

FOROUGH JAHANBAKHSH

Islam, Democracy and Religious Modernism in Iran (1953-2000)

From Bāzargān to Soroush

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IN IRAN (1953–2000)

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BY

FOROUGH JAHANBAKHS



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INTRODUCTION

About fifty years after the Persian Constitutional Revolution of 1906–1911, religious forces began once again to become involved in Iranian politics. From the withdrawal of the constitutionalist *'ulamā'* from politics until the failure of the National Movement (1953), only two individual members of the clergy, Ayatullah Sayyid Ḥasan Mudarris (d. 1936) and Ayatullah Abūlqāsim Kāshānī (d. 1962), as well as the religiously motivated political organization Fadā'iyān-i Islam, became actively involved in political matters. The reason for the low profile of religion on the political scene was due partly to the secularist policy of the Pahlavis, which aimed at separating religion and politics, and partly to the aloofness and apathy with respect to politics shown by the high ranking *mujtahids* of the era, particularly Ayatullah Shaykh 'Abdulkarīm Ḥā'irī Yazdī (d. 1936) and Ayatullah Sayyid Muḥammad Ḥusayn Burūjirdī (d. 1961), two important *marja'-i taqlids* and towering figures in the Iranian Shī'ite community.¹

The re-emergence of religion in politics was of a rather different nature this time, and, unlike at the beginning of the century, it was not initiated by high-ranking religious leaders. It started gradually and primarily as a religious modernist movement with strong political inclinations, its leading figures being lay religious intellectuals. The clergy's participation in politics up until the 1979 revolution had only been on an individual basis. However, as had been the case during the constitutional movement, religion was once again appealed to in support of democratic institutions and in opposition to the autocratic nature of the ruling regime.

The present work intends to examine the contribution of this re-emergence of religion to the problematic of the compatibility of Islam and democracy within the time period 1953–2000. This will be accomplished through an examination of the ideas of seven prominent figures who have shaped the religio-political thought and discourse of the pre- and post-revolutionary eras in Iran. Three of them,

¹ For details of clergy-state relations during this era, see Shahrough Akhavi, *Religion and Politics in Contemporary Iran: Clergy-State Relation in the Pahlavi Period* (Albany: State University of New York Press, 1980).

Mahdī Bāzargān, Ali Shari‘ati and Abdulkarim Soroush may be counted as lay religious intellectuals and religious modernists, whereas the remaining four were all members of the clergy, viz., S. Maḥmūd Ṭāliqānī, Murtaḍā Muṭahharī, Muḥammad Ḥusayn Ṭabāṭabā’ī and Ruhollah Khomeini. This study seeks to examine whether the contemporary religio-political thinkers of Iran, in the course of their anti-tyrannical campaign, made any attempt at the theoretical level to reconcile Islam and democracy. It asks the following questions, among others: Have the nature and the outcome of their efforts been different from what their predecessors achieved in this respect at the time of the constitutional revolution? How have they understood and attempted to conceptualize the notion of democracy? On what cognitive as well as normative basis have they structured their arguments? The main concern of the study is the theoretical dimension of the problematic of Islam and democracy. Nevertheless, in order to find answers to the above questions in the religio-political discourse of these thinkers, the context of their discourse has to be identified. However, discussion of such matters will be limited to only those major, relevant developments which had a direct bearing on the evolution of their thought, this in order to prevent the work from turning into a socio-political history of modern Iran, of which there is no shortage.

In most of the works that have appeared dealing with the Iranian revolution of 1979, the general or prevailing theme has been Islamic fundamentalism. It has been the outcome of the revolution, i.e., the supremacy of the theory of *wilāyat-i faqīh*, or the guardianship of the jurists, that has overwhelmed and marginalized the study of other political ideas which were in the air long before and which were concurrent with that theory. For instance, the religious as well as political thought of Mahdī Bāzargān, in spite of his significance as the precursor of the trend of religious intellectualism in Iran, and his important contribution to the re-emergence of religion in contemporary Iranian politics, has only just begun to receive the attention it deserves. Furthermore, many other works have been written under the assumption that all pre-revolutionary religious or religiously-oriented dissidents supported the concept of rule by the ‘*ulamā*’, with the result that they have reached predetermined conclusions that neglect the variety of ideas or aims that truly existed during most of this century.

The present study shows, among other things, that the democra-

tic aspect of the theory of government presented by these seven figures has been as important for most of them as its religious aspect. In other words they have not simply aimed at the establishment of an Islamic government. They have depicted the nature of that Islamic state as democratic. Whatever was their perception of democracy, the significance of the pre-revolutionary thinkers' attempt lies especially in the fact that they taught and prepared Iranians for an Islamic government. And yet the question remains: If they did in fact preach the virtues of a democratic state, then, how did the theory of *wilāyat-i faqīh* gain supremacy? Did there exist, among other reasons, any shortcomings in their theory of Islamic democratic government?

In any event, approximately two decades after the 1979 Revolution, the issue of a religious democratic state has been raised again by a new trend of Islamic intellectualism that has lived under and has experienced a form of Islamic government. The emergence of such a vigorous interest in democracy and the content of the debates surrounding this issue, which are quite different from those of the previous generation, is telling evidence that in spite of the fact that Shī'ite Islam was exposed for about a century to a non-Islamic theory of government, i.e., democracy, and despite the attempts made during most of this century on both the theoretical and practical levels to introduce certain democratic ideals, there still remains much ground to be explored by religious thinkers concerning the reconciliation of Islam and democracy. It also indicates that the existence of a parliamentary system and regular elections does not necessarily make a state democratic. In other words, accommodating a procedural democracy within an Islamic government may give it a democratic surface structure, yet it still leaves many fundamental questions unanswered. This seems to be what the post-revolutionary religious intellectual movement in Iran is faced with and for which it is trying to find solutions.

With the exception of Abdul-Hadi Ha'iri's study of Mīrzā Muḥammad Ḥusayn Nā'inī's attempt at reconciling Islam with constitutional democracy in 1906,² no other work has been devoted to tracing the further development of this issue among twentieth-century Iranian religious thinkers and activists. The present study investigates, therefore, the ideas of a number of such thinkers who have been active

² Abdul-Hadi Hairī, *Shī'ism and Constitutionalism in Iran* (Leiden: E.J. Brill, 1977).

during the second half of this century. The first chapter provides a brief exposition of certain fundamental issues that have to be discussed in any consideration of democracy. This will establish a frame of reference against which Islamic theories will be measured in the chapters that follow. The second chapter deals with the problematic of these issues in an Islamic context. It discusses those elements that Muslim thinkers, both Iranian and non-Iranian, usually refer to as democratic norms in Islam and upon which almost all of them have built their argument for the compatibility or incompatibility of Islam and democracy. Chapter three discusses the rise of Shi'ite religious modernism and the re-emergence of religious forces in Iranian politics in the second half of this century. This chapter provides the relevant context for the religio-political discourse of the individuals whose ideas are to be discussed in the fourth chapter. The last chapter examines the development of a trend of religious intellectualism in post-revolutionary Iran which aims at certain religious reforms entailing important political consequences. This latter trend not only challenges the religio-political establishment of present-day Iran, which is after all a product of the Islamic ideology of the 1960s and 1970s, but it also presents a significantly different discourse in general and a different approach to the issue of religious democratic government in particular. It does this to the extent that one might regard it, in the Shi'ite context, as the second serious attempt after *Nā'inī* to reconcile Islam and democracy on its deepest theoretical levels. In the broader context of Islamic modernism, it presents a paradigm shift in Muslim thinkers' discourse.

