

## IRAN'S DEMOCRACY DEBATE

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**C**urrent debates on democracy in Iran are critical not only to Iran but also to developments across the Muslim world. For Iran is where Islamism succeeded in changing the tenor of politics, a trend that soon spread across the Muslim world. It is also where new democratic voices are winning the battle of ideas with Islamic ideology to produce a culturally indigenous and popular demand for democratization. In Iran the democracy debate is neither a Western import nor a concession to the West, nor is it a project of the state or the elite foisted on the masses. Here the debate is now a popular idea that has developed from within the society. It is important to take note of changes in Iran, for they reveal the challenge of building democracy in an avowedly Islamic state. These changes are also instructive for the larger issue of contending with Islam while democratizing, which preoccupies policy makers in the United States and Europe, as well as Muslim thinkers and politicians from Morocco to Malaysia.

Those currently involved in the democracy debate in Iran can be placed into two principal camps. First are those who would like to reform Islam in order to reconcile it

with democracy, so as to have a pluralistic and more open Islamic Republic.<sup>1</sup> Second are those who would like to reform the constitution in order to separate religion from politics and have a secular democracy – i.e., to move beyond Islamic reform and the Islamic Republic. The debate is occurring in the context of mounting social, economic and political problems facing Iran's theocracy, on the one hand, and the growing importance of electoral politics, on the other. Whereas Islamic reformers were more prominent earlier in the debate during the 1990s, the tide has now begun to shift to more substantive constitutional reforms. Our aim in this essay is to chart the path that the democracy debate has taken and to identify its key issues and principal protagonists, what they are saying, and what their prospects are.

### REFORMING THEOCRACY

The Islamic Republic was formed on the basis of a revolutionary quest for political transformation and a Jacobin ethic that together fulfilled the collectivist demands of Islamic ideology through a theocratic populist regime.<sup>2</sup> Ayatollah Khomeini's concept of the Islamic state vested ultimate power in the *ulama*

(Muslim scholars), whose position as interpreters of Islamic law legitimated and justified their higher authority in politics.<sup>3</sup> The Islamic Republic, since the referendum in 1979 that produced it, has claimed to represent the popular will in both managing the economy and society, and in instituting an Islamic state. The populist and Islamist ethos of the revolution were encapsulated in a theocratic constitution that vested ultimate authority in the office of the supreme leader/jurisconsult (*vali-e faqih*) – a member of the ulama who is not elected, is not accountable to any authority, and as “guardian” of the masses, is the final arbiter and interpreter of all laws and has veto power over the decisions of all institutions of state and society.<sup>4</sup>

The Jacobin phase of the Islamic Republic began to crumble in 1988, soon after Ayatollah Khomeini passed from the scene and Iran emerged exhausted from its war with Iraq. First, the ruling regime faced serious challenges in continuing to deliver on populist demands that it had created during the previous decade.<sup>5</sup> Second, with the war at an end, Iran's revolution entered its “Thermidor” stage. There was less need for mass mobilization and more need for governance. Rationality in managing government, especially post-war reconstruction, became the mantra of the rank-and-file of the Islamic Republic.<sup>6</sup> Four issues in particular became central to the politics of change after 1988:

- 1) Economic reform to address financial constraints produced by the regime's populist policies and to accommodate the demands of a growing population.
- 2) Ending Iran's international isolation and restoring relations with the United States.
- 3) Addressing the growing demands for

political participation caused in good measure by populism and mass mobilization during the war with Iraq.

- 4) Reforming theocracy to make it compatible with rational government, in particular addressing the issue of distribution of power among the supreme leader, the president, the parliament (the Islamic Consultative Assembly, or Majles) and the judiciary.

These four issues form the parameters of debates on reform. However, it is only the latter two – demand for participation and reforming theocracy – that are fuelling the demand for democracy, although the relationship with the United States has been treated as both an outcome and a harbinger of political change.

The crisis that the state faced in 1988 produced two intellectual and political groupings whose agendas reinforced one another to set in motion the public debate on reforming the Islamic Republic through greater pluralism and, ultimately, democracy. The first were the “pragmatists” within the ruling regime; the second were the dissident lay Islamist intellectuals who broke with the Islamic Republic over its political structure and its conceptual underpinnings. The first looked to limited reforms to rationalize the populist theocracy, whereas the latter sought to free the country from the oversight of the office of the supreme leader – to create an Islamic state that is not controlled by the *vali-e faqih*. Neither were at the outset committed to democracy, looking to separate religion from politics, or representing a social movement; both merely sought to resolve the incongruities inherent in theocracy and to give “pragmatism” a free hand.

