or systematized through official political parties one would find in established democracies.[341] While at times a member of a faction may become popular, there is no formalized leadership, no coherent structure, and individual membership is nebulous and can be difficult to determine. As

[340] Moslem, 67

[341] Ibid., 95, 96

Rakel writes, "Thus a faction is not a homogenous group but a loose coalition of groups and individuals."[342]

The conservative faction, also known as the traditional conservatives or traditional right, holds that the religiosity of the state is its most important characteristic, the one to promote and safeguard at the expense of the others, if necessary.[343] They argue for a traditional interpretation of *fiqh*, called *fiqh-e sonnati*, which essentially claimed that it was not necessary to innovate and adapt the *fiqh* to modern times, but that all conceivable issues had already been solved or addressed by the Qur'an, the *sunna*, and the Imams.[344] It was not the *fiqh* that had to be changed to fit the times, but the practices of the contemporary age that needed to change to fit the time of the Prophet. They argue that the revolution was carried out to implement God's law, so there was no need to adapt God's law to fit a contemporary understanding of an issue that had already been addressed. For the conservatives, sovereignty comes from God who empowered the *faqih* to rule according to God's laws. They supported the extension of *velayat-e faqih* to *velayat-e motlaqeh-yeh faqih* that occurred in the 1989 constitutional revisions. This technically meant absolute guardianship of the jurist, wherein the *rahbar* essentially acts as a king might, with his word and authority being absolute, impeded by no person or institution, and accountable

[342] Rakel, 42

[343] Moslem, 99

[344] Ibid., 49, 50

only to God.[345] Bazargan characterized this principle as amounting to "religious despotism."[346]

The conservatives are closely aligned with the bazaar, and pursue a free-market, supply-side economic system with as little interference from the government as possible. They oppose nationalization of industry and redistributive economic programs.[347][348] In their rhetoric they rail against government regulation, frivolous taxes, and the decline of private incentive due to state meddling, and claim that unemployment and poverty would be addressed by the invisible hand of the free market and trickle-down economics, wherein wealthy individuals would create more jobs and give aid to the needy.[349] On social issues they emphasize the preservation of Islamic culture, eschewing western norms and adhering to traditional values. Only through increasing education in the Qur'an and emphasis on *fiqh-e sonnati*, they argue, can Iranian youth be protected from the cultural imperialism of the sinful and decadent West.[350] This attitude includes treatment of women in society. During a debate in the Majlis over a bill granting more rights to women, a conservative MP addressed a female colleague, and said, "They have written this bill as if all men are oppressors and all women are innocent. I ask you, the lady Majlis deputy, is this really true? Are you really innocent? One of you is enough to make life a living hell for the other

[345] Ibid., 100

[346] Ibid., 14

[347] Ibid., 104, 105

[348] Rakel, 46-52

[349] Moslem, 106, 107

[350] Ibid., 108

270 [male MPs]. How could you say all women are innocent and all men oppressors?"[351] They promote wide censorship, the banning of western media, and making the veil mandatory for women.[352] They also argue in favor of strict enforcement of moral laws, through the Headquarters for Vivification of PVPV, or propagation of virtue and prohibition of vice, which uses *basij* members to patrol city streets and public areas in search of moral violations to punish.[353]

They found inspiration in the ideological trends, or 'subsystems', of Navab Safavi – the founder of the extremist *Fedayeen-e Islam* – and Ayatollah Morteza Motahari. The former's ideas focused obsessively on the purification of Islam, the complete rejection of the West, and the lauding of martyrdom in pursuance of those ideals.[354] His influence was present, but remained limited amongst conservatives, especially when compared to Motahari's. Conservatives adhered to Motahari's perception of Islam as rejecting class struggle and leftist revolution.[355] According to Motahari, one of Khomeini's most dependable allies, Islam is already an egalitarian system, and in order to make it work the clergy need to maintain an elite position in society to ensure its Islamic character through political control. Change from below is shunned, because the divisions in society were made by God, who then gave humanity Islam to guarantee social justice.[356] The traditional

[351] Ibid., 108 Hojjat a-Islam Mohammad Faker, as quoted in Moslem

[352] Ibid., 108, 109

[353] Ibid., 109

[354] Ibid., 96, 97

[355] Ibid., 98

[356] Ibid.

centers of power for the conservatives are the religious supervisory bodies, including the Assembly of Experts, the Expediency Council, and the Guardian Council.[357] Conservatives espoused a pragmatic foreign policy and were against the idea of 'exporting the revolution,'[358] although in recent years their stance appears to have hardened against rapprochement with the west.

The pragmatists, known contemporarily as the *kargozaran*,[359] are the faction embodied in Akbar Hashemi Rafsanjani, who pioneered their policies and political outlook during his presidency. Also referred to as the 'modern right' and as 'Rafsanjanites', their mottos are moderation and modernization, and the positions of Rafsanjani are effectively the positions of this faction.[360] They adhere to *fiqh-e sonnati*'s opposing school, known as *fiqh-e puya*, or dynamic *fiqh*.[361] This interpretation of *fiqh* emphasizes the need for Islamic teaching to adapt to modern circumstances, and argues that answers to modern issues such as global warming, pollution, and women's rights should be addressed through new a more open stance on *fiqh*.[362] While they acknowledge the supremacy of *velayat-e faqih*, pragmatists generally tend to de-emphasize the religiosity of the regime by supporting the more republican aspects of the state.[363]

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[357] Ibid., 55

[358] Ibid., 110

[359] 'Functionaries,' or 'servants'

[360] Moslem, 48, 128, 129

[361] Ibid., 129

[362] Ibid., 131

[363] Ibid.,

This faction promotes a mixed economic system, with more state involvement than is proposed by the conservatives but without the socialist programs of the leftists. Called *towse-eh*, this concept emphasizes a modern banking infrastructure, increased taxation, privatization, and exports, an opening to greater foreign direct investment, and diversification away from dependence on oil revenues.[364] It also later called for a shift away from the traditional bazaar-based economic structure. *Towse-eh's* economic principles were generally neo-liberal in spirit, such that for its implementation Rafsanjani won the approval of the IMF.[365] Pragmatists pursued policies seeking to weaken the revolutionary aspects of the society to centralize power in the state.[366] Socially the pragmatists support ideas like a free civil society, human rights, and political pluralism, tempered with Islamic values while remaining vibrant and open.[367]

The pragmatists were strongest when Rafsanjani assumed the presidency after the constitutional amendments of 1989. This term was the first under the new executive structure without the prime minister, thus increasing the president's power. It was also the first presidential term under Khamenei as *faqih*, and due to his lack of religious credentials and the power base Rafsanjani had built up, the presidency was in practice not as subordinate to the *faqih* as it was previously. This is not to say the presidency under Rafsanjani openly defied the *faqih*, but that it was clearly Rafsanjani who had the bigger

[364] Ibid., 130, 131

[365] Ehteshami and Zweiri, 4

[366] Rakel, 83-88

[367] Moslem, 131-133

role in shaping policy.[368] During the 1980s and the beginning of the 1990s, this group was closely aligned with the conservatives, despite the ideological differences between them. This was an alliance of convenience, made to marginalize and weaken the leftists and their radical socialist, re-distributive economic policies, and their domination of the Majlis. Once the leftists had been weakened – first with the death of their most powerful supporter, Khomeini, then with the elimination of the prime minister position, and finally with their sweeping electoral defeat in 1992 – the 'two rights' turned on each other. The conservatives were vehemently against *towse-eh*'s push against the traditional bazaar-dominated economy and Rafsanjani's otherwise liberal stances on society, and so after the left had been sufficiently marginalized, the conservatives began criticizing the president, beginning the process of splitting which was finalized at the end of Rafsanjani's presidency.[369] Rafsanjani argued for a pragmatic foreign policy, and was a proponent of re-establishing ties with the west, particularly with the United States.[370]

The left, also known as the 'radicals' or '*maktabis'*,[371] stood for essentially the opposite of everything the conservatives stood for. They were for *fiqh-e puya*, and were ideologically driven by Ali Shariati's revolutionary Shi'a thought. Islam was a revolutionary movement aimed at ending the oppression of the *mostazifin* by the propertied upper classes and the elites. Initially, during Khomeini's rule, they were in support of a strong *faqih*. After Khamenei became *faqih* they supported curbs placed on the position.