CHAPTER ONE

WHAT IS DEMOCRACY?

This chapter provides an analytical description of “democracy” as a political system, as it is understood and described by political scientists. The present discussion, however, deals neither with the historical development of theories of democracy nor with the numerous forms of democracy as practiced in different societies at various times and in various places. Rather, a delineation of the persisting and prevailing features of democracy is sought here. Such an exposition is necessary to provide a frame of reference against which the similarities and differences between the two systems under consideration, namely, Islam and democracy can be detected and the claims of their compatibility or incompatibility judged. Such a discussion seems necessary at this point because of its bearing on the whole work and the orientation that it will take.

Democracy is one of those concepts which are incapable of accurate definition. There is no consensus on any of the definitions given. Even consulting dictionaries is of no real help, because again what we usually find there are arbitrary or stipulative definitions provided by people committed to certain schools of political theory. Therefore, the meaning of democracy must be sought in something other than a formula. If it is impossible to be precise about the letter of democracy, at least for the purpose of this work, where we shall not confine ourselves to any one of the existing theories of democracy, we will attempt to trace certain major features explicitly or implicitly expressed in all the definitions given.

The simplest and most commonly accepted meaning of democracy “derives from the Greek words *demos* (people) and *kratia* (rule or authority), hence ‘rule by the people’.”¹ The term has a long history and has been used with some consistency to describe a form of government in which the political power is held by the many as

¹ V. Bogdanor, ed., *The Blackwell Encyclopedia of Political Institutions* (New York: Basil Blackwell, 1987), p. 166.

opposed to a single individual as in monarchy or tyranny, or by the few as in aristocracy or oligarchy. Although there is apparently no difficulty in this self-evident root meaning, a host of definitional ambiguities are revealed when the concepts “rule by” and “the people” are subjected to different interpretations. To show the extent of the various definitions of democracy, it may suffice here to refer to certain classifications under which they may be grouped. These typologies of definitions themselves are, in fact, quite arbitrary. For instance, M. Rejai categorises them into four groups:

Traditionally definitions of democracy have been grouped under two headings: “normative” (or “classical”) and “empirical.” The former definitions are primarily concerned with certain values or norms; the latter attempts to describe and explain political reality. Closer examination reveals that, as a third category, a number of definitions are neither strictly normative nor purely empirical but combine elements of the two. This group we shall designate “normative-empirical.” Finally, a fourth category—“ideological”—is added to the list. It differs from the first three by placing its emphasis on a collective mental outlook, on certain shared beliefs, attitudes, and habits.²

Samuel P. Huntington considers three general approaches as having emerged from the debates over the meaning of democracy in the mid-twentieth century. He maintains:

As a form of government, democracy has been defined in terms of sources of authority for government, purposes served by government, and procedures for constituting government.³

It is worth examining a variety of definitions given for democracy in order to see how different political theorists have attempted to define it or at least trace some of the boundaries of its meanings.

Among the most often quoted definitions of democracy is Abraham Lincoln’s famous phrase: “Government of the People, by the People, for the People.” The statement is simple and brief but there is a depth of meaning and a variety of implications in its simple terms. James Bryce on the other hand describes the word democracy in his book *Modern Democracies* in its stricter, classical sense, as “denot-

² Mostafa Rejai, *Democracy: The Contemporary Theories* (New York: Atherton Press, 1967), p. 23.

³ Samuel P. Huntington, *The Third Wave, Democratization in the Late Twentieth Century* (Norman: University of Oklahoma Press, 1991), p. 6.

ing a government in which the will of the majority of qualified citizens rules.”⁴

Highlighting the deficiencies of the classical theory of democracy, which defines democracy in terms of the source of authority, namely, the “will of the people”, Joseph A. Schumpeter states:

The democratic method is that institutional arrangement for arriving at political decisions in which individuals acquire the power to decide by means of a competitive struggle for the people’s vote.⁵

Following in the Schumpeterian tradition, Samuel Huntington advances a “procedural definition.” He considers a political system

as democratic to the extent that its most powerful collective decision makers are selected through fair, honest, and periodic elections in which candidates freely compete for votes and in which virtually all the adult population is eligible to vote.⁶

A representative sample of definitions provided by those political theorists who have attempted to fuse in their approach the normative and the empirical aspects of democracy can be explored in the works of H.B. Mayo, R.M. MacIver, J. Sartori, and A.D. Lindsay. Of these Mayo’s view may be regarded as more procedural in nature. He maintains that:

Democracy is then one answer to the question of how the political policy decisions are made and should be made. It is both a political system and a theory to explain and justify it.⁷

He adds:

In short a political system is democratic to the extent that the decision makers are under effective popular control.⁸

As far as the ends of democracy are concerned, although Mayo realizes that certain values are incidental to democracy, he maintains that:

⁴ James Bryce, *Modern Democracies* (New York: Macmillan, 1931), vol. 1, p. 22.

⁵ Joseph A. Schumpeter, *Capitalism, Socialism, and Democracy*, quoted in Huntington, *The Third Wave*, p. 6.

⁶ Huntington, *The Third Wave*, p. 7.

⁷ H.B. Mayo, *An Introduction to Democratic Theory* (New York: Oxford University Press, 1960), p. 29.

⁸ *Ibid.*, p. 60.

a democracy is a political system devoted to no goals as such, but providing the machinery and opportunities for individuals to pursue their own private ends.⁹

R.M. MacIver's definition of democracy is a good example from the "normative-empirical" category. "Democracy", he states,

is not a way of governing, whether by majority or otherwise, but primarily a way of determining who shall govern and, broadly, to what ends. . . . The people, let us repeat, do not and can not govern, they control the government.¹⁰

Since many political philosophers follow the path of Plato and Aristotle in focusing their considerations on the ends of the state, some theorists have approached the theory and the definition of democracy from this point of view. But the problem with the latter approach is the diversity of ends expected from or assumed for democracy. As Jack Lively states:

For some, democracy ensures that governments follow the general interest, for others it is a safeguard of individual liberty, for others it allows for self-government, for others again it moulds a particular and desirable cast of character.¹¹

At this point, a consideration of certain defining characteristics of democracy seems appropriate. Although it is hard to state with any precision what characteristics are necessary to democracy, there are certain distinguishing features whose presence is seen as making a system democratic in both theory and practice and whose absence entails the contrary. Deciding which features are decisive depends on how one views democracy. In this study democracy will be looked at from two angles. One way is to look at its underlying philosophic assumptions with regard to humankind; another is to see it simply as a set of methods and procedures for making political decisions. For both of these there exist a number of principles, some of which are interrelated to the extent that it is hard to decide to which group they in fact belong. Their separation here into two groups is arbitrary.

⁹ Ibid., pp. 248–249.

¹⁰ Robert M. MacIver, *The Web of Government* (New York: Free Press, 1965), p. 198; quoted in Mayo, *Introduction to Democratic Theory*, p. 59.

¹¹ Jack Lively, *Democracy* (New York: Putnam, 1977), p. 112.