### The Pragmatists

In 1988, Hojjat al-Islam Ali-Akbar Hashemi Rafsanjani was elected Iran's president. In his two terms in office (1989-97), he sought to address economic and political problems facing the Islamic Republic by initiating a number of reforms. In the economic arena, reforms removed some of the constraints on the economy, but did not altogether resolve the problems that were largely caused by the decade of populism. There was also little progress in improving relations with the United States. Addressing demands for participation, as will be discussed below, led to some political openness and a greater prominence for general elections, but had only modest impact on the theocratic structure of the state. Institutional reform, which had earlier eliminated the office of the prime minister, did not resolve the problems inherent in the distribution of power among the supreme leader, the president, the parliament and the judiciary.<sup>7</sup> In fact, in the absence of fundamental reforms, the government was not able to produce a satisfactory framework for policymaking. This has meant continually having to respond to emerging crises by resorting to ad hoc policymaking that periodically leads to dysfunctional government and political paralysis.

In place of reforming theocracy, the Rafsanjani administration sought to rationalize it. A new breed of political and

managerial leaders, such as Tehran's mayor, Gholam-Hossein Karbaschi, emerged to reform managerial practices in the government and sought to improve its functioning. The drive to graft rational government onto theocracy did not resolve the problems facing the Islamic Republic, but it did cause further problems for reform. By the end of Rafsanjani's second term as president in 1996, it was apparent that pragmatism alone would not change or sustain the government. The 1998 arrest of Karbaschi, who was then a public face of pragmatism, and his subsequent public trial over corruption charges amply attested to this fact.

### Lay Islamist Intellectuals

The crises facing both populism and theocracy led a group of lay Islamist intellectuals and activists to formulate a critique of theocracy in the early 1990s. This group consisted, for example, of Abdul-Karim Soroush and writers associated with the journal *Kian*. Soroush was the most influential voice in this group. In the

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early 1980s, he had been associated with the radical faction of the Islamic Republic; a member of the Council of the Cultural Revolution, he had initially contributed to instituting its ideological vision.<sup>8</sup> In the 1990s, Soroush and his colleagues at *Kian* captured the growing frustrations of those radical thinkers and activists, as well as government managers, who saw the

Islamic Republic at an impasse.<sup>9</sup>

Since 1992, Soroush has criticized the inflexibility of Islamic ideology, the prominence of the ulama, and the special position of the vali-e faqih as the causes of the inertia that has beleaguered the government. His later works go further to advocate an interpretive reading of Islamic law and theology to pave the way for more rapid change in Iran's body politic. This would amount to a "reformation" of Islam that would pave the way for greater pluralism within an Islamic framework – and for Islamic democracy of sorts.

From the outset, it was pragmatists during the Rafsanjani period who were looking for ways to loosen theocracy's hold on government and were most attracted to the promise of Islamic reform. Soroush's ideas continue to appeal to those whose ideological and political orientation remains within the ambit of the Islamic Republic – those who favor reform but continue to define Iranian identity and politics in terms of Islamic ideals. As Iranians have become more concerned with secular democracy rather than Islamic reform, and the center of gravity of the reform debate has shifted from those within the regime to those in civil society, lay Islamist intellectuals have now become less central to the burgeoning democracy debate.

### **THE GROWING IMPORTANCE OF ELECTORAL POLITICS**

The tribulations of pragmatism occurred at a time of growing importance for electoral politics in Iran. This development had an important impact both on the struggle for power among the political elite in Iran and on the attitudes of the electorate, who were becoming increasingly knowledgeable about the spirit and practice

of democracy and electoral politics.

Elections first became a part of the Islamic Republic as the means for the religious element of the revolution to mobilize popular support for its position in the new regime. Early on in the revolutionary process, Khomeini effectively used elections to bolster the revolution's populist and Jacobin politics, to outmaneuver liberals and leftists, and to give the Islamic Republic its theocratic constitution.<sup>10</sup> After 1988, elections became important in other regards, most notably to manage factional politics.