[368] Milani, *Power Shifts in Revolutionary Iran*, 369-371

[369] Moslem, 180

[370] Ibid., 128-130

[371] Ibid., 332 translates to 'followers of the Islamic school', and was a moniker used by leftists to describe themselves

The republican and revolutionary aspects of the state were just as important as the religious aspects for the leftists. Though their view on *velayat-e faqih* changed over time, they grew to oppose the 'absolute' reading that accorded the *faqih* dictatorial powers, and emphasized instead that while *velayat-e faqih* is completely legitimate, sovereignty and power must be shared with the people.[372] The goal of the revolution was the implementation of Islam not from above by a class of *ulama*, by from below, because Islam was a revolutionary ideal that sought to overthrow the class structures holding down the impoverished and exploited, the *mostazifin*.[373] They were also open politically despite their revolutionary fervor. They advocated an open political system and the plurality of ideas and political parties that the pragmatists favored.[374]

Economically, the leftists favored massive state intervention and re-distributive policies. They advocated as their main goal the eradication of both class division and the polarization of wealth, and emphasized the social justice aspects of Islam. Their economic views evolved over time, and after the Revolution they were calling for a command economy, with state control over major industries, and the implementation of programs to re-distribute wealth.[375] They clashed severely with the conservatives and the bazaar, and detested the alliance between the two. Socially they were liberal, and denounced censorship and the harassment of artists, writers, and newspapers. Rather than stress the encroaching

[372] Ibid., 114

[373] Ibid., 115, 116

[374] Ibid., 118, 119

[375] Ibid., 120

culture of the west – *gharbzadegi* [376] – they argued that *fiqh-e puya* must be used to prevent Islamic civilization from backwardness.[377] They regarded the conservatives' attempts at closing off Iran from outside influences and reverting to a perceived 'golden age' as folly. Contrary to what one might expect, this liberal attitude did not extend towards their foreign policy. Mehdi Moslem sums up their foreign policy stance, "In a nutshell, the views of the left in foreign policy… revolved around the highly celebrated slogan of the Iranian Revolution: 'death to America.'" The leftists advocated exporting the revolution and actively combating western imperialism abroad.

This stance is particularly interesting to note, as many of the leaders of this movement in the 1980s and early 1990s – including Mehdi Karrubi, Mir Hussein Musavi, and Muhammad Khatami – are now regarded by the west as the champions of pro-western liberal reform in the country. They are held in this light due to the transformation that took place in the 1990s, when the leftist movement suffered major setbacks – as described above – and its ranks were decimated. While Rafsanjani and the conservatives began turning each other, the left reformed itself into the reformist faction, which broke onto the political scene in extraordinary fashion in 1997 when the dark horse Khatami won the presidency by a landslide. During that reformation, the left moderated its policy stances on the economy and foreign policy. They no longer advocated a command economy, but still stressed the government's role in protecting the lower classes from exploitation, and the need for government intervention to prevent the polarization of wealth and capital. They also

[376] Abrahamian, 147, translates to 'plague from the west' or 'westoxification'

[377] Moslem, 121

warmed to the policy of openness to the west and the rest of the world, as championed by Khatami's *Dialogue Among Civilizations*.[378] Their less extreme foreign and economic policies coupled with their support for political openness and social liberalism ingratiated the reformists to the western powers. Khatami's policies and the contemporary reformist movement will be explored in more depth in the following sections.

The neoconservative movement emerged in the late 1990s and 2000s as a reaction against the relatively socially liberal positions of Rafsanjani and later, Khatami. The neoconservatives became mobilized out of a sense of resentment at what they perceived as the increasingly corrupt and sinful society emerging around them. Many of them are veterans from the war with Iraq, members of the IRGC and *basij*, who believe that the ideals of the revolution they fought and died for were rotting away to the advantage of *gharbzadegi* and capitalist greed.[379] This faction combines the revolutionary zeal of the *maktabis* and their disdain for greed with the puritanical xenophobia of Navab Safavi's ideological trend. For their social rigidness and support of *velayat-e motlaqeh-yeh faqih*, they initially found support amongst members of the conservative faction, who were seeking to weaken the pragmatist-reformist alliance.[380] The neoconservatives do not hide their contempt for their enemies, as Mehdi Moslem writes, "Nasiri and the *Ansar* [a principle neoconservative ideologue and a neoconservative organization, respectively] show disdain for the new technocratic class in the executive branch, scorning their support

[378] Tazmini, 80-89

[379] Moslem, 135, 136

[380] Ibid., 135, 136

and import of everything modern, such as western clothes, cars, and even mobile phones, picturing them as sort of lewd yuppies."[381] This faction is driven by a passionate, reactionary sense of moral duty to purify society, violently if necessary, and return to revolutionary principles wrapped in asceticism.

The factions, while driven by ideological concerns about the role of *velayat-e faqih* and the shape Iranian society should take, also promote or weaken institutions of the Islamic Republic based on purely political concerns. This competitive activity led to the muddled results of the 1989 constitutional amendments. The conservatives, who had cautioned against an all-powerful *faqih* before Khomeini died, turned around in favor of it, switching places with the leftists who began arguing for more controls on the *faqih*. While Khomeini was *faqih* he generally remained above the fray of factional infighting, pursuing a policy that Moslem ironically labels 'Dual Containment'[382], wherein Khomeini lent rhetorical support to both the conservatives and the leftists while refraining from coming down decisively on either side.[383] Often these statements of support and clarification for the opposing factions were ambiguous and contradictory in nature. In pronouncements he lent support to opposing ideas, including *fiqh-e sonnati* and *fiqh-e puya*, socialist and laissez faire principles, and social liberalism and conservatism.[384] When Khomeini died, his statements transformed into ammunition that each faction began using against the other to

[381] Ibid., 137

[382] Ironic due to its reference to US President Clinton's Middle East strategy which sought to contain the power and influence of both Iran and Iraq

[383] Moslem, 65

[384] Ibid., 73-77

justify their actions and policies.[385] Towards the end of his life, however, he became increasingly irritated with the conservatives and their obstruction of the republican bodies. They held a tight grip on the Guardian Council and used it to shoot down nearly a third of all the Majlis' legislation in the first eight years after the Revolution.[386] These bills generally dealt with economic issues that threatened the position of the bazaars and increased the role of the public sector.[387] President Ali Khamenei sided with the conservatives against the Majlis and Mir Hussein Musavi, his prime minister and a staunch leftist. As explained in the previous chapter, this situation produced a deadlock in a time when the government was expected to act after the end of the Iran-Iraq War to attend to the needs of the electorate and deliver on the promises of the Revolution. The factions' inability to resolve their disputes led to the dissolution of the IRP in 1987 after Khamenei and Rafsanjani asked Khomeini for permission to do so.[388] The party had become split on factional lines and was incapable of decisive action.

To remedy this situation, Khomeini began supporting the leftists more openly and criticizing the conservatives, while simultaneously expanding the authority of the *faqih*. Beginning in late 1987, he made statements supporting the redistributive policies of the leftists, and also supported easing restrictions in the social sphere regarding movies, music,

[385] Ibid., 81

[386] Ibid., 62

[387] Ibid.

[388] Ibid., 68

and even chess.[389] When the conservatives, including Khamenei, tried to downplay these moves, Khomeini made a statement clarifying that Iran was ruled by *velayat-e motlaqeh-yeh faqih*, and that he even had the power to suspend Islamic principles if he deemed it necessary.[390] Khomeini also created the Expediency Council, later codified in the constitutional amendments, to resolve differences between the Guardian Council and the Majlis. This was widely regarded as a move to weaken the conservatives. It should be noted that in Iran when factions attack each other verbally, they tend not to directly mention those whom they are referring to, but instead use various epithets. For example, when criticizing the conservatives, Khomeini referred to them as followers of 'capitalist Islam', 'American Islam', and of the 'Islam of the wealthy and the arrogant.'[391]

Khomeini's actions contributed to a large leftist parliamentary victory in the third Majlis elections in 1988. As explained in the previous chapter, before Khomeini died in 1989 and during the deliberations for amending the constitution, the conservatives knew that their man Khamenei would be the next *faqih*, and so along with Rafsanjani they argued for stronger powers for the position. They also managed to eliminate the post of prime minister, at the time controlled by the leftists, and strengthen the office of the presidency, which Rafsanjani was the prime candidate for. Rafsanjani saw a chance to be the first executive president in a time when the *faqih* would not be keen on challenging his policies. Khamenei's lack of religious credentials and charisma made a challenge to Rafsanjani

[389] Ibid., 76 Chess, like other board games, is considered a form of gambling by conservatives. Legend also has it that Yazid, the Umayyad Caliph, was playing chess when Hussein's head was brought to him on a platter after his death at Karbala

[390] Ibid., 74

[391] Ibid.

improbable, at least in the beginning of his tenure. The conservatives perceived Rafsanjani's support for Khamenei as key in propelling the latter to become *faqih*, as many of the traditional *ulama* would not support him due to his lack of religious qualifications. Both saw an opportunity to marginalize Musavi and the leftists now that their chief benefactor, Khomeini, was gone. The leftists were unable to significantly affect the choice of the next *faqih*, and with Ayatollah Montazeri disgraced and excluded from the decision-making process, there was no viable candidate to champion their causes. The conservatives and pragmatists both sought to usher in a new stage of the Islamic Republic, decreasing revolutionary zeal and focusing on reconstruction and moderation.