FUNDAMENTAL PRINCIPLES OF DEMOCRACY

Equality

It is difficult to trace with precision the origin of the modern idea of human equality in the West. Is it derived from religion or from philosophy? One view argues that since the equality of souls has always been a fundamental article of faith in Christianity, "this starting point of democracy, [equality], is doubtless religious in origin."¹² Another view, however, holds that the origin of equality "is to be found in the philosophy of Aristotle and Descartes."¹³

These two general views suffer from inconsistency. The historical experiences of religions in general and of Christianity in particular reveal an incongruity between the ideals and the facts. On the one hand, to mention but a single example, the equality of all souls constitutes an important doctrine of the Christian faith, while on the other hand slavery was accepted as a legitimate institution in the society. Such inconsistencies are not confined to the religious realm. Throughout the ages many philosophers have contradicted their own statements, saying one thing when discussing abstract problems of metaphysics and another when discussing something else, i.e. politics. It is a fact for instance, that Aristotle himself, being a slave-owner, affirmed that some men are born to be masters and others to be slaves. At the same time there exists in his metaphysical system an abstract principle that specific qualities are the same in every member of a given species. Two human beings are the same in essence in that they are both rational animals.¹⁴ Furthermore, Rousseau (and his Roman predecessor, Ulpian) laid down the principle that whereas by the Law of Nature all men are born free, by the Law of Nations some are born slaves.¹⁵

In any event, the advocates of a philosophical foundation for the egalitarian basis of democracy do not always go back as far as Aristotle. They maintain that the political thinkers of the eighteenth

¹² Carleton K. Allen, *Democracy and the Individual* (London: Oxford University Press, 1963), p. 11.

¹³ See for instance, Aldous Huxley, *Proper Studies* (London: Chatto and Windus, 1928), pp. 4-20.

¹⁴ *Ibid.*

¹⁵ C. Allen, *Democracy and the Individual*, p. 12.

century were influenced by one of the greatest philosophers, Rene Descartes (1596–1650), who said that “what is called good sense or reason is equal in all men” and that “[reason] is to be found complete in each individual.”¹⁶ Although the metaphysical statements of Aristotle and Descartes had not the slightest direct political implication, certain obvious political conclusions were later drawn from them by political philosophers of the eighteenth century in order to elaborate a philosophy for middle class Frenchmen wishing to participate in the government. This new political philosophy taught that the specific essence, which is the same in all individuals of a species, is ‘reason’ in the case of human beings. When all men are equally reasonable, they have equal capacity and finally an equal right to govern their own affairs. Hence, governments organized on principles other than democracy are unacceptable. The behaviorist reaction to this theory and the psychological research which led to adjustments and modifications of these principles are beyond the scope of our present discussion. One major adjustment to these assumptions is that the inequalities among human beings are due to environment. However, the principles that all men are substantially equal and that reason is sovereign have remained as the primary assumptions upon which both the theory and practice of democracy are built. Consequently education in its broadest sense plays a significant role.

In the case of the theory of democracy, the egalitarian assumptions and their corollaries have been summarized by Aldous Huxley as follows:

The original assumptions are these: that reason is the same and entire in all men, and that all men are naturally equal. To these assumptions are attached several corollaries: That men are naturally good as well as naturally reasonable; that they are the product of their environment; and that they are indefinitely educable. The main conclusions derivable from these assumptions are the following: That the state ought to be organized on democratic lines; that the governors should be chosen by universal suffrage; that the opinion of the majority on all subjects is the best opinion; that education should be universal, and the same for all citizens.¹⁷

¹⁶ A. Huxley, *Proper Studies*, p. 8.

¹⁷ *Ibid.*, p. 24.

Huxley however goes on to say that although the primary assumptions are almost certainly false, nevertheless the logic by which the conclusions were deduced is sound enough.¹⁸

In any event, the point to be noticed is how the “mystical human soul of theology and philosophy became the ‘literal’ Common Man of democracy.”¹⁹

In order to study the relation of democracy to equality, it seems necessary to examine very briefly the ramifications of the concept of equality. James Bryce distinguishes four different kinds of equality as follows:

A. Civil Equality consists in the possession by all the citizens of the same status in the sphere of private law. All have an equal right to be protected in respect of person and estate and family relations, and to appeal to the Courts of Law for such protections.

B. Political Equality exists where all citizens- or at least all adult male citizens—have a like share in the government of the community, and are alike eligible to hold any post in its service, apart, of course, from provisions as to age or education or the taint of crime.

C. Social Equality, a vaguer thing, exists where no formal distinctions are drawn by law or custom between different ranks or classes.

D. Natural Equality is perhaps the best name to give to that similarity which exists, or seems to exist, at birth between all human beings born with the same five senses. Every human creature comes naked into the world possessing (if a normal creature) similar bodily organs and presumably similar mental capacities, desires, and passions.²⁰

To these he adds Economic Equality, which is

the attempt to expunge all differences in wealth by allotting to every man and woman an equal share in worldly goods.²¹

Discussions about different types of equality are indeed abundant in the literature. Here, there is no need to go into details about the relation of these types to one another or the conflict between these different kinds of equality. What is more directly regarded as the prime factor in the creation of democratic theory is political equality. We have already seen what political equality meant to one theorist. In the following we will examine some other views on this issue.

¹⁸ Ibid.

¹⁹ Allen, *Democracy and the Individual*, p. 13.

²⁰ Bryce, *Modern Democracies*, vol. 1, pp. 60–61.

²¹ Ibid., p. 66.

Political equality is a principle common to both Athenian and modern democracies. But there exists a difference. The Athenian meaning of political equality had more to do with citizenship than voting. In the complexity of modern societies many modern democratic theorists equate political equality with the equal right to vote because, given the complexity of modern societies, an equal and direct share for each citizen in the decision-making process is not always possible; in such cases the decision makers alone have direct control. H.B. Mayo considered political equality institutionalized in democracy as the equality of all adult citizens in having the right to vote, even though he does not disregard other ways in which political equality or inequality can prevail.²² He breaks down the complex principle of political equality into the following elements:

- (a) Every adult should have the vote—the familiar device of the universal adult suffrage.
- (b) One person should have one vote—that is, there should be no plural voting.
- (c) Each vote should count equally—that is, votes are not weighted in any way.
- (d) If every vote is to count equally, the corollary follows that the number of representatives elected should be directly proportional to the number of votes cast for them.²³

Alf Ross recognizes equality as a democratic idea “in so far as the principle of majority rule gives to every single citizen exactly the same possibility of exercising political influence to the extent of participating in the elections.”²⁴

Both Robert Dahl and Jack Lively focus more on the conditions conducive to political equality. In their view political equality cannot be assured merely by constitutional rules. Rather it depends on other sorts of equalities affecting the distribution of influence on government.²⁵ Dahl in particular argues that if citizens are “highly unequal in their political resources—income, wealth, status . . . , they might and very likely would be unequal politically.”²⁶ Lively, for his

²² H.B. Mayo, *An Introduction to Democratic Theory*, pp. 62–63.

²³ *Ibid.*, p. 63.

²⁴ Alf Ross, *Why Democracy?* (Cambridge: Harvard University Press, 1952), p. 132.

²⁵ Robert A. Dahl, *Democracy and its Critics* (New Haven: Yale University Press, 1989), pp. 30–33, 130–131, 322–324; J. Lively, *Democracy*, pp. 27–29.