Iran's revolution never produced a dominant revolutionary party. Although there have existed a number of parastatal organizations dedicated to regimenting support for and enforcing the writ of the ruling regime, in the absence of a governing party, the Islamic Republic had no institutional mechanisms for distributing power among its various factions. The function that should have been performed by internal party elections was thus performed by general elections. As such, the Islamic Republic itself has functioned as a party with regular internal elections, but not competing in the political arena at large. The theocratic order has viewed the voters as party members, mobilized through mosque networks and ideological propagation, and the parliament as a "central committee" or "politburo" of sorts. This view appears to persist within the conservative faction. Still, the regularity of general elections has institutionalized the place of the parliament in the Islamic Republic. Hence, the requirement of deciding distribution of power within the ruling regime, and the absence of institutional mechanisms to do so outside the public arena, have by default introduced

electoral politics and parliamentary behavior to Iran.<sup>11</sup>

The institutionalization of general elections and parliamentary practices, despite all their limitations, has brought a certain degree of pluralism to the essentially absolutist theocracy of the Islamic Republic. The practice of voting has produced a distinct political momentum, a set of institutional practices and modes of political behavior which, although not intended at the outset to play a central role in politics, have become important to its functioning.

Elections in the Islamic Republic have not been entirely open; there are certain limits as to which candidates are allowed to participate. However, once the list has been set, the elections have been generally free. The state has an authoritarian control over society but is far from constituting a monolith. It consists of powerful factions that continuously vie for control. Hence, the state has thus far been successful in eliminating from the electoral process all those who challenge its fundamental ideological vision, but has not been able to eliminate those who, while sharing this vision, nonetheless challenge various aspects of policymaking. This may have limited the scope of democracy, but it has not precluded fierce debate over policies. Elections are therefore real only in so far as they determine the relative influence of the various power centers; they are closed in that they do not allow for any real change in the distribution of power within society or alter the composition of the leadership of the state.

### **Elections of 1997**

The presidential elections of 1997 were important. They transformed elections in

Iran from merely settling factional power struggles into expressing popular political will. This generated democratic expectations – political change through the ballot box rather than through Islamic reform at the top. These elections brought to power Hojjat al-Islam Mohammad Khatami, who did not represent any faction but rather the popular demand for political reform.

Khatami's campaign speeches were peppered with references to "democracy," "civil society," "women's status," "rule of law" and "dialogue between civilizations."<sup>12</sup> He emphasized "civil society" in particular and championed the cultural freedoms and legal protections that empower it. As such, Khatami gave new direction and energy to the demand for reform and sought to create a base of support for reformists inside the regime, in civil-society institutions and among social classes. The elections of 1997 marked a transition point at which the debate over reform gained popular manifestation with the potential to transform Iranian politics.

Most observers had expected Khatami to do well but the conservative defenders of theocracy to win in the end. This did not come to pass. Khatami won the elections with an overwhelming majority of the vote – 70 percent (some 20 million votes). Iranians had taken the elections seriously and had voted convincingly in favor of fundamental changes in the nature, structure and working of the Islamic Republic. Many saw the elections as a referendum, at the very least, on how the government's leadership ought to understand its mission, as well as its relations with the society.

The elections of 1997 therefore pushed Iran's politics beyond debates on pragmatism and Islamic reform. That the population had been able to vote for a candidate

of reform against the thrust of theocratic politics in Iran, and that the results of the elections had stood, accelerated the pace of the demand for change and made the presidency and elections central to that debate. In

addition, the elections caught the leadership of the Islamic Republic off-guard.<sup>13</sup> This led to a short-lived "Prague Spring" in Iran during which significant freedom of expression in the press and certain

relaxations in control of social behavior gave new impetus to demands for change. These demands began to take an increasingly secular orientation as the new cultural opening mobilized the Iranian middle class that had been marginalized by the revolution's manifest populism. This class now became a new force in Iranian politics.

The political victory of the revolution in 1979 was never matched by success in the cultural arena. The Iranian middle class that had supported the leftist and liberal elements of the revolution was politically disenfranchised by the Islamic Republic's theocratic populism but had remained important to Iran's civil-society institutions and active in the arts and culture. Since the late 1990s, its influence became more marked as the government began to lose control of popular culture, and a growing number of Iranians began to flaunt public behavior proscribed by the regime. Greater relaxation of social behavior from 1997

onwards has only confirmed the growing importance of this social stratum.

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assert its claims in the political process. This class now looked to Khatami to facilitate its political enfranchisement as well. As such, it would play an important role in the democracy debate from this point forward,

especially in pushing the debate beyond Islamic reform to constitutional change.

The elections of 1997 therefore both mobilized a broader segment of the population and gave a voice to their demands. It was at this juncture that the base of support for reform and the constituency for the debates around it shifted from those within the regime to those outside the purview of its ideological control. The audience for the pragmatists and lay Islamist intellectuals was overshadowed by a larger constituency that was rooted in the middle class and the civil society. This constituency was no longer merely satisfied with debating Islam and began to demand fundamental political reforms.