The 'two rights'[392] also sought to entrench their version of *velayat-e faqih*. There are two principle schools of thought on the appropriate role of the *faqih* in Iran, besides the traditional role espoused by *ulama* who do not believe the *faqih* should be involved in politics at all. The first, developed by Ayatollah Montazeri in his later years during which he was ostracized as an opposition figure, advocates a supervisory role, where political power to create laws and carry them out lies with the elected branches of government.[393] Legitimacy to rule is given by God to the people, who then choose their own rulers. The *faqih*'s role is to observe the system and ensure adherence to Islamic principles. According to Montazeri, the *faqih* should be directly elected by the people, without the Guardian Council's vetting, and should be open to criticism.[394] Popular sovereignty is paramount in

[392] A term used to describe the temporary alliance between the pragmatists and conservatives in the late 1980s and early 1990s

[393] Masroori, 185

[394] Abdo and Montazeri, 16, 17

this system, with a smaller role for the *ulama* and the rejection of *velayat-e motlaqeh-yeh faqih*. It is not clear from Montazeri's writings specifically how the *faqih*'s supervisory powers would be operationalized, but one can assume that its powers would be significantly reduced from its current form. Much of the reform movement also adheres to this ideal of *velayat-e faqih*, with variation on the extent of the *faqih*'s supervisory powers. They emphasize that while the *faqih* maintains an important position, the relationship between the *faqih* and the people is not paternalistic, but representative.[395] The *faqih* is held to account, and its powers are limited. Some in the reformist camp go further, like the prominent intellectual and newspaper editor Alireza Alavitabar, who argues the Islamic nature of the government is not guaranteed by the doctrine of *velayat-e faqih*, which is inherently undemocratic. Instead he argues that, "We believe that 'Islamic Republic' simply means a democratic religious government, because its citizens choose, democratically, to govern their public sphere according to religious tenets."[396]

The other principle interpretation of *velayat-e faqih* is the one that exists now and is supported by the conservatives and neoconservatives. Sovereignty to rule comes from God and is given to the *faqih*, whose word is absolute and not open to criticism or challenge. This is the previously described *velayat-e motlaqeh-yeh faqih*, or absolute guardianship of the jurist. Regarding the selection of the *faqih*, it is argued that God has already chosen the leader, and it is up to the Assembly of Experts to 'discover' who this person is, with the

[395] Alavitabar and Ehsani, 30

[396] Ibid.

help of the electorate.[397] The *faqih* is infallible, and their rulings supersede any law written in the constitution or passed by the Majlis. Ostensibly the primary check on the *faqih* is the ability of the Assembly of Experts to dismiss the *faqih*. In practice however, the Assembly of Experts is indirectly controlled and its membership carefully vetted by the *faqih* and the Guardian Council. As explained in Chapter IV, the checks on power that ostensibly exist and derive from the electorate are in fact institutionally outmaneuvered by the religious supervisory bodies and the *faqih*. The role of the *rahbar* is paternalistic: the leader should not have to concede to the whims of the people because they are not experts in *shari'a*, cannot engage in *ijtihad*, and need to be told how to live by Islamic tenets and guided in their practice. Islam as interpreted by the *ulama* and expressed in the office of the *faqih* is paramount in this system. In 1989 this interpretation of *velayat-e faqih* was cemented into practice by the new *faqih*, Ali Khamenei, and the new president, Akbar Hashemi Rafsanjani. It is essentially an extension of the *velayat-e faqih* practiced by Khomeini during his time as *rahbar*, just without the force of character and infallible religious credentials Khomeini possessed. Ali Khamenei's lack of these qualities would serve to illustrate the institutional problems with this interpretation of *velayat-e faqih*.

C. Ayatollah Khamenei and the Crisis of Legitimacy

In 1989, Hojjat Al-Islam Ali Khamenei was chosen to be the new *faqih* for political reasons. As explained previously, the disgrace of Ayatollah Montazeri left few viable

[397] Masroori, 186

candidates to succeed Khomeini who possessed the requisite religious and political credentials and also supported the *nezam*, or system. Many of the senior *maraji-e taqlid* were opposed to the application of Khomeini's *velayat-e faqih*, and argued for the more traditional role of the *ulama* in society.[398] Conversely, Khomeini's doctrine found wide support in the ranks of the middle-ranking clerics, the Hojjat al-Islams and Ayatollahs who had not reached the status of *marjaiya*. The 1989 amendment process removed the *marja* qualification in selecting the *faqih* in part to expand the field of potential candidates to precisely those mid-ranking clerics who wholeheartedly supported the *velayat-e faqih* doctrine but had not yet attained religious seniority. Ervand Abrahamian noted, "The republic has often been dubbed the regime of ayatollahs. It could more aptly be called that of hojjat al-islams."[399] Ali Khamenei had served as a loyal president to Khomeini and was respected for his political credentials and quiet leadership during the Iran-Iraq War.

While the decision to remove the *marja* qualification allowed for the smooth transition of the post of *faqih*, it simultaneously illustrated *velayat-e motlaqeh-yeh faqih*'s primary institutional weakness: its failure to routinize itself and its exercise of power. Beyond personal charisma and gravitas, Khomeini was an extremely effective *faqih* because he held impeccable religious credentials. He was an Ayatollah and a *marja-e taqlid* decades before the Revolution even occurred. He perfectly exemplified the union of political ability with religious qualification, and so his word was taken as law by his followers who obeyed his political rulings in the same way they would obey his judicial or

[398] Chehabi, 81-84

[399] Abrahamian, 182, 183

social rulings if they were *muqalleds* and he their *marja-e taqlid*. Conversely, Khamenei was a Hojjat al-Islam when he was made *faqih*, he possessed no capability to engage in *ijtihad*, much less have a following of *muqalleds* significant enough to warrant his labeling as a *mujtahid* or *marja-e taqlid*.[400] So in that sense Khamenei did not represent that same union. At the same time, the remit of the leader was broadened and their word officially made absolute. In other words, the qualifications for the job were relaxed while the responsibilities were increased.

Thus, when Khamenei became *faqih* he was patently unable to fulfill the same role of *marja-e taqlid* that Khomeini did. To solve this problem, the leadership decided to officially divorce the role of *marja* that Khomeini had filled from the role of political leadership, in line with the 1989 amendment. Because no other senior *marja* was capable or willing to practice the absolute *velayat-e faqih* the leadership called for, the heretofore unheard of Ayatollah Araki was proclaimed as the *marja* taking the place of Khomeini on religious matters.[401] Araki was chosen because he was harmless, obscure, apolitical, respected, and was not going to make any waves.[402] [403] He was already in his mid-90s when the decision was made, lending credence to the idea that Khamenei backed Araki because he knew that he would die soon, while possibly giving himself enough time to improve his own religious credentials.[404]

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[400] Khalaji, 22

[401] Chehabi, 85

[402] Ibid.

[403] Behrooz, 97

[404] Khalaji, 23

In December 1994 when Araki died Khamenei did just that, and attempted – through intermediaries – to elevate himself to the level of *marja-e taqlid*.[405] This attempt backfired severely. There was intense criticism in senior clerical circles of the move, which would have bypassed several other senior clerics who were clearly more qualified from a religious standpoint but either disagreed with *velayat-e mutlaqeh-yeh faqih* or with Khamenei's policies, and thus were not viable contenders.[406] Unfortunately for Khamenei, his religious credentials were still in doubt and he was unable to garner any significant support from the senior *ulama*, but members of the government promoting his candidacy to become *marja* had pressed his case so adamantly despite Khamenei's lack of qualification that he was unable to simply back down, lest he appear weak. So, in order to save face, Rafsanjani announced that clearly Khamenei was overburdened with responsibilities in the political sphere, and would only want to act as *marja* for Shi'a living outside of Iran.[407]

This episode was unprecedented for three reasons. First, there was a tradition, harkening to pre-Revolutionary days, wherein the government would generally make some kind of indirect or direct statement when senior *maraji* died as to who the state favored or recognized as a replacement *marja*. This practice was repeated with the elevation of Araki. This event, however, was the first time that the state directly interfered in determining who was to be the most prominent *marja*, rather than just making a preference known.[408] There was a concerted effort to propel Khamenei overnight from an Ayatollah – a title which was

[405] Behrooz, 97-99

[406] Ibid.