²⁶ Dahl, *Democracy and its Critics*, pp. 130–131.

part, criticizes Giovanni Sartori who apparently held the view that “in the absence of legal bars to political involvement, equality of opportunity, and ultimately political equality, would be established.”²⁷ He maintains that “universal suffrage and the adoption of appropriate decision making rules are insufficient to reach even an approximation to political equality.”²⁸

Another interesting discussion has to do with the relation between political equality and democracy and its other principles. Is equality a prerequisite of a democratic system or its outcome? Is equality an end in itself to the extent that it might be achieved at the expense of other principles such as freedom? These are both important questions upon which representatives of different schools of political theory have different views. R. Dahl, for instance, maintains that:

neither political equality nor the democratic process is justified as intrinsically good. Rather, they are justified as the most reliable means for protecting and advancing the good and interests of all the persons subject to collective decisions. . . .

Political equality is not an end we can obtain only at the expense of freedom and self-development; it is instead an essential means to a just distribution of freedom and fair opportunities for self-development.²⁹

A. Ross observes a trilateral connection among equality, democracy and liberty saying that “increasing equality is a prerequisite for continuation of democracy and democracy, in turn, for liberty.”³⁰

Liberty

The word liberty, like democracy, does not have any clear or definite meaning. *The Encyclopaedia Britannica* defines it “as a state of freedom, especially opposed to political subjection, imprisonment or slavery.”³¹ Liberty has been regarded as a “negative” concept in the sense that its existence requires the absence of something that might be considered as restraint, limit or compulsion.³² The two most generally

²⁷ Giovanni Sartori, *Democratic Theory* (New York: Frederick A. Praeger, 1965), pp. 87–90; quoted in Lively, *Democracy*, p. 28.

²⁸ Lively, *Democracy*, p. 27.

²⁹ Dahl, *Democracy and its Critics*, p. 322.

³⁰ Ross, *Why Democracy*, pp. 134–135.

³¹ *Encyclopaedia Britannica*, s.v. “Liberty”.

³² See for instance: Carl Cohen, *Democracy*, pp. 120–121; Ross, *Why Democracy?*, pp. 99–103.

recognized divisions of liberty are civil and political liberty. Civil liberty is defined as “the absence of arbitrary restraint and the assurance of a body of rights.”³³ Political liberty implies that government must be as limited as possible. It “consists of the right of individuals to participate in government by voting and by holding public office.”³⁴

Since the relation of political liberty to democracy is more significant to our present purpose, we will not discuss here other kinds of liberty which, although intrinsically valuable, have no direct bearing on the democratic form of government. Thus, civil and personal liberties, and their extent and relation to the common good and security will not be dealt with here. If we consider democracy, not as an attitude or philosophy, but as a process of making political decisions, certain freedoms such as the freedom to profess and practice the religion of one’s choice, or the freedom to engage in economic enterprise and earn a living will not be essential for the operation of democracy or participation in its institutions. In other words they are not conditions of democracy, even though they must be protected by democracies.

The liberties essential for the operation of democracy, which are often identified as rights, have been subject to inquiry and different categorizations. Two major categories, each of which includes a number of different freedoms, are: political freedom and freedom of expression and organization.³⁵

Democracy, or government through the participation of the governed, requires political freedom, i.e., the freedom to do all those things and to use those instruments through which a citizen’s voice can be heard and become effective in the government. The foremost among these is the freedom to vote, i.e., participation. But, to provide only the machinery of participation is not enough. As Carl Cohen states

the right of the individual citizen to use it freely must be safeguarded. Safe-guarding this right entails scrupulous attention to a mass of detail,

³³ *Encyclopaedia Britannica*, s.v. “Liberty”.

³⁴ *Ibid.*

³⁵ A discussion of the different categorizations of essential freedoms in democracy can be found in almost all books on this subject. See for example: Lively, *Democracy*; Ross, *Why Democracy?*; Cohen, *Democracy*; R. Buultjen, *The Decline of Democracy: Essays on an Endangered Political Species* (New York: Orbis Books, 1978); Allen, *Democracy and the Individual*; D.V. Sandifer and L.R. Scheman, *The Foundations of Freedom; the Interrelationship Between Democracy and Human Rights* (New York: Praeger, 1966).

the careful protection of a host of particular and concrete freedoms. The citizen must be free to participate in the nomination of candidates for office, free to run for office himself, free to cast his ballot without fear of retribution, and so on. Taken together, these freedoms are absolutely essential if democracy is to work.³⁶

Considering political freedom to be one of the four distinguishing principles of a democratic system, H.B. Mayo explains it in terms of the effectiveness of popular control over decision makers. In order that voting be effective and not merely ritual, he considers two factors necessary: first, there must be free choice, without coercion or intimidation of the voters; and second, there must be effective choice for the voter, that is

the meaningful choice or control when candidates are free to run for office, when they and their supporters are free to press their claims publicly, to put forward alternative policies, to criticize the present decision-makers and other candidates.³⁷

Freedom of expression and organization are inextricably bound up with democracy. Among a host of particular and concrete freedoms falling into this category is the citizen's freedom of speech, including all forms of utterance, oral and written (freedom of publication), as well as the communication of ideas through various media. This category also encompasses the freedom of citizens to form associations and assemblies for the purpose of seeking to realize their political goals without fear of punishment. Carl Cohen rightly subdivides this category into two: the freedom to propose, and the freedom to oppose.³⁸ Democracy not only requires its citizens to be free to oppose policies and candidates put forward by their community; it requires them to be free to propose alternative courses of action and to participate constructively.

Majority Rule

Democracy is often identified with the majority principle, i.e., the rule of the majority. For instance, James Bryce defines democracy "as government in which the will of the majority of qualified citizens

³⁶ Cohen, *Democracy*, p. 124.

³⁷ Mayo, *An Introduction to Democratic Theory*, pp. 64–65.

³⁸ Cohen, *Democracy*.

rules."³⁹ Whether we take "majority rule" as a defining principle of democracy or as an instrument of democracy the concept is itself ambiguous. What meaning or meanings can be attached to the terms "rule" and "majority"? Jack Lively argues that when we speak of popular rule there is an inherent ambiguity in the word "rule" itself:

If to rule includes the right, the authority, to command others, a democratic system no less than any other will require some concentration of rule in the hands of a small number. If popular rule is taken less strictly to mean that the majority decides on the broad lines of government policy legislation, it can and has been argued that this is empirically impossible.⁴⁰

Carl Cohen discusses the ambiguity of the concept of "majority rule" on two levels. There is, first, "uncertainty as to the meaning of 'majority'—i.e., as to what proportion of a given body it refers to", whether it be two-thirds, three-fourths, etc. There is, second, "uncertainty regarding the nature of the body within which the majority is required." Which majority? Of those who actually vote? Of those who may vote? Or of all members?⁴¹

Despite all these ambiguities, however, the prevalence of the decision of the majority is considered as a nearly universal rule for decision-making. More relevant to our present purpose seems to be the relation of this majority principle to other principles discussed above, and the justification for it.

H.B. Mayo sees the link between majority rule, political equality and political freedom in terms of the legitimacy of the decisions made by representatives on the basis of the "consent of the governed." He maintains:

The common assumption is that with an electoral system based on equality of voting a majority of the representatives have been chosen by a majority of the voters, and hence the majority rule in the legislature yields decisions as legitimate 'as if' they had been made directly by a majority of the voters, and indeed by a majority of all the adult citizens.⁴²

³⁹ Bryce, *Modern Democracies*, vol. 1, p. 26.

⁴⁰ Lively, *Democracy*, p. 9.

⁴¹ Cohen, *Democracy*, pp. 65–66.