Khatami's campaign promised to address those demands, and by so doing, to create a bridge between reformers inside the regime, who were attached to its ideological foundations, and the larger constituency for reform. His ideal of "Islamic civil society" captured this objec-

tive. His success in this endeavor would have transformed the Islamic Republic, but would have kept it in control of the process of change. However, his failure has instead created a rift between reformers within the Islamic Republic's ideological fold and political reformers in the larger society, and pitted the latter clearly against the former.

### **KHATAMI'S FOLLY: CONTINUING WITH PRAGMATISM AND ISLAMIC REFORM**

During Khatami's presidency, two contradictory tendencies began to work themselves out: on the one hand, the concentration of all power in the hands of the supreme leader, and on the other, electoral practices that were given significant, if limited, scope for expression during the 1997 elections. The conflict between the theocratic reality of the state and its democratic pretensions reinvigorated the debates about reform and began to push them in new directions.<sup>14</sup>

Within a year after Khatami assumed office, the supreme leader, Ayatollah Ali Khamenei, began to use the judiciary, the Council of Guardians (a watch-dog institution dedicated to protecting the ideological foundations of the Islamic Republic), and his allies in the media, the Parliament and various government agencies to limit reform. The reform-minded Khatami repeatedly lost ground to these conservative forces in showdowns over legislation, freedom of the press, rule of law and individual rights. For instance, from the time Khatami assumed office in 1997 until January 2004, the Council of Guardians vetoed 111 of his 297 bills.<sup>15</sup> Faced with strong resistance to change, Khatami and his supporters, most notably, his minister of culture, Ataullah Mohajerani, his minister of

interior, Abdullah Nouri, and journalists such as Akbar Ganji, began to speak about instituting limits to theocracy and advocated the rule of law and the protection of individual rights.<sup>16</sup> Both Mohajerani and Nouri were forced out of the government by forces loyal to Khamenei; Nouri and Ganji were tried and incarcerated.

These developments shifted focus from calls for rational government to a demand for democratization. However, Khatami shied away from openly breaking with the theocratic core of the Islamic Republic. He would not endorse fundamental constitutional changes and proved unwilling to openly challenge Khamenei's authority. On a number of occasions, he threatened the supreme leader with resignation, and on one occasion with not running for reelection in 2001. But each time he backed away from an open breach with Khamenei and his conservative allies.

More important, Khatami has continued to declare fealty to the theocratic constitution of the Islamic Republic, which runs counter to his support for civil society and the rule of law. In fact, Khatami's emphasis on the rule of law without constitutional change has so far served to reinforce the writ of the theocratic constitution. At the end of the day, Khatami's rhetoric has gone no further than advocating better management of government – more pragmatism. He has justified his stance by arguing that at its core, Iranian identity is Islamic; hence, Islam cannot be separated from politics. Pluralism and civil society must find expression within the context of this reality. Khatami's capitulations to Khamenei have attested to his reluctance to step beyond the bounds of the constitution. This has, in turn, severely limited his ability to continue to lead the

popular demand for democracy that his own electoral success had unleashed.<sup>17</sup>

Khatami's dilemma has, however, had a cathartic effect on the democracy debate. It has pushed the debate clearly past Islamic reform and accommodation to pluralism within the constitutional framework to a demand for democracy under a new constitutional order that would separate religion from politics. By failing to reconcile the demands for change with the reality of the Islamic Republic, Khatami relinquished control of the democracy debate to voices outside the regime.

### Reformist Ulama

The challenges facing Khatami in managing the demand for reform brought a group of ulama into the fray. These thinkers, some of whom had initiated their critiques before 1997, put forth new religious and political formulations that in different ways differed with the theocratic vision of *velayat-e faqih*. In some regards, these reformist ulama were continuing on the path chartered by Soroush and *Kian*. However, given the fact that their critique came from within ulama circles, it carried particular significance. The most notable reformist ulama are Ayatollahs Hossein-Ali Montazeri (at one time Khomeini's heir apparent), the late Mehdi Haeri-Yazdi (a noted philosopher and senior member of the ulama), Seyyed Mostafa Mohaqqueq-Damad (a prominent professor of Islamic law and an authority on the judiciary), and Hojjat al-Islams' Mohsen Kadivar (a student of Montazeri), Mohammad Mojtahed-Shabestari, Mohsen Saidzadeh and Hasan Yousefi-Eshkevari among others.<sup>18</sup> Haeri-Yazdi, in particular, had never endorsed *velayat-e faqih* and had actively shunned participation in politics.