[407] Khalaji, 24

[408] Behrooz, 98

given to him spuriously when he became *faqih* – to the most senior *marja-e taqlid* in the Shi'a world. Secondly, this attempt violated the Shi'a tradition of the independence of the *muqalleds* in choosing who to follow. Traditionally, a *marja* was only a *marja* if they were recognized as being experts in *ijtihad* by their peers and also, critically, if they had a large enough following of *muqalleds* who referred to them as the source of emulation. If, for whatever reason, a *marja*'s *muqalleds* stopped following them, it would be difficult to continue referring to that individual as a *marja-e taqlid*, because nobody would be emulating them. Khamenei's gamble represented a violation of that tradition of independence, as the state was essentially telling the people who they could and could not follow. Thirdly, never before in the history of the *ulama* had a cleric ever been able to delineate to which community they would act as *marja*.[409] Khamenei's claim to only be a source of emulation for Shi'a outside Iran raised eyebrows in Iranian *hawzas*. This also served to abrogate the independence of the *muqalled* in choosing their *marja*. Eventually, Grand Ayatollah Ali al-Sistani in Najaf, and Grand Ayatollah Montazeri in Qom, emerged as the most popular *maraji* in Iran, despite the efforts of Khamenei's state.[410] The supreme leader was now a *marja*, just not for the people he ruled over.

Khamenei's legitimacy was further damaged as his term as *faqih* progressed by his overt interference in factional politics. In his first few years with Rafsanjani as president he chose to remain in the background, but as time went on he became more assertive and

[409] Ibid., 99

[410] Khalaji, 23

began wielding his power more often and in a more public manner.[411][412] He was plagued, however, by his lack of both the above described religious credentials and the charisma that Khomeini possessed, thus limiting his reach. In order to counter this, he gradually began establishing his own network of influence, using his position as *faqih* to place those loyal to him in key positions both inside the state bodies and in the *nehads*. While this in itself was not remarkable – Khomeini had used this strategy to cement his influence when he was *faqih* – Khamenei's appointments differed in that he eschewed the balancing act that his predecessor played in remaining above the squabbles of factions. Instead, Khamenei deliberately created a patronage system that relied solely upon members of the conservative and neoconservative factions. Khomeini had purposefully spread his largesse and patronage across the Islamic Republic's political spectrum, provided of course that the individuals were loyal to him.[413] Especially during Muhammad Khatami's presidency, Khamenei's patronage network became decidedly conservative and anti-reformist in character.[414] In this manner, Khamenei sought to buttress the state and its bodies against Khatami's reformist policies, which will be explored in the next section.

The most significant example of Khamenei's involvement with factional politics occurred during the 2009 protests that followed the re-election of Mahmoud Ahmadinejad. Two major reformist candidates, former Prime Minister Mir Hussein Musavi and Mehdi Karrubi, ran against Ahmadinejad. The official results released by the Iranian government

[411] Milani, *Power Shifts in Revolutionary Iran*, 370-374

[412] Nader, Thaler, and Bohandy, 7

[413] Ibid., 19

[414] Ibid., 40, 41

were criticized as fraudulent, leading to massive protests which were met with an increasingly brutal government response.[415] Behind this response, was, of course, Ayatollah Khamenei and those who he had appointed as head of the *basij*, who acted as the battering ram of the state against the protestors. Khamenei also resorted to using the judicial system which made strategic arrests targeting protest leaders and organizers in order to stifle the movement.[416] While these efforts were eventually successful in cutting the legs out from under the movement, which lost momentum and guidance over the months after the election, Khamenei's efforts in reality illustrated his growing lack of legitimacy.

The 2009 election was a turning point in Iranian politics, at once revealing the authoritarian nature of the system and Khamenei's blatant decision to not remain above the fray of factional politics. The supreme leader had decisively taken a side against the position of most of the Iranian people, and, as events revealed, he did not wield sufficient legitimacy and authority to ensure acceptance of his decision.[417] Instead, ties with the reform movement were effectively cut and it has been ostracized from mainstream politics since the election. Khamenei's open endorsement of Mahmoud Ahmadinejad further solidified the *faqih*'s partisan role, and consequently opened the office to unprecedented criticism from an array of opposition clergy and reformists for the state's brutal repression of the post-election protest movement.[418] Both of these examples illustrate the extent to which the *faqih* has become involved in factional politics, abandoning its Khomeini-era

[415] Arjomand, 137

[416] Ansari, *The Guardian*, 2010

[417] Ibid., *The World Today*, 2011

[418] Ibid., xvi, 1, 2

role as an arbiter of conflicts, remaining above the fray and retaining credibility as a mediator. Rather, Khamenei's attempt to compensate for his lack of religious authority and charisma led him to rely on patronage and blatant partisanship, sullying the reputation of the *faqih*.

These episodes demonstrate the crisis of legitimacy that Iran's *velayat-e faqih* suffers from. The *ulama*'s domination of the political system, meant to unify the political and religious spheres, in fact led to the bifurcation of those spheres and the subordination of the *ulama* to political concerns. This process is also exemplified by Khamenei's domination of the Qom *hawza*, and the state's interference in the traditional hierarchy of the *ulama* in determining who is an ayatollah, who receives funds, and who goes to jail or is put under house arrest for not agreeing with *velayat-e motlaqeh-yeh faqih*.[419] The *ulama*, in effect, have lost their traditional independence and have become an apparatus of the state, politicized in almost every way. Maziar Behrooz writes: "While the concept of [*velayat-e faqih*] has come to mean domination of the state by middle and lower-ranking *ulama*, the higher-ranking *ulama* (namely the *marja*) all stand opposed to the Islamic state. Once again, the Shi'a *marja* stand against a state which is being run by men who claim their competency not on religious bases, but on political and revolutionary credentials."[420]

The crisis of legitimacy occurs because *velayat-e faqih* is based purely on religious grounds, that is, the transition of political sovereignty from the 12th Imam to the just and pious *faqih* who rules in the former's stead. It is the manifestation of the sovereignty of

[419] Milani, *Power Shifts in Revolutionary Iran*, 27-31

[420] Behrooz, 99

God and God's laws over the laws of men. Khamenei clearly did not possess the religious credentials to serve in the original position, so the qualifications for the position were changed. What is most critical to understand here though, is that the source of legitimacy did not change. The powers of the *faqih* are still based on its religious credentials, which were purposefully weakened in order to accommodate the most likely pro-*nezam* candidate, Ali Khamenei. The question then becomes, if the experts in *fiqh*, the *ulama*, are the only ones who are capable of ruling in an Islamic manner, why then are political credentials and loyalty more important criteria to be the *faqih* than religious knowledge? How can one who is clearly not an expert in *fiqh* rule as *faqih*?

This issue is especially cogent when the *faqih* claims to be an expert and whose political word is supposed to be obeyed due to their expertise in *fiqh* and political affairs. The word of the *faqih* is meant to override the word of any other political authority in the country, regardless of the religious qualifications of either party. If political expertise becomes the most important qualification, then the religious cloak of legitimacy the *faqih* is currently wrapped in becomes irrelevant. Moreover, if the religious legitimacy is irrelevant or at least subordinated to practical concerns, then how can the *faqih* remain infallible based on religious grounds? Thus, the politicization and factionalism of the Iranian system have served to delegitimize the ideological basis for the entire structure. Hypothetically, if the Iranian leadership was able to find a candidate with the requisite political and religious qualifications who was also *marja* in 1989 when Khomeini died, and then chose that individual to be the new *faqih* without removing the *marja* qualification and bifurcating the political and religious roles, the Iranian system would not be suffering from a crisis of legitimacy.