⁴² Mayo, *An Introduction to Democratic Theory*, p. 67. For a detailed discussion on the majority principle and its justification see especially chapter eight of this book, pp. 166–206.

Justifications of the majority principle vary. The oldest is ascribed to Aristotle who said that:

the majority is more likely to be right than the few good . . . For each individual among the many has a share of virtue and prudence, and when they meet together, they become in a manner one man, who has many feet, and hands, and senses; that is a figure of their mind and disposition.⁴³

The underlying argument is based on two assumptions. First, in a context of political freedom and free elections, “many heads are better than one.” The second is that in every democracy the majority has its own honest leadership and wisdom; hence it will never turn out to be rule of the “mob” vis à vis the wise minority.

The majority principle is also defended on the grounds of the doctrine of political equality. If every person is to count equally, it follows that a numerical majority should prevail because it is a majority of political equals, not because it is right or wrong.

Another set of justifications is argument by default. If the majority principle is rejected, it follows that worse alternatives, some sort of rule by a minority has to be accepted. The following remark by Lincoln is much quoted in this respect:

Unanimity is impossible; the rule of a minority, as a permanent arrangement, is wholly inadmissible; so that, rejecting the majority principle, anarchy or despotism in some form is all that is left.⁴⁴

The majority principle is occasionally justified in terms of Rousseau’s social contract as well as the natural ‘law’ and natural rights of Locke.

Other justifications of the majority principle range from considering it merely a method adopted for convenience or expediency to seeking its roots in natural law and the social contract. Locke, for instance, wrote that “the majority have a right to act and conclude the rest . . . as having by a law of nature and reason the power of the whole.”⁴⁵

Considering majority rule to be an instrument of democracy and not its substance, Carl Cohen argues that:

⁴³ Aristotle, *Politics* iii. 11.2–3; quoted in J.H. Hallowell, *The Moral Foundation of Democracy* (Chicago: Chicago University Press, 1954), p. 121.

⁴⁴ Mayo, *An Introduction to Democratic Theory*, p. 179.

⁴⁵ *Ibid.*, p. 181.

No procedural principle can be invoked to judge the wisdom of individual contributions, since that judgement is precisely the one that can not be antecedently made. Nor can the depth of members' contributions be controlling, since that cannot be accurately or fairly determined. What remains to measure the popular will is, in most cases the numerical majority, the greater part.⁴⁶

Among all the arguments which purport to justify the majority principle, Mayo considers that argument which is derived from political equality to be the most plausible in today's climate of opinion.

Once the principles of popular control of government [political freedoms] and political equality are accepted—and it is these that often kindle the fire of enthusiasm for democracy—it is difficult to stop short of the majority principle for decision-making.⁴⁷

John H. Hallowell justifies submission to the will of the majority not because that will is numerically superior but because it is the reasoned judgement of the majority and hence it represents the best judgement of society. He argues:

The principle of majority rule is founded upon the belief that the widest possible popular discussion and participation in the formulation of policy is likely to yield wiser decisions than a discussion limited to the few. The decision recorded by majority vote may then be fairly said to represent not a portion of society but the whole people.⁴⁸

The fear of majority control has made the opponents of democracy label it as the "tyranny of the majority". The analysis of this argument and the responses to it are beyond the scope of the present paper. However, a brief examination of the political foundations of this fear as well as consequences of majority rule for a minority seems necessary.

H.B. Mayo believes that the fear of majority tyranny is based upon two misunderstandings. First, when the majority principle is advocated "without the other principles of democracy, in particular the political liberties" which provide a kind of check over the sovereignty of the majority. Second, if the majority is assumed "as *ipso facto* wrong or immoral, and the minorities as *ipso facto* right or vir-

⁴⁶ Cohen, *Democracy*, p. 69.

⁴⁷ Mayo, *An Introduction to Democratic Theory*, p. 182.

⁴⁸ Hallowell, *The Moral Foundation of Democracy*, p. 121.

tuous.”⁴⁹ But it seems that a good deal of the fear of the majority principle is unjustified, particularly if it is seen as working with other principles in a well operating democratic system. Indeed, the constitutions of certain operating democracies have an effective system of checks and balances built in. It should also be remembered that whatever the majority may do, it is not supposed to try to silence the opposition, its critics, or dissenters.

Opponents may be coerced into obedience to law, but not abolished or silenced or shorn of their political liberties. This is the one inhibition upon the majority decisions so long as a democracy exists. When the political liberties and the legitimate opposition are gone, so, too, is democracy.⁵⁰

Moreover, while a majority vote is necessary in order to reach a decision, that decision remains open for discussion. The minority is thus always free to discuss and work to persuade others of the wisdom of their own reasoning. It is likewise always free to transform itself into a majority through peaceful political means. Therefore, the majority is not always composed of the same people; its membership is constantly fluctuating. Thus it is clear that, as Mayo states: “the majority principle can not be judged wholly in isolation, but only as part of a tightly-knit set of principles making up a democratic political system.”⁵¹

⁴⁹ Mayo, *An Introduction to Democratic Theory*, pp. 185–186.

⁵⁰ *Ibid.*, p. 68.

⁵¹ Mayo, *An Introduction to Democratic Theory*, p. 183.

CHAPTER TWO

DEMOCRATIC NORMS IN ISLAM

Regardless of whether or not Islam is democratic in theory or practice, it is a fact that the word “democracy” never formed part of the pre-modern political language of Islam. This however does not mean that pre-modern Muslim literature lacks political discussion with regard to the qualities or conditions of the ruler and the ruled. Rather, issues such as justice (*‘adl*) and oppression (*ẓulm*) were often the main concern of Muslim thinkers. Moreover, Muslim philosophers were acquainted with and showed interest in Greek philosophical writings which discussed, among other issues, the concept of democracy. Many of these philosophers, among them al-Fārābī (d. 950) and Ibn Rushd (d. 1198), explained and presented their views on democracy as a form of government.

The discussion of democracy as a form of government was not central to traditional Muslim political and juridical theory. Although al-Fārābī and Ibn Rushd dealt with the subject of democracy directly, their concern has to be understood in terms of their attempt to introduce Plato’s political philosophy into Islamic society and their pre-occupation with the question of what constituted the best political regime. Applying Plato’s criteria in their political writings, these two Muslim philosophers adopted a critical outlook towards democracy. Both al-Fārābī in his *Arā’ Ahl al-Madīnah al-Fāḍilah*¹ and in his *al-Siyāṣah al-Madanīyah*,² and Ibn Rushd in his commentary on Plato’s *Republic*,³ discuss democracy as an imperfect form of government and a corruption of the “virtuous state.” The Arabic term used in medieval translations that corresponds to Plato’s “democratic polity” is not the borrowed word *ḍimuqrāṭīyah* but rather *madīnah jamā‘īyah*, a corporate or collective state, derived from the verbal root *j-m-‘*.

¹ Abū Nar al-Fārābī, *Mabādī’ Arā’ Ahl al-Madīnah al-Fāḍilah*, ed. and trans. by Richard Walzer (Oxford: Clarendon Press, 1985).

² Abū Nar al-Fārābī, *al-Siyāṣah al-Madanīyah*, ed. by Fauzi M. Najjar (Beirut: Imprimerie Catholique, 1964).

³ Ibn Rushd, *Averroës On Plato’s Republic*, trans. by Ralph Lerner (Ithaca and London: Cornell University Press, 1974).