The reformist ulama, each in different ways, questioned the primacy of the supreme leader in the Islamic state.<sup>19</sup> For instance, Haeri-Yazdi and Kadivar have argued that *velayat-e faqih* in the sense used in Iranian politics after the revolution has no basis in Shia theology or law. In Kadivar's words, "The political mandate of the theologian in no way originates in the fundamental principles of the Shiism."<sup>20</sup> Haeri-Yazdi has argued that rather than "guardians" of the people, the ulama should be viewed as their plenipotentiary.<sup>21</sup> Accordingly, the supreme leader is not above the law, but bound by it. He cannot override popular demand, but must represent it. This is a position that seeks to return the Islamic Republic to the traditional Shia concept of government. This position is also close to that advocated by Ayatollah Ali al-Sistani in Iraq, wherein the ulama represent and promote popular interest in advocating an Islamic order but do not claim an exclusive right to rule. Yousefi-Eshkevari has gone further to advocate an "ulama-less" Islam, eliminating all intermediaries between man and God.<sup>22</sup>

The reformist ulama's audience has primarily been other ulama, government officials, and authors and activists associated with them. The impetus for their discourse has been to nudge the clerical establishment and the leadership of the Islamic Republic to move forward apace with the demand for reform among the population, lest the ulama lose their control of popular political culture and the dynamics of change in the Iranian polity as a whole. Their enterprise seeks to prevent a rupture between reformers within the system and the constituency for change outside of it. Of these reformist ulama, only

Haeri-Yazdi has gone so far as to provide the basis for a separation of religion from politics and secular democracy.

The leadership of the Islamic Republic so far has not been persuaded by these arguments and in a measured way has tried to isolate and suppress them.

Montazeri has spent the good part of the past decade and a half under house arrest, Kadivar and Yousefi-Eshkevari both have been imprisoned, and Yousefi-Eshkevari remains in jail.

As was the case with Soroush, the reformist ulama voices tend to advocate a more pluralist Islamic state: the Islamic Republic without theocracy.

Although in so doing they seek to deal with the most absolutist institution of the Islamic Republic, they do not address the larger issue of democratization and the crucial issue of separating religion from politics. The reformist ulama, much like the lay Islamist intellectuals, have not been prepared to go this far and have advocated some form of "Islamic democracy." As a result, their views are no longer central to the broader constituency for reform that by the middle of Khatami's first term had already moved beyond debating Islamic reform and Islamic democracy.

What Khatami and the reformist ulama's discourse purported to do was to limit the powers of the supreme leader and create a synthesis between the concept of the Islamic state and democracy. This discourse (as was also the case with the lay Islamist intellectuals) has not been willing to acknowledge the inherent contra-

dictions in the structure of the Islamic Republic, on the one hand, and the grafting of democracy to the Islamic state, on the other. As a consequence, Khatami and the reformist ulama have not ventured to entertain the prospects for serious constitutional change. In spite of Khatami's clear electoral mandate, advocating democracy while defending the fundamental principles of the Islamic Republic has limited appeal

with the increasingly impatient pro-democracy voices in Iran. This is especially the case among the progressively more important middle class and the thinkers who trace their intellectual and political lineage to the

secular and democratic constitutionalism of pre-revolutionary years.

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## **BEYOND THE ISLAMIC REPUBLIC**

The failure of the Khatami presidency to satisfy demands for change pushed the demand for democracy beyond taming theocracy. It has become increasingly accepted wisdom that, first, theocracy is impervious to change; much of the discussion on that topic by Khatami and reformist ulama now appears arcane and of merely marginal value. Second, Islamic reform does not necessarily produce democracy; in fact, it is arguable that the two cannot easily co-exist. Here, too, abstract debates on Islamic reform are being increasingly viewed as redundant sophistry.

With these realizations, debate over democracy moved from inside the ruling regime – with the presidency and the

parliament acting as its chief advocates – to the streets, where, for instance, student demonstrations became a leading element in demanding fundamental changes to the structure of the Islamic Republic. Student demonstrations in the summer of 1999 to protest the closure of some reformist newspapers, in November 2002 to protest against a death sentence for alleged blasphemy imposed on Hashem Aghajari, a university lecturer, and in 2003 to demand greater political rights have not only posed direct challenges to theocracy but also confirmed the shift in focus of the struggle for reform from the high circles of power to the society and from Islamic reformers to those who want constitutional change and secular democracy.