This is another key point, in that the continued legitimacy of *velayat-e faqih* and the routinization of its exercise of power are effectively dependent on the ability of the Iranian leadership to find a new Khomeini every time the seat of the *faqih* is open. As H.E. Chehabi remarks, "Charismatic authority is by nature exceptional, and therefore ineluctably faces the problem of routinization."[421] An individual in any way weaker than Khomeini in terms of political and religious credentials serving as *faqih* works only to delegitimize the position. This is precisely because of the position's divine nature, in that a person who may be a member of the *ulama* and who is chosen to be *faqih* principally because of his political qualifications would by nature not be as qualified in the field from where his source of power is derived: religion. Real republics do not suffer from this problem because elections offer a level playing field. Legitimacy is derived from the electorate, regardless of the person's qualifications. An incompetent leader can be elected in a republic but is not characterized as less legitimate than a more competent one, because they were both chosen by the electorate. Conversely, the *faqih* is to be 'discovered' by the Assembly of Experts, he has already been chosen by God, but if he does not have sufficient religious qualification, then his legitimacy suffers, regardless of any modification to the job description. The Iranian leadership in 1989 failed to divorce the religious and political responsibilities of the *faqih* because the entire system itself is based on religious grounds. In a way, they tried to secularize a religious system and install a *faqih* for political expediency, one who was amenable to perpetuating that system. The other more religiously qualified candidates did not agree with the *nezam* as it existed, and so were not viable

[421] Chehabi, 84

candidates. Khamenei's difficulty in establishing his legitimacy despite the modified *faqih* qualifications verifies the inability of anyone besides someone as charismatic, respected, and religiously qualified as Khomeini to effectively rule in the *velayat-e motlaqeh-yeh faqih* system.

D. The Failure of Khatami

As described above, the leftists underwent a serious ideological overhaul in the years after their devastating defeat in the 1992 Majlis election. They had been completely outmaneuvered by the technocrats of Rafsanjani and the conservatives. Their radical rhetoric seemed out of touch in the post-Revolutionary era where the bywords were moderation, pragmatism, and reconstruction. Their re-emergence as a political force took place in 1997, when Muhammad Khatami came out of nowhere to win the presidential election. He was not supposed to win, as Khamenei and the conservatives had banked on the victory of Hojjat al-Islam Ali Akbar Nateq-Nuri, a staunch conservative.[422] The relationship between the conservatives and Rafsanjani had soured by the end of his term, and they were eager to have their man in the presidency. Khatami, however, delivered an upset to the conservatives and won with 69 percent of the electorate, carrying 22 million votes in an election that saw 80 percent turnout. His platform espoused ideals like political pluralism, individual freedoms, social tolerance, the rule of law, and a moderate foreign

[422] Tazmini, 51

policy, all coupled with an Islamic sense of morality to guide the nation.[423] His message tapped into the frustrations of the large generation of Iranian youth who became politically aware in the 1990s, in addition to women and urban voters.[424] The leftists had dropped their demands for a command economy and their virulently anti-western rhetoric while retaining their support for open political and social spheres, and had become the reformists. The reformist intellectual and newspaper publisher Alavitabar characterizes the defeat of the leftists in the early 1990s as a useful experience for the movement:

> I think that period [of marginalization] was the greatest blessing for the Left… The Left found time to open channels of dialogue to others and, above all, to witness and experience the obverse side of power…During Musavi's administration [as prime minister from 1982-1989], we did our best to break the back of the bazaar. But we were unsuccessful…As soon as they got the chance, the bazaar demolished us, because we were all salary earners and state employees. We were expelled from universities and our jobs…But this was also a period of tremendous growth for the Left: We refined our strategy, perceptions, and goals. Having been eliminated from all executive positions of power, we had the time to read and reflect. Of course, not all the Left made use of this opportunity, it was mainly the younger forces that underwent this transformation.[425]

Khatami's landslide victory in 1997 was followed up by a series of hammer blows against the conservatives. Reformists swept the first Municipal Elections in 1999, denying the conservatives a majority in any of the major cities. They won 60 percent of the seats in the Majlis in the 2000 parliamentary elections, and Khatami won re-election in 2001 with 80 percent of the vote.[426] [427] The pragmatists ran in these elections, and despite their vocal

[423] Ibid., 49

[424] Ehteshami and Zweiri, 5

[425] Alavitabar and Ehsani, 31

[426] Tazmini, 113

support for many of Khatami's programs, they suffered defeat due to their perceived proximity to the conservatives and Rafsanjani's reputation as a corrupt status quo power broker.[428] [429] The 2nd of Khordad Movement – named after the day of the 1997 election bringing Khatami to power – formed around the president as a coalition of reformist groups and individuals committed to Khatami's vision.[430] He was successful in appointing members of the 2nd of Khordad movement and pragmatist faction to governmental posts in the executive branch and to his cabinet.[431] Initially, Khatami made tangible progress on his agenda, at least in the social sphere. New reformist newspapers sprang up and dominated public debate, addressing political and social issues previously considered taboo.[432] Controls were relaxed on civil society organizations, internet usage increased dramatically, dress code enforcement slackened, art exhibitions increased, and censorship of foreign and domestic films decreased.[433]

Despite these achievements, Khatami and the reformists were unable to translate their electoral successes into enduring policy successes. They failed in large part to deliver on the ideological themes that propelled them to electoral victory. Many of their reforms were either never implemented or were later rolled back. This was due to two main factors.

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[427] Ehteshami and Zweiri, 7

[428] Ibid.

[429] Tazmini, 73

[430] Ibid., 99

[431] Ibid., 61-63

[432] Ibid., 65

[433] Ibid., 65, 66

First, Khamenei and the conservatives used their control of the second and third level institutions to check Khatami's reforms. Khatami's presidency illustrated in dramatic fashion the real balance of power in the country. The reformists could win as many elections as they wanted, but the power of the republican institutions they then controlled would never be able to affect change so long as the conservatives controlled the religious supervisory bodies. The Guardian Council routinely dismissed the reformist-dominated Majlis' legislation, including the so-called 'twin bills' Khatami introduced in 2002 and 2003. Their aim was to strip the power of the Guardian Council to vet candidates, increase the president's control over the republican institutions – particularly the judiciary, and also increase the president's influence vis-à-vis bodies normally answerable only to the *faqih*.[434] [435] Needless to say the conservatives vehemently opposed these bills, and pressure from the *faqih* and the Guardian Council saw Khatami waver and finally drop support for their passing. The judiciary – its leadership appointed by Khamenei – conducted a relentless campaign of repression against reformist media outlets. Midway through his second term, the courts had shut down around 100 reformist newspapers and magazines, charging them with insulting Islam or the revolution. Journalists and editors were given lengthy prison sentences, and Khatami responded by urging editorial restraint on the part of the reform media, disheartening his followers.[436] The courts also attacked individuals in the

[434] Ibid., 124, 125

[435] Ehteshami and Zweiri, 14

[436] Ibid., 11

government associated with the reformists, running up charges of corruption and anti-revolutionary activities.[437]

Khatami's response to the conservative backlash was relatively mild. He appealed for calm and the rule of law, but stopped short of calling out the conservatives for blatantly using the religious supervisory bodies to protect their own positions.[438] This speaks to the second major factor contributing to the failure of the reformists: the vacillation of Khatami himself in pursuing his policy objectives. This served to frustrate his supporters and embolden his opponents. Khatami was notoriously non-confrontational, always seeking to find a middle ground and accommodate his detractors.[439] In 1999, student protests broke out in Tehran against the closure of newspapers, and were brutally put down by *basij* and neoconservative paramilitaries, resulting in several deaths and thousands injured.[440] Subsequent protests against the crackdown were met in kind. Thousands of arrests were made and hefty sentences dealt down from the courts who called the demonstrators 'hooligans'.[441] They were the largest urban demonstrations since the 1979 Revolution. Khatami's response to the 18th of Tir Student Uprising as it came to be known disappointed many of his supporters. He called for calm but failed to fully support the demonstrators, remaining relatively quiet during the events.[442] This temperament did not serve him well,

[437] Ibid., 12

[438] Ibid., 11

[439] Tazmini, 48

[440] Ibid., 108, 109

[441] Ibid., 109

[442] Ibid.

considering that he was elected on a reformist platform with ambitious goals. Thus, the impact of his reforms was tempered by his timidity in pursuing them.