Al-Fārābī divides political regimes into “virtuous” and “non-virtuous.” The non-virtuous or imperfect forms of government are those which are established in this world in order to fulfil man’s need for social organization and to assure his survival. The main forms of non-virtuous regimes are those based on: the primacy of honour (timocracy); the primacy of the few (plutocracy, rulership based on wealth); the primacy of the assembly of the multitude (democracy); and the primacy of the individual (tyranny).⁴ However, both al-Fārābī and Ibn Rushd follow Aristotle who holds that democracy is “the least bad of the deviations.”⁵ Accepting the classical teaching that the best political regime is the one ruled by the wise, they consider democracy to be a regime in error (*al-madīnah al-ḍāllah*) but not without virtue. Indeed, since all the states of the soul and all kinds of hope and ways of life are to be found in this regime, there exists in it the potential to produce virtuous men and virtuous cities.⁶ Their description of *al-madīnah al-jamā‘īyah* is quite close to that of the perfect state. Of all the existing forms of imperfect governments it contains the greatest possibilities for, and varieties of, good and evil.⁷ Freedom, though fully understood by the Muslim philosophers as a principle of democracy and the most essential element for the happiness and development of the individual, is considered, if there is an excess of it, to be a danger that can lead to the overwhelming of good by the powers of evil. Following classical teaching, al-Fārābī holds the view that the only ground on which democracy can justify itself is that in the absence of the virtuous regime, democracy is the only regime that provides the philosophers, the truly virtuous who deserve to rule, with the happiness and the opportunity to pursue their activities in relative freedom.⁸ In short the eloquent description of the essentials of democracy and the discussion of its merits and disadvantages constituted little more than a marginal interest on the part of medieval Muslim philosophers, which later disappeared altogether.

⁴ Fauzi M. Najjar, “Democracy in Islamic Political Philosophy,” *Studia Islamica* 51 (1980): p. 117. For a more expanded classification see al-Fārābī, “The Political Regime,” trans. by F. Najjar, in *Medieval Political Philosophy*, ed. R. Lerner and M. Mahdi, pp. 42–56 (Toronto: Collier-Macmillan, 1963).

⁵ Aristotle, *Nicomachean Ethics*, viii, 10, 1160b.

⁶ Ibn Rushd, *Averroës on Plato’s Republic*, pp. 127–128; al-Fārābī, “The Political Regime,” p. 51.

⁷ Ibid.

⁸ Najjar, “Democracy in Islamic Political Philosophy,” p. 120.

It was not until the nineteenth century that the concept of democracy was rediscovered and captured the focal attention of Muslim intellectuals. At the end of the eighteenth century and the beginning of the nineteenth century the doctrines and ideals of the French Revolution and other political movements inspired by it reached the Islamic world. Among the flood of novel ideas was that of "democracy," which had acquired new connotations in addition to its classical usage and the sense it bore in the medieval translations. The fact that modern "Arab intellectuals did not use the term employed in the medieval translations,"⁹ i.e. *jamā'iyah*, indicates the significance of the modern sense of democratic ideas for them as well as their break from the earlier tradition of political thought and political language.

However, during the nineteenth century, the term came to be used with a much wider range of reference, and most often as the equivalent of parliamentary, constitutional representative government. The amorphous notion of democracy was also confused with "republic" or "republicanism" in Arabic literature. This was partly due to the existing confusion over the two terms in their land of origin and in the writings of European writers themselves.¹⁰ Apart from the two short-lived terms *ra'ā'iyah* and *faudā*, put forward as Arabic equivalents for democracy, the word *jumhūriyah* was quite often employed by Arab writers and appeared in multilingual Arabic lexicons to denote both "democracy" and "republic."¹¹ Defining democracy as a "republic of the people," Ṭaḥṭāwī remarked in 1843:

Dimuqrāṭiyya means that the subjects rule over themselves, whether by means of their [own] assembly or through [an assembly] of their representative notables. In the past [i.e. at the time of the revolution] the government of France had been of this type, but this [system] had not succeeded there. This system is, in fact, a kind of republic [*naw' min al-jumhūriyya*].¹²

Regardless of how vague or incomplete the grasp of the Arab intellectuals was of the notion of democracy, a unanimous agreement existed upon certain major principles of democracy in their definition

⁹ Ami Ayalon, *Language and Change in the Arab Middle East* (New York: Oxford University Press, 1987), p. 106.

¹⁰ *Ibid.*, pp. 105, 107.

¹¹ *Ibid.*, pp. 108–109.

¹² Quoted in Ayalon, *Language and Change in the Arab Middle East*, p. 107.

of the term. Equality, freedom and popular sovereignty were highlighted as its basic features. Identifying democracy as “a Greek word meaning government by the *shaʿb* [people]”¹³ was a common practice in the nineteenth-century. Adīb Ishāq defined democracy as “a kind of system in which the ruling power is entirely in the hands of the *Umma*; the *Umma* is hence at once governing and governed.”¹⁴ He gave almost the same definition for *jumhūrīyah*: *ḥukūmat al-shaʿb bil-shaʿb*—government of the people by the people.¹⁵

At the end of the nineteenth century, the Arabized form of the word democracy, *dīmūqrātīyah* gained currency in Arabic political writings. By the turn of the century the distinction was made that democracy was something other than *jumhūrīyah*.¹⁶ Whatever the process by which Muslims became acquainted with Western democratic ideas and whatever the terms they used to convey the concepts, it remains a fact that

the impact of these new ideas was immediate and striking, and by the early twentieth century not only the westward-looking liberals but even many of the orthodox religious leaders were paying at least lip-service to democracy, and showed their recognition of the power of the democratic idea by claiming it, along with evolution and most of the other innovations of the nineteenth century, as an Islamic revelation contained in the Koran.¹⁷

Islam contains certain elements which may be taken as compatible to democratic principles. The most important of these are *ḥurrīyah* (freedom); *musāwāt* (equality); *shūrā* (consultation) and *bayʿah* (public consent) each of which will be discussed in the following pages.

FREEDOM

Freedom is a very general concept and has been defined in a number of ways. An absolute definition of freedom is impossible because

¹³ Ibid., p. 49.

¹⁴ Quoted in Leon Zolondek, “Ash-shaʿb in Arabic Political Literature of the Nineteenth Century,” *Die Welt des Islams* 10 (1965), pp. 8–9.

¹⁵ Adīb Ishāq, *Al-Durar* (Alexandria, 1866), p. 49; quoted in Ayalon, *Language*, p. 105.

¹⁶ Ayalon, *Language*, pp. 108, 109.

¹⁷ B. Lewis, “Democracy in the Middle East: Its State and Prospect,” *Middle Eastern Affairs* 6 (1955), p. 102.

of the relative character of the concept; after all, freedom is the absence of something, or restraint in one or another respect. Moreover, freedom has different levels and varieties.

Two basic levels can be distinguished: the philosophical/ontological, to which theological/metaphysical is added by religious societies; and the sociological level. Each level has its own subdivisions. The difference in terminology used at each level signifies the Muslim disposition to maintain a strict separation between the two levels.¹⁸

At the theological/metaphysical level, the idea of being free is expressed in Arabic in a number of ways: by words derived from the root *kh-l-ṣ* (to be or become free from something, be liberated); by a more technical and significant term, *ikhṭiyār* (choice, free will); and by the word *irādah* (will). On the sociological level the Arabic word for "freedom" in its legal, ethical and political aspects is *ḥurrīyah*. *Ḥurrīyah* is the abstract noun formed from the adjective, *ḥurr* (free), by adding the abstract ending. As a legal concept *ḥurrīyah* expresses the opposite of slavery. In both Islamic and pre-Islamic literature the term *ḥurr* (free) denotes the opposite of *ʿabd* (unfree, slave). Also *ḥurr* and *ḥurrīyah*, as ethical terms, have kept their pre-Islamic moral meanings denoting nobility in character and behaviour. Using *ḥurrīyah* to denote political freedom is a modern usage of the old term.