Popular demand for change has further mobilized secular intellectuals and activists associated with civil-society institutions and universities. Intellectuals such as Javad Tabatabai, as well as a number of writers outside Iran who have in the past questioned the promise of Islamic reform for democracy, have gained in influence.<sup>23</sup> This view has also found a wider echo among student leaders and journalists who initially rallied in support of Islamic reform. For instance, Akbar Ganji, whose career as a journalist was associated with the Islamic Republic and who at first advocated reforming it, in a letter from prison (entitled *Republican Manifesto*) conceded that the post-revolutionary theocracy has ingrained totalitarian tendencies. He writes that the current political setup cannot be meaningfully reformed without fundamental regime change and a separation of religion from politics.

The discourse of the secular voices breaks with that of lay Islamist intellectuals, Khatami and the reformist ulama over

two key issues. First, the secular thinkers do not see protection of Islamic identity as a primary political objective. Second, and by extension, the secular thinkers are not concerned with defining an ideal form of government that is inclusive of Islam.

The secular voices rather seek to identify and protect the rights of civil society and the citizenry. Their ideal is not Islamic democracy but popular sovereignty. This involves placing limits on the exercise of state power and creating legal institutions and a system of checks and balances that guarantee individual and social rights. The secular voices also argue for vesting sovereignty in the people in lieu of vesting it in God or divine law. Almost a century ago, a constitutional movement transformed Iranians from “subjects” to “citizens.” The constitution of the Islamic Republic, by placing the notion of “guardianship” over civil society, has in effect reversed those gains. The democracy debate now aims to restore sovereignty to the people and hold government accountable to them as citizens. This is a very different paradigm, which breaks with the reform initiatives that have had their roots in and have remained conceptually bound to the Islamic Republic. It is also a demand for replacing rather than reforming the Islamic Republic by changing its founding constitutional assumptions.

These voices have become increasingly central to defining the terms of the democracy debate and especially to anchoring it in the demand for individual rights. This trend found greater impetus when the 2003 Nobel Peace Prize was awarded to a leading advocate of individual rights, Shirin Ebadi. When Khatami reacted to the enthusiastic greeting of the award by belittling Ebadi’s achievement, remarking

that only Nobel prizes in science or literature matter, he was in many regards lamenting the passing of the baton to secular thinkers and activists. Ebadi is representative of the constitutional aspirations of the middle class, which the revolution had once used but then marginalized, and which have now become increasingly important. Ebadi's statements have captured the broadly shared sentiment that what is needed is not to reform Islam, crafting further apologetics on its compatibility with democracy, but to create a constitutional framework that will separate the two. This is a position that has also been advocated by liberal nationalists such as Daryoush and Simin Foruhar (murdered by security agents in 1998), who were associated with the National Front – the liberal democratic opposition to Pahlavi rule before the revolution – and also by the Liberation Movement of Iran that formed the first post-revolutionary government under Mehdi Bazargan. In fact, the National Front has grown in prominence as a focal point for the democracy debate. The annual commemoration of the National Front's inspirational leader, Mohammad Mosaddeq, has attracted sizable crowds in recent years.

The discussion of constitutional reform and separation of religion and politics inevitably involves the constitution of 1906-07, which was in force until 1979.<sup>24</sup> That constitution was a product of a popular social movement that vested sovereignty in the people, allowed change in the regime type in accordance with popular will, recognized and institutionalized the separation of the executive, the legislature and the judiciary, and in effect separated religion from the everyday conduct of politics. Although the constitution of 1906-07 was

not fully implemented between 1907 and 1979, as a historical example of what the secular voices in Iran demand, it serves as a foil to the constitution of the Islamic Republic and focuses the debate on political reform and constitutional change rather than Islamic reform and accommodating pluralism.

The constitutional laws of 1906-07 offer a very different paradigm of politics than the one which effectively institutes the democracy debate outside the purview of the Islamic Republic and its ideological worldview. This provides for a more thoroughgoing regime change than that envisaged by those advocating reform from within the Islamic Republic and with a view to preserving the place of Islam in social legislation and politics in general.

As Iran prepares for presidential elections in 2005, the debate about democracy is likely to intensify. The massive earthquake in Bam in December 2003 led to wide-scale grass-roots mobilization to provide assistance to the survivors in competition with the government. The scale of this mobilization has underscored the depth and breadth of the breach between the ruling regime and its critics. The mobilization has also created broad-based sociopolitical networks that are likely to provide the reform movement with greater influence in the political process.