Arguably, Khatami was timid because he knew what had happened to former President Banisadr. Khatami was aware that if he pressed too hard on the system or against the conservatives then he would be castigated as a liberal, a westerner, a secularizer, and working against the revolution. This point was made by his ally, Mehdi Karrubi, who repeatedly spoke about the difficulty of Khatami's situation in the face of institutional and factional counterattack.[443] Even with the overwhelming weight of popular opinion behind him, and control over almost every republican body, he made the decision not to take his program further when it faced obstacles. He feared that the already zealous conservative backlash would be taken farther, drawing the involvement of the IRGC into domestic affairs. As will be explained later, this happened anyway. With this forethought, and aware of the limitations of the presidency, the question of what Khatami actually expected to accomplish comes to mind. It is evident that Khatami did not expect to have the kind of support that eventually closed ranks behind him, he seemed overwhelmed by the forces he purported to lead.[444] This, combined with the savagery of the conservative response, contributed to Khatami's impotence in handling affairs. Incidents liked the 18th of Tir Student Uprising illustrated how events tended to spiral out of his control, because he was unable to influence either the tide of Iranians demanding results or the conservative backlash. While after his presidency he remained popular, during his term his calls for calm

[443] Ibid., 105

[444] Ibid. 48

and restraint led to disillusionment amongst the electorate that had so optimistically voted him in. This extent of this disillusionment became evident in the 2005 presidential elections. Boycotts and apathy cut in to the portion of the electorate that would have supported Mehdi Karrubi or Rafsanjani against Ahmadinejad, a reality acknowledged by Khatami himself.[445]

Later, the 2009 protest movement would prove that the reformists remained a viable political force in the country, regardless of their eventual loss. The fact that Khamenei ordered the house arrest of Musavi and Karrubi shortly after the Arab Revolutions took off in the beginning of 2011, before the two leaders even accomplished anything, illustrated the fear that the *faqih* had of the reformists' capabilities. Since the events of 2009 and the house arrest of Musavi and Karrubi, the Guardian Council has ensured that most reformist candidates to the Majlis were banned from running, thus helping to ensure a pro-*nezam* parliament. The experience of the reform movement exemplifies the authoritarian nature of the *nezam* described in Chapter IV. Again, Khomeini was just as despotic in silencing dissent, but due to his charisma, religious credentials, and political capabilities, he never came under criticism for it. Khamenei, ruling from a less qualified and reputable position, draws condemnation for these kinds of actions. His rule has provoked calls for a reform to the *faqih* to put a curb on its powers, and a decrease in the system's legitimacy. Interestingly, the experience of the neoconservatives and Ahmadinejad would also serve to highlight the authoritarian nature of the system and the weakness of the republican bodies.

[445] Masroori, 173

E. Current Trends in Iranian Politics and Looking Forward

Ahmadinejad's 2005 election propelled the neoconservative movement to national prominence, and also coincided with the growing role of the IRGC in Iran's domestic affairs. The IRGC gained influence through the rise of the neoconservatives, the American invasions of Iraq and Afghanistan which placed them firmly at the center of foreign policy decisions, their role as a major player in the Iranian economy similar to the militaries of Pakistan and Egypt, and through Ayatollah Khamenei's reliance on IRGC personnel in his patronage network.[446] [447] During Khatami's presidency, the Guards grew increasingly vocal in their condemnation of the president's reform policies. They consistently referred to their revolutionary credentials as the source of their legitimacy, and emphasized their role in protecting the revolution and *velayat-e faqih*. Their leadership made a series of alarming statements threatening IRGC intervention against what they deemed as the reformists' effort to dismantle *velayat-e faqih* and threaten the revolution.[448] Currently the IRGC maintains significant influence in state media, on the national security council, in the Majlis, and in the local councils.[449] It should be noted, however, that the IRGC is not a monolithic institution. An observation about the spread of former and current IRGC personnel in positions of power in the government should not assume unity of action or purpose. In 1997, according to Alavitabar, the majority of the IRGC's rank and file

[446] Ehteshami and Zweiri, 82

[447] Nader, Thaler, and Bohandy, 2, 40

[448] Ehteshami and Zweiri, 24-26

[449] Ibid., 82, 83

membership, along with that of the intelligence ministry, voted for Khatami.[450] It is generally assumed that the upper echelons of leadership – those appointed by Khamenei and attached to their networks – are staunchly conservative or neoconservative. Determining if the conservatives or neoconservatives maintain more influence in the IRGC is difficult and outside the scope of this study, but what is clear is that the IRGC is not a faction unto itself, but rather an institution whose upper ranks are dedicated to preserving *velayat-e mutlaqeh-yeh faqih* at any cost.

The rise of the neoconservatives behind Ahmadinejad in 2005 yielded two repercussions of particular importance. First, the ideology of *velayat-e faqih* was further weakened in its practice. The protests that followed the 2009 election, Ayatollah Khamenei's unyielding support for Ahmadinejad, and the manner in which the state forces – of whom Khamenei is the commander-in-chief – dealt with the demonstrations appalled many of the traditional *ulama* who did not support Ahmadinejad in the first place.[451] Ayatollahs Montazeri, Yousef Sanei, and Jalaladin Taheri[452] all spoke out against the elections and the crackdown.[453] Their marginalization and inability to influence the situation despite their religious credentials and wide followings spoke to Ayatollah Khamenei's drift from the principles behind *velayat-e faqih* towards a narrower, political motivation. The majority of the *ulama* did not back Ahmadinejad for a variety of reasons,

[450] Alavitabar and Ehsani, 31

[451] Nader, Thaler, and Bohandy, 86, 87

[452] Sanei is a very popular *marja-e taqlid* and was a pupil of Montazeri, who was also one of the most popular *marjas* in Iran until he died in late 2009. Taheri was the Friday Prayer leader for Isfahan at the time.

[453] Nader, Thaler, and Bohandy, 86, 87

one of which being the president's professed millenarianism, or Mahdism. Ahmadinejad has claimed on several occasions to be able to communicate with the 12th Imam in occultation, and has made his imminent messianic return a central theme of his presidency. His chief of staff, the much maligned Esfandiar Rahim Mashaei, is also a proponent of this idea, and once proposed building a thoroughfare in Tehran just for the 12th Imam's return.[454] This kind of belief is generally frowned upon in Twelver Shi'aism, because it discounts the role of the *ulama* in guiding the community of believers, bypassing their authority.[455] It is not clear if this belief is limited to Ahmadinejad and those close to him or if it pervades through the neoconservative movement. Regardless, Khamenei's staunch support of his candidacy can be interpreted as placing an emphasis on political expediency rather than adhering to the doctrinal concerns the Islamic Republic is founded upon. Khamenei's decisions reveal his concern for his own survival and that of his patronage network at the expense of ideological conformity to *velayat-e faqih*.[456]

Secondly, Ahmadinejad's presidency, despite his nominal support for the *nezam*, again highlighted the authoritarian nature of the system. Ahmadinejad, after enjoying the full support of Khamenei for most of his presidency, ran afoul of the *faqih* shortly after his re-election. The relationship soured over Ahmadinejad's refusal to adhere to Khamenei's will concerning appointments to several positions in the government.[457] In other words, the president appointed people the *faqih* did not like and ignored the *faqih*'s requests to fix the

[454] Rahimkhani

[455] Nader, Thaler, and Bohandy, 14, 15

[456] Ibid., 87

[457] Ghajar

situation. This resulted in a drawn out conflict between supporters of the *faqih* and those of Ahmadinejad, many of whom abandoned the president once it became clear that the *faqih* was directly involved. This struggle generally took place on the conservative versus neoconservative fault line. In general terms, while they both support each other against the reformists, the latter considers the former the 'old guard', made up of stodgy old clerics who are failing to either rejuvenate the revolutionary spirit of the country or protect society from the corruption of Islamic culture through *gharbzadegi*. Most recently, in March of 2012, Ahmadinejad suffered a severe blow in the 9th Majlis elections, which saw his supporters lose out dramatically to conservative candidates. The president's supporters are also finding it difficult to retain their jobs throughout the government, despite Ahmadinejad's attempts to position his supporters to influence the next presidential election in 2013.[458]

However, the most interesting consequence of this struggle could be the elimination of the presidency altogether. In October 2011, Ayatollah Khamenei mentioned in an otherwise unremarkable speech that should the office of the president be eliminated and Iran rely on a parliamentary system, there would be no significant problems.[459] The idea was mentioned a month before by representatives in the Majlis keen on attacking Ahmadinejad and weakening his supporters. While the propagation of this idea could simply be a threat against Ahmadinejad and the neoconservatives, it makes more sense that the idea is being floated as a legitimate option. Threatening the president in this manner