Definitions of *ḥurr* and *ḥurrīyah* by Muslim authors may be found, in the first place, in Arabic lexicographic sources such as *Lisān al-ʿArab*. Most of the Muslim lexicographers have defined *ḥurr* simply as the opposite of *ʿabd* (slave). Sometimes, however, a distinction between the legal and the ethical meanings of *ḥurrīyah* is made. For instance al-Rāghib al-Iṣfahānī in his dictionary of the Qurʾan entitled *al-Mufradāt fī Gharīb al-Qurʾān*, distinguishes two kinds of *ḥurrīyah*,

the one referring to the person who is not subject to any authority, and the other to the person who is not dominated by such ugly qualities as greed and the desire for worldly possessions.¹⁹

Philosophical definitions deal basically with freedom of soul which is connected with the ethical tradition.²⁰ The most popular and

¹⁸ Franz Rosenthal, *The Muslim Concept of Freedom; Prior to the Nineteenth Century* (Leiden: E.J. Brill, 1960), p. 2.

¹⁹ Al-Rāghib al-Iṣfahānī, *al-Mufradāt* (Cairo, 1324), vol. 1, p. 109 ff.; quoted in Rosenthal, *Muslim Concept of Freedom*, p. 24.

²⁰ See for instance, Fakhr al-Dīn al-Rāzī, *al-Mabāḥiṭh al-Mashriqīyah* (Hyderabad: n.p., 1343 H.Q.), vol. 2, pp. 413–414.

significant yet non-legal definition of *hurriyah* in Muslim literature is the Sufi definition of the term. The Sufi concept of freedom, generally speaking, is concerned with freedom from the prison of the body and bodily desires or complete relief of the mind from attachment to anything but God. In his *Book of Definitions*, al-Jurjānī defines *hurriyah* according to its Sufi usage: “—freedom means leaving the slavery of the *essentia* and abandoning all ties and changes.”²¹

Greek thought on political freedom reached the Muslim world through the Arabic translations of certain sources which contained seminal political ideas. The writings of medieval philosophers such as Ibn Rushd, Ibn Sīnā and al-Fārābī present the idea of “freedom” as a political concept in a limited sense and yet regard freedom as democracy’s first principle. In his *Commentary on Plato’s Republic*, Ibn Rushd presents Plato’s views on democracy as being the form of the state which represents freedom, and the ruinous results of an excess of freedom.²² In his *Kūtāb al-Shifā’*, Ibn Sīnā also presents Aristotle’s enumeration of the various forms of government, among which democracy is defined as the state whose purpose is to provide freedom to its citizens.²³

Al-Fārābī uses the words *hurriyah* and *ahrār*, the plural of *hurr*, in his *Kūtāb al-Siyāsah al-Madanīyah* when he describes the *madīnah al-jamā’iyah*, or democratic state, as a kind of state whose people are free (*ahrār*) to do whatever they want and who recognize the leadership only of those who work to promote their freedom (*hurriyah*).²⁴ Likewise, in his *Mabādī’ Ārā’ Ahl al-Madīnah al-Fāḍilah*, he refers to the democratic city, a city wherein “the aim of its people is to be free (*ahrār*), each of them doing what he likes without restraining his passions in the least.”²⁵ In his hasty condemnation of democracy al-Fārābī understands *hurriyah* as absolute freedom, freedom from duties and discipline and self-control, a situation which ultimately will end in anarchy. Nevertheless, in another context he uses *hurriyah* in a

²¹ Al-Jurjānī, *Kūtāb al-Ta’rīfāt* (Beirut: Maktabat ‘Alī ibn Muḥammad, 1990), pp. 90–91; the translation is taken from Rosenthal, *Muslim Concept of Freedom*, p. 26. For more Sufi definitions see al-Qushayrī, *al-Risālah al-Qushayrīyah fi ‘Im al-Taṣawwuf* (Beirut: Dār al-Jil, 1990); al-Ṭahānawī, *Kashshaf Iṣṭilāḥāt al-Funūn* (Cairo: al-Mu’assasah al-Miṣrīyah, 1963), vol. 2, pp. 30–31.

²² Ibn Rushd, *Averroës on Plato’s Republic*, pp. 110, 127–130.

²³ Ibn Sīnā, *al-Shifā’* (Cairo: al-Maṭba‘ah al-Amīrīyah, 1958), vol. 4, pp. 62–63.

²⁴ Al-Fārābī, *al-Siyāsah al-Madanīyah*, p. 99.

²⁵ Al-Fārābī, *Mabādī’ Ārā’ Ahl al-Madīnah al-Fāḍilah*, p. 256.

positive sense synonymous with another ethical term, *karam*, generosity and nobility.²⁶

Medieval Muslims gave a good deal of thought to the problem of freedom in all its dimensions. On the metaphysical level, the question of how much freedom human beings enjoy vis-à-vis God occupied the Muslim mind from the very beginning; indeed, important theological schools came into being as a result of this question. On the sociological level of the discussion, freedom remained predominantly a legal concept due to the acceptance of the division of society into free men and slaves. Politically, freedom “did not achieve the status of a fundamental political concept that could have served as a rallying cry for great causes.”²⁷ As an ideal, freedom was not unknown to Muslims. But as Louis Gardet states, “freedom, in the ideal Muslim state, was perhaps not the freedom for which one dies . . . Its true meaning for Islam had to be found in the relation of man to the divine.”²⁸

It is quite evident that the actual situation varied across the vast extent of Muslim lands and over the great expanse of Muslim history, but a general picture of freedom in the classical and medieval periods of Islam would consist of the following points:

There was failure to connect the metaphysical level with the societal level of freedom.²⁹

The individual Muslim was expected to consider subordination of his own freedom to the beliefs, morality, and customs of the group as the only proper course of behaviour. While he valued his personal freedom and was proud of it, he was not supposed to see in it a good to be defended at all costs against group demands.

Politically, the individual was not expected to exercise any free choice as to how he wished to be governed. At times, he did stress his right to be considered and treated as an equal by the men in power. Under special circumstances, there was extensive community participation in the government (as, for instance, in early Islam or among certain sectarians), or, at least, a certain degree of wider distribution of the political power among the population.

²⁶ Al-Fārābī, *al-Siyāṣah al-Madaniyah*, p. 92.

²⁷ F. Rosenthal, “Ḥurriyya,” in *EI2*, vol. 3, p. 589.

²⁸ Louis Gardet, *La cité musulmane: vie sociale et politique*, 4th ed. (Paris: Librairie Philosophique J. Vrin, 1976), p. 78.

²⁹ F. Rosenthal, *The Muslim Concept of Freedom*, p. 121.

In general, however, governmental authority admitted of no participation of the individual as such, who therefore did not possess any real freedom vis-à-vis it.³⁰

The Islamic terms for “free” until the eighteenth century, had a primarily legal, and occasionally social, significance, and meant one who, according to the law, was a free man and not a slave.