In January 2004, the conservative Council of Guardians disqualified 3,600 candidates for the parliament, including 80 incumbents, whom it viewed as pro-Khatami. The Council of Guardians's verdict was meant to limit the scope of democratic practices in order to defend the primacy of theocracy. The political crisis that ensued put to question whether the Islamic Republic can in fact be reformed

and whether democracy is conceivable without fundamental constitutional changes that go beyond the ideological suppositions of the Islamic Republic.

The democracy movement in Iran today lacks clear leadership. The Khatami presidency has failed to provide it and is unlikely to break with the Islamic Republic in order to do so. Secular political activists and the students have as yet to fill the void. In addition, the ruling regime has engaged in limited reforms to reduce the scope of the opposition. For instance, soon after the student demonstrations of 2003, the religious police and revolutionary guards were largely withdrawn from the public sphere, permitting greater relaxation of social behavior. The supreme leader and the conservative leadership now argue for a "Chinese" model of reform: economic change and opening to the world with few

or no political reforms.<sup>25</sup> They are counting on relaxation of the social scene and greater engagement with the world community to limit the demand for democracy within Iran as well as support for it in the West.

The coming years are of critical importance in shaping Iranian politics. Although the democracy debate has yet to produce a broad-based social movement, it has nevertheless sufficiently developed in complexity and has come to influence popular political culture to such a degree that it cannot be easily contained by limited concessions from above. This debate will play an important role in determining how the Islamic Republic balances regime interests with the mounting pressures for change from below while also grappling with economic and political challenges in a changing global environment.

<sup>1</sup> For Islamic reform debate in Iran, see Said A. Arjomand, "The Reform Movement and the Debate on Modernity and Tradition in Contemporary Iran," *International Journal of Middle East Studies*, Vol. 34, 2002, pp. 719-31.

<sup>2</sup> Daniel Brumberg, *Reinventing Khomeini: the Struggle for Reform in Iran* (Chicago: University of Chicago Press, 2001).

<sup>3</sup> Said A. Arjomand, *The Turban for the Crown: the Islamic Revolution in Iran* (New York: Oxford University Press, 1988).

<sup>4</sup> Hamid Enayat, "Iran: Khomeini's Concept of the Guardianship of the Jurisconsult," *Islam in the Political Process*, ed. James Piscatori (New York: Cambridge University Press, 1983), pp. 160-180; Asghar Schirazi, *The Constitution of Iran: Politics and the State in the Islamic Republic* (London: I.B. Tauris, 1997); and Shahrough Akhavi, "Iran: Implementation of an Islamic State," *Islam in Asia*, ed. John L. Esposito (New York: Oxford University Press, 1987), pp. 27-52.

<sup>5</sup> Fatemeh Moghadam, "State, Political Stability and Property Rights," *Iran After the Revolution: Crisis of an Islamic State*, eds. Saeed Rahnama and Sohrab Behdad (London: I.B. Tauris, 1995), pp. 45-64.

<sup>6</sup> Anoushiravan Ehteshami, *After Khomeini: the Iranian Second Republic* (New York: Routledge, 1995), pp. 77-99.

<sup>7</sup> Mohsen Milani, "The Transformation of Velayat-e Faqih Institution: From Khomeini to Khamenei," *The Muslim World*, Vol. 82, No. 2-3, July-October 1992, pp. 175-90; and idem, "The Evolution of the Iranian Presidency: from Bani Sadr to Rafsanjani," *British Journal of Middle Eastern Studies*, Vol. 2, 1993, pp. 82-89.

<sup>8</sup> On Soroush's works see, Abdul-Karim Soroush, *Bast-e Tajrobeh-ye Nabavi* (Expansion of the Prophetic Experience) (Tehran: Serat, 1999); idem, *Reason, Freedom, and Democracy in Islam: Essential Writings of Abdolkarim Soroush*, eds. Ahmad Sadri and Mahmoud Sadri (New York: Oxford University Press, 2000); Valla Vakili, "Abdolkarim Soroush and the Critical Discourse in Iran," *Makers of Contemporary Islam*, eds. John Esposito and John Voll (New York: Oxford University Press, 2001), pp. 150-76; and Farzin Vahdat, *God and Juggernaut: Iran's Intellectual Encounter with Modernity* (Syracuse: Syracuse University Press,

2002), pp. 198-211.

<sup>9</sup> See, for instance, Abdul-Karim Soroush, *Modara va Modiriyat* (Tolerance and Administration) (Tehran: Serat, 1997).