[458] Dehghan

[459] Ghajar

would make more sense if he were looking for another term, which he is unable to do because of term limits. There is sound reasoning behind the move, were Khamenei to take it now that he had firmly come down on the side of the conservatives against the neoconservatives. It is important to realize that the conservatives have thus far been unable to field a candidate for the presidency that is capable of winning. Their initial preferred candidate has lost in each presidential election since 1997. Hojjat al-Islam Nateq-Nouri lost in embarrassing fashion to Khatami, as did Ahmad Tavakkoli, a conservative politician.[460] Current Mayor of Tehran Mohammad Baqer Qalibaf and current Speaker of the Majlis Ali Larijani both lost out to Ahmadinejad in 2005, and former IRGC commander Mohsen Rezaie lost to him in 2009. With this kind of track record, the conservatives might be anxious about their prospects for electoral victory in the future, given their electoral base – limited as it is to the bazaar and the outnumbered older generation. Khamenei could be soured on the position after having to clash with both Khatami and Ahmadinejad, the latter of whom was supposed to be an ally. The central idea is that the presidency, directly elected by the people, might be too much of a liability at this point given the mood of the country and the direction it could be headed. Yes, in the end the religious supervisory bodies and the *faqih* will win out in a struggle, but the cost is high. The authoritarian nature of the *nezam* is highlighted in conflicts between the *faqih* and the president, and discourages the population from participating, thus delegitimizing the whole structure. Now that the conservatives control the Majlis, the Guardian Council, the Assembly of Experts, and the *faqih*, it would make sense for them to consolidate their power and eliminate the one

[460] Tazmini, 111

position they have thus far been utterly unable to control. Replacing the president with a prime minister, chosen by the Majlis or through some other non-direct electoral means and accountable to the legislature, would ensure that the executive branch would finally be tamed, allowing the three levels of institutions to work in harmony. This is, of course, dependent on the conservatives retaining control of the Majlis, which with the cooperation of the Guardian Council, would not seem too difficult a prospect.

F. Conclusion

Regardless of whether or not Khamenei pursues this particular line of action, he will likely continue to limit any political pluralism that would threaten his position. This chapter explained how Khamenei's lack of legitimacy has driven him to act in a manner which consistently values political expediency and factionalism to the detriment of the institution of *velayat-e faqih* as a whole. He was chosen as the *faqih* on political grounds because he did not have the requisite religious background. Those who did were not in favor of the *nezam* as it existed, and so were not chosen even though they were more qualified based on the criteria of *velayat-e faqih* itself. This flawed decision-making process continued as Khamenei's time as *faqih* went on. This chapter also explained how the bifurcation of the religious and political roles in the 1989 constitutional amendment further weakened the foundations of *velayat-e faqih*. Without the credentials to act in the name of God, the power wielded by the *faqih* was not seen as credible by parts of society, and now the position is subject to popular calls for reform. Further, Khamenei's dependence on factionalism to strengthen his position as opposed to Khomeini's role as mediator also damages the

legitimacy of the *faqih*. When the supreme leader is seen as having a stake for or against specific factions, his credibility suffers. The authoritarian practices of the *nezam* were sufficient to defeat challenges from the reformists and, more recently, the neoconservatives. This was achieved, however, at the cost of increasing disillusionment amongst the electorate with the process and with the republican bodies.

Overall, Chapter V established that the institution of *velayat-e faqih* has been unable to routinize its existence and exercise of power based on the ideological principles that are its foundation. Due to the improbability of replicating a figure as transcendent as Ayatollah Khomeini, and to the failures of Ayatollah Khamenei that exemplified the structural flaws of *velayat-e faqih*, the Islamic Republic suffers from a crisis of legitimacy that will imperil its future survival prospects.

CHAPTER VI

CONCLUSION

A. Review

This thesis demonstrated that the long-term survival prospects for the Islamic Republic of Iran, with its current manifestation of *velayat-e faqih*, are bleak. Without legitimacy derived from its founding principle, the office of the *faqih* – upon which the entire system depends – will find it difficult to routinize itself and its exercise of power. Transitions in office will also present grave challenges to the system, since the individual chosen for the position will most likely again be chosen based on political expediency, rather than on their qualifications. This is because currently, and for the foreseeable future, those with sufficient religious qualifications tend not to support *velayat-e mutlaqeh-yeh faqih*. Coupled with the authoritarian nature of the system and its throttling of the republican bodies, the Iranian people – if current trends continue – will become increasingly disenchanted with the system, leading to increasing resentment.

The *ulama*, whose initial foray into Iran during the Safavid dynasty, evolved politically, using their legitimacy derived as guardians of the community in the absence of the 12th Imam to increase their influence. This process was gradual, but culminated in the 1979 Revolution and the establishment of the Islamic Republic. Khomeini and his supporters swept aside those who adhered to the ideas of Bazargan and Shariati, but later

their ideas would continue to influence other factions, including the contemporary reformist faction. However, the founding principle that the *ulama* under Ayatollah Khomeini used to legitimize their rule, *velayat-e faqih*, has been undercut by the actions of Ayatollah Khamenei. His actions are not entirely to blame, however, as they simply exemplify the institutional difficulties that the system already possessed and failed to address in the 1989 constitutional amendments.

This thesis illustrated that the foundation of the Islamic Republic is solely dependent on the principle of *velayat-e faqih*. Without it, there would be no justification for the clergy's right to rule through the office of the *rahbar*. And without the *rahbar*, as the argument was made in the constitutional Assembly of Experts, the country could not be truly 'Islamic'. Because the religious supervisory bodies hold such complete dominance over the republican institutions, the latter's removal from the political scene would, in reality, not result in a dramatic change in how power is exercised. As explained in the fourth chapter, the essence of democratic government was not truly explored or manifested in the constitution. The *rahbar*, enjoying *velayat-e mutlaqeh-e faqih*, is essentially above the law making the rest of the constitution superfluous. The checks and balances are not built around the *rahbar*, but around the Iranian people. The religious supervisory bodies' sole purpose is to ensure that the clergy remain in power, that *velayat-e faqih* remains the sole motivating principle of the government, and that the republican bodies included in the constitution do not get out of line. The Guardian Council is particularly important in this regard, because it is able to dismiss any candidate from running by ruling that the individual is not qualified on constitutional or Islamic grounds, and they have the final say.

And the ability of the *rahbar* to appoint and dismiss the heads of the military, IRGC, judiciary, and the media, and also bar candidates from the presidency is another tool the *ulama* use to remain in power. They argued in favor of these kinds of powers for the *faqih* by claiming that a *marja*, once they achieve the pinnacle of justice and knowledge in Islamic *fiqh*, would be immune to the corrupting influence of power and would not seek to further their own personal goals but rule solely for the country in accordance with *shari'a*. This is obviously not true for *marjas*, and certainly is not true for Ayatollah Khamenei. The free speech, right to assembly, right to demonstrate, habeas corpus, and other rights guaranteed by the constitution are routinely flouted in the name of safeguarding and promoting Islam. I am not arguing that simply because the country is despotic, the system cannot perpetuate itself. I am arguing that it will be difficult for the state to perpetuate itself based on the principle of *velayat-e faqih* as it exists today. Arguing in favor of dictatorial powers for a position on the assumption that any individual who could make it to that position would be able to transcend human nature is not a reasonable contention. This is the purpose of checks and balances, to rein in the reach of powerful positions. In the Islamic Republic, checks and balances are not structured to temper the power of the *faqih*, but of the electorate.

B. Implications

Interestingly, the potential elimination of the presidency addressed in chapter five would confirm Khamenei's pattern of behavior in securing his political position to the detriment of the legitimacy of the *nezam* as a whole. The elimination of the presidency and the establishment of a pliable prime minister would serve to re-create, in essence, the system that the Shah relied upon before creating his one-party state as explained in Chapter III. With political opposition marginalized, the Shah let the factions of the loyalists battle it out over control of the post of prime minster, much in the same way that Khamenei would potentially preside over members of the conservative faction competing to be prime minister. *Velayat-e faqih* would not differ in spirit from the Shah's divine right. Bereft of a legitimate opposition and exhibiting a poverty of legitimacy, the Iranian people would again be forced to suffer the parties of 'yes,' 'yes, sir,' and 'yes, of course.' Again, it is far from clear whether Khamenei will pursue this course of action, but it is entirely realistic for the conservatives to make this move, especially in preparation for a probable power struggle once Khamenei, now 72, passes on.

It is important to note that I am not claiming that the country will fall apart when Khamenei dies, is removed, or retires. I am arguing that the system as it exists now suffers from a crisis of legitimacy, and that in the long term, this crisis will make transitions of power and the exercise of power a hazardous endeavor. A state can exist for a long time without real legitimacy in the absence of viable alternatives, or with a pliant population. The routinization of power and the long-term future of the regime depends upon being lucky enough to find someone with the same credentials and force of character as Khomeini

to rule as *faqih*. When someone who is seen as less legitimate, like Khamenei, assumes power, the institution is weakened and becomes open to criticism, becomes less infallible, especially when the office openly takes sides amongst the factions, something Khomeini never did until the very end of his life. In a republic, the institution of the executive maintains legitimacy through elections, or through votes of confidence from the parliament or cabinet, etc. That level of legitimacy can vary depending on the outcome of elections – i.e. winning in a landslide or in a tight race – but there is generally a uniform level of legitimacy accorded to the winner simply on the merit of winning the election, regardless of the percentages of the vote they carried. In the Islamic Republic, the office of *faqih* is supposed to source its legitimacy from God, but obviously that level of legitimacy is not nearly as uniform or as forthcoming as an institution like the *faqih* would require in order to routinize its existence and transition from one person to the next. Even though the *faqih* is supposed to be legitimized through God's sovereignty, when the electorate is displeased with the actions of the *faqih* or blame him for various perceived wrongdoings, his legitimacy decreases, as was seen in 2009. The central issue is that the *faqih* is supposed to be infallible, beyond reproach, because that is the only way that office can continue to wield that much power, is if it is seen as above the system and beyond the scrutiny of temporal authorities and popular sovereignty. When the *faqih* is not seen as beyond reproach, then the people begin demanding a curb on that power, accountability for the office and its actions. And the one person that was ever seen as infallible by the electorate was Khomeini. This is not to say that someone like Khomeini will not come around again, but that the Islamic Republic can only work in the long run if that repeatedly happens. That is why the future of the regime is based on the chance of finding someone like Khomeini to

be the *faqih*, and when adequately filling a position as powerful and as pivotal for the survival of the Islamic Republic as the *faqih* is based on luck or circumstance, then the future for the Islamic Republic looks bleak.

BIBLIOGRAPHY

Abdo, Geneive, and Hossein 'Ali Montazeri. "Re-Thinking the Islamic Republic: A 'Conversation' with Ayatollah Hossein 'Ali Montazeri." *Middle East Journal* 55.1 (2001): 9-24. *JSTOR*. Web. 24 Nov. 2011.

Abrahamian, Ervand. *A History of Modern Iran*. Cambridge, U.K.: Cambridge UP, 2008. Print.

Ansari, Ali. "Authority Deficit." *The World Today* 67.5 (2011): 27-28. Royal Institute of International Affairs. Web.

Ansari, Ali. "Comment: The Nuking of Iran's Dissent: Ahmadinejad, Master of Fear and Paranoia, May Have Won the Day. But It Was a Pyrrhic Victory." Editorial. *The Guardian* [London] 13 Feb. 2010: n. pag. Web.

Arjomand, Said Amir. "Has Iran's Islamic Revolution Ended?" *Radical History Review* (2009): 132-38. Duke University Press. Web.

Azimi, Fakhreddin. *The Quest for Democracy in Iran: A Century of Struggle Against Authoritarian Rule*. Cambridge, MA: Harvard UP, 2008. Print.

Behrooz, Maziar. "The Islamic State and the Crisis of Marja'iyat in Iran." *Comparative Studies of South Asia, Africa, and the Middle East* XVI.2 (1996): 93-100. Duke University Press. Web. <http://cssaame.dukejournals.org/content/16/2/93.full.pdf>.

Bill, James A. "The Challenge of Institutionalization: Revolutionary Iran." *Iranian Studies* 26.3/4 (1993): 403-06. *JSTOR*. Web. 24 Nov. 2011.

Chehabi, H. E. "Religion and Politics in Iran: How Theocratic Is The Islamic Republic." *Daedalus* 120.3 (1991): 69-91. *JSTOR*. Web. 24 Nov. 2011.

Dehghan, Saeed Kamali. "Ahmadinejad Grooms Chief-of-staff to Take over as Iran's President." *The Guardian*. N.p., 21 Apr. 2011. Web. <http://www.guardian.co.uk/world/2011/apr/21/ahmadinejad-iran-successor-wikileaks>.

Downes, Mark. *Iran's Unresolved Revolution*. Aldershot, Hants, England: Ashgate, 2002. Print.

Ehsani, Kaveh, and Alireza Alavitabar. ""God Hasn't Died in This Society Yet": A Conversation with Alireza Alavitabar." *Middle East Report* 212 (1999): 28-31. *JSTOR*. Web. 24 Nov. 2011.

Ehteshami, Anoushiravan. *After Khomeini: The Iranian Second Republic*. London: Routledge, 1995. Print.

Ehteshami, Anoushiravan, and Mahjoob Zweiri. *Iran and the Rise of Its Neoconservatives: The Politics of Tehran's Silent Revolution*. London: I.B. Tauris, 2007. Print.

Ghajar, Shayan. "Debate Over Abolishing Presidency Intensifies." *InsideIRAN*. N.p., 27 Oct. 2011. Web. <http://www.insideiran.org/domestic-relations/debate-over-abolishing-presidency-intensifies/>.

Ghods, M. Reza. *Iran in the Twentieth Century: A Political History*. Boulder, CO: Lynne Rienner, 1989. Print.

Haghayeghi, Mehrdad. "Politics and Ideology in the Islamic Republic of Iran." *Middle Eastern Studies* 29.1 (1993): 36-52. *JSTOR*. Web. 24 Nov. 2011.

Jahanbakhsh, Forough. *Islam, Democracy and Religious Modernism in Iran, 1953-2000: From Bāzargān to Soroush*. Leiden: Brill, 2001. Print.

Kamali, Masoud. *Revolutionary Iran: Civil Society and State in the Modernization Process*. Aldershot, England: Ashgate, 1998. Print.

Keshavarzian, Arang. *Bazaar and State in Iran: The Politics of the Tehran Marketplace*. Cambridge [u.a.: Cambridge Univ., 2007. Print.

Khalaji, Mehdi. *The Last Marja: Sistani and the End of Traditional Religious Authority in Shiism*. Rep. no. 59. The Washington Institute for Near East Policy, 2006. Web.

Masroori, Cyrus. "The Conceptual Obstacles to Political Reform in Iran." *The Review of Politics* 69.2 (2007): 171-91. *JSTOR*. Web. 24 Nov. 2011.

Milani, Mohsen. "Power Shifts in Revolutionary Iran." *Iranian Studies* 26.3/4 (1993): 359-74. *JSTOR*. Web. 24 Nov. 2011.

Milani, Mohsen. "The Evolution of the Iranian Presidency: From Bani Sadr to Rafsanjani." *British Journal of Middle Eastern Studies* 20.1 (1993): 83-97. *JSTOR*. Web. 24 Nov. 2011.

Moslem, Mehdi. *Factional Politics in Post-Khomeini Iran*. Syracuse: Syracuse UP, 2002. Print.

Moussawi, Ibrahim. *Shi'ism and the Democratisation Process in Iran: With a Focus on Wilayat Al-Faqih*. London: Saqi, 2011. Print.

Nader, Alireza, David E. Thaler, and S.R. Bohandy. *The Next Supreme Leader: Succession in the Islamic Republic of Iran*. Publication. RAND Corporation, 2011. Web.

Nasr, Seyyed Vali Reza. *The Shia Revival: How Conflicts within Islam Will Shape the Future*. New York: Norton, 2006.

Rahimkhani, Kourosh. "Esfandiar Rahim Mashaei: Iran's Next President?" *PBS Frontline*. Tehran Bureau, 31 Mar. 2011. Web. <http://www.pbs.org/wgbh/pages/frontline/tehranbureau/2011/03/esfandiar-rahim-mashaei-irans-next-president.html>.

Saffari, Said. "The Legitimation of the Clergy's Right to Rule in the Iranian Constitution of 1979." *British Journal of Middle Eastern Studies* 20.1 (1993): 64-82. *JSTOR*. Web. 24 Nov. 2011.

Tazmini, Ghoncheh. *Khatami's Iran: The Islamic Republic and the Turbulent Path to Reform*. London: Tauris Academic Studies, 2009. Print.

The Islamic Republic of Iran. *The Constitution of the Islamic Republic of Iran*. World Intellectual Property Organization. Web. <http://www.wipo.int/wipolex/en/details.jsp?id=7697>.

Zonis, Marvin. *Majestic Failure: The Fall of the Shah*. Chicago: University of Chicago, 1991. Print.