<sup>10</sup> Shaul Bakash, *The Reign of the Ayatollahs: Iran and the Islamic Revolution* (New York: Basic Books, 1984).

<sup>11</sup> Bahman Bakhtiari, *Parliamentary Politics in Revolutionary Iran: The Institutionalization of Factional Politics* (Gainesville, FL; University Press of Florida, 1996).

<sup>12</sup> For 1997 developments, see, for example, essays in *Middle East Report*, Vol. 212, No. 3, Fall 1999, Special Issue, "Pushing the Limits: Iran's Islamic Revolution at Twenty," guest ed. Kaveh Ehsani; note in particular, *idem*, "Do-e Khordad and the Specter of Democracy," pp. 10-11.

<sup>13</sup> "The Conservatives Misjudged: A Conversation with Ahmad Bourghani," *Middle East Report*, Vol. 212, No. 3, Fall 1999, pp. 36-37.

<sup>14</sup> Ramin Jahanbegloo, "The Deadlock in Iran: Pressures from Below," *Journal of Democracy*, Vol. 14, No. 1 January 2003, pp. 126-31; Ladan Boroumand and Roya Boroumand, "Illusion and Reality of Civil Society in Iran: An Ideological Debate," *Social Research*, Vol. 67, No. 2, Summer 2000, web edition; and Mehdi Mozaffari, "Revolutionary, Thermidorian and Enigmatic Foreign Policy: President Khatami and the 'Fear of the Wave'" *International Relations*, Vol. 14, No. 5, August 1999, pp. 9-28.

<sup>15</sup> *The Economist*, January 17, 2004, p. 20.

<sup>16</sup> On the views of Khatami and his supporters, see Mohammad Khatami, *Az Donya-e Shahr ta Shahr-e Donya* (From the City's World to the World's City) (Tehran: Ney, 1997); *idem*, *Eslam, Rouhaniyyat, va Enqelab-e Eslami* (Islam, the Clergy, and the Islamic Revolution) (Tehran: Tarh-e Naw, 2000); Fariborz Etemadi, ed., *Doctor Mohajerani, Az Ray-e Etemad ta Estizah* (Doctor Mohajerani: From Vote of Confidence to Impeachment) (Tehran: Hezb-e Kargozaran-e Sazandegi, 1999); and Akbar Gangi, *Kimiya-e Azadi: Defaiyat-e Akbar Ganji dar Dadgah-e Konferans-e Berlin* (Elixir of Freedom: Akbar Ganji's Defense at the Berlin Conference Trial) (Tehran: Tarh-e Naw, 2001).

<sup>17</sup> "Existing Political Vessels Cannot Contain Reform Movement: A Conversation with Saiid Hajjarian," *Middle East Report*, Vol. 212, No. 3, Fall 1999, pp. 40-43.

<sup>18</sup> Mehran Kamrava, "Iranian Shiism Under Debate," *Middle East Policy*, Vol. 10, No. 2, Summer 2003, pp. 102-112; and Ziba Mirhosseini, "Rethinking Gender: Discussions with Ulama in Iran" *Critique*, Vol. 13, Fall 1998, pp. 45-60.

<sup>19</sup> Mohammad Mojtahed-Shabestari, *Naqdi bar Qiraat-e Rasmi az Din* (A Critique on the Formal Reading of Religion) (Tehran: Tarh-e Naw, 2000).

<sup>20</sup> *Rah-e Naw* (August 1, 1998), p. 35.

<sup>21</sup> Mohsen Kadivar, *Hokoumat-e Vela'i* (Governance by Guardianship) (Tehran: Nashr Nay, 1998); and S. Mehdi Haeri-Yazdi, *Hekmat va Hokoumat* (Reason and Governance) (London, 1995).

<sup>22</sup> Hasan Yousefi-Eshkevari, *Nawgarai-e Dini* (Religious Reformism) (Tehran: Qasideh, 1998); and *Kherad dar Ziafat-e Din* (Knowledge in Service of Religion) (Tehran: Qasideh, 2000).

<sup>23</sup> Milton Viorst, "The Limits of the Revolution: Changing Iran," *Foreign Affairs*, Vol. 74, No. 6, November/December 1995, pp. 63-76.

<sup>24</sup> On the constitutional revolution of 1905-06, see Edward G. Browne, *Persian Revolution of 1905-09* (London: Frank Cass, 1966); and Janet Afary, *The Iranian Constitutional Revolution* (New York: Columbia University Press, 1996).

<sup>25</sup> Afshin Molavi, "Fine China," *The New Republic*, September 8, 2003, p.14, p.16.