Neither term, “free” or “slave”, was used in a political context, and the familiar Western use of the terms “freedom” and “slavery” as metaphors for citizen’s rights and oppressive rule is unknown to the language of classical Islamic political discourse.

There too, there is much discussion of good and bad government, but the issue at stake is not freedom but justice.³¹

Muslim contact with the West through nineteenth century European imperialist expansion in the Middle East and South Asia brought about transformations in many aspects of life, but primarily in the field of politics. The Muslims’ acquaintance with the ideals of the French Revolution and other socio-political movements in the West, as well as their sufferings under Western imperialism, changed their political concepts and hence their political language. They adopted the political language of the West either by borrowing certain words or by expanding and enhancing the meaning of their own political vocabulary. As far as the idea of political freedom is concerned the literary and historical sources of the modern history of Islam indicate that “freedom” was used in two senses. In their struggle against the colonialists, freedom was more or less synonymous with independence. In this sense freedom signifies the rights of one state or nation against those of another state or nation. In their struggle against internal despotism, on the other hand, Muslim references to freedom were concerned with limiting the autocracy of their sovereigns by setting up constitutional and representative government. It sought the rights of the individual against the group or the state.³²

In a clearly defined political sense the word freedom was first used in late eighteenth century Turkey.³³ *Serbestîyyet*, the abstract form of the Persian word *serbest* (free), connoting the absence of limitations

³⁰ Franz Rosenthal, “Hurriyya,” p. 589.

³¹ Bernard Lewis, *The Political Language of Islam* (Chicago: The University of Chicago Press, 1988), p. 65.

³² B. Lewis, *The Political Language of Islam*, p. 109.

³³ Rosenthal, “Hurriyya,” p. 589.

or restrictions, made its first official and political appearance in the Russo-Ottoman Treaty of Kucuk Kaynarca of 1774. In this occurrence the word *serbestîyyet* denotes collective freedom and is synonymous with independence.³⁴ *Serbestîyyet* gained a new meaning when it was used by Ottoman officials and visitors to France to describe the basic ideas of the French Revolution and the commitment of the revolutionary government to equality and freedom. *Serbestîyyet*, then, was used several times to translate *liberté*.³⁵

In the modern period, perhaps the first recorded occurrence of the term *hurriyah* in the sense of political freedom dates from the year 1798 when the French had occupied Egypt. Arriving in Egypt, General Bonaparte addressed the Egyptians on behalf of the French Republic, "founded on the basis of freedom and equality." In the Arabic translation the word used for freedom was *hurriyah*.³⁶ Also, *liberté* is rendered as *hurriyah* in Rupy's French-Arabic wordlist (1802).³⁷

Hurriyah as a political term was rapidly adopted in the nineteenth century and came to be commonly used not only in Arabic but in other Islamic languages as well. References to political freedom appeared in the works of several Muslim authors who were involved in the discussion or translation of writings on European affairs. The works of Shaykh Rifā'a Rāfi' al-Ṭaḥṭāwī were among the earliest and most important ones which shaped the opinions of Muslim authors dealing with modern political institutions and ideas, including political freedom. In his translation and commentary of the French constitution, published in the early 1830s, al-Ṭaḥṭāwī says, "what the French call freedom (*hurriyah*), is the same as what the Muslims call justice and equity (*al-'adl wa al-īnṣāf*)—that is, the maintenance of equality before the law, government according to law, and the abstention of the ruler from arbitrary and illegal acts against the subject."³⁸ As Leon Zolondek and Bernard Lewis argue, al-Ṭaḥṭāwī's equation of *hurriyah* with the classical Islamic concept of justice indeed echoes the traditional Islamic view, namely, that the duty of the sov-

³⁴ Ibid.

³⁵ Ibid.; Lewis, *Political Language of Islam*, pp. 110–111.

³⁶ Rosenthal, "Ḥurriyya," p. 590; Lewis, *The Political Language of Islam*, p. 111.

³⁷ Rosenthal, "Ḥurriyya," p. 590.

³⁸ Al-Ṭaḥṭāwī, *Takhlīṣ al-Ibrīz fī Talkhīṣ Bārīz*, ed. Mahdi 'Allām, Ahmad Badawī and Anwar Lūqā. Cairo: n.d., 1958, p. 148; quoted in and translated by Bernard Lewis, *Islam in History: Ideas, Men and Events in the Middle East* (New York: The Library Press, 1973), p. 270.

ereign is to rule wisely and justly, rather than to be concerned with the right of the subject to be treated justly.³⁹ Moreover, in his definition of freedom, al-Ṭaḥṭāwī is silent on the subject of political rights in the liberal sense. In his book *al-Murshid al-Amīn* (1862),⁴⁰ five subdivisions are given for *ḥurrīyah*, of which *al-ḥurrīyah al-madanīyah* (civic), and *al-ḥurrīyah al-sīyāsīyah* (political) comprise the last two. Again, his definition of political freedom is in line with his view on the relation of the subject to his ruler:

Al-ḥurrīyah al-sīyāsīyah; that is, *al-dawlīyah*, is the state's guarantee to every one of its inhabitants for his legal possessions and his exercising his natural freedom (*al-ḥurrīyah al-ṭabīʿīyah*) without transgressing in any part thereof. Thus, it is allowed for everyone to administer his property within the bounds of legal dispositions. It is as though the government therewith ensured a person's happiness as long as he avoided harming his fellow men.⁴¹

In the late 1860s and 1870s the Young Ottomans adopted an Ottoman-Islamic liberal patriotism. The two key words in their writings were *watan* (fatherland) and *ḥurrīyah*.⁴² Their perception of freedom, though still oriented towards the state's duty to act justly, is more inclusive. For in the definition of liberty provided by the Young Ottoman ideologist Nâmik Kemal (1844–1888), justice means not only care for the welfare of the subject, but respect for his political rights, which must be safeguarded by two devices: fundamental rules and consultation.⁴³

With the promulgation of the first Ottoman constitution (1876), the canonization of freedom seemed to be on the point of realization. The inviolability of personal freedom is discussed in it, and freedom of religion, association, the press, etc., are also dealt with.

³⁹ Leon Zolondek, "Al-Tahtawi and Political Freedom," *The Muslim World* 54 (1964): pp. 91, 93; B. Lewis, *Islam in History*, p. 270.

⁴⁰ Al-Ṭaḥṭāwī, *Al-Murshid al-Amīn li al-Banāt wa al-Banīn* (Cairo: Maṭbaʿah al-Malakīyah, 1289 H.Q.), p. 127.

⁴¹ *Ibid.*, p. 128; translation as cited in Zolondek, "Al-Ṭaḥṭāwī and Political Freedom," p. 94.

⁴² Ami Ayalon maintains that in 1860 it was the Lebanese Butrus al-Bustānī who first preached the rights of civic, cultural and religious freedom, among the many other rights of a citizen; see his *Language and Change in the Arab Middle East*, pp. 52–53. Similarly, al-Ṭaḥṭāwī associates the right of freedom to that of being a citizen of a *watan*; see his *Al-Murshid al-Amīn*, p. 94.

⁴³ B. Lewis, *The Emergence of Modern Turkey* (London: Oxford University Press, 1968), p. 144.

For the liberal Egyptian thinker, Aḥmad Luṭfī al-Sayyid (1872–1963), who was a self-declared disciple of John Stuart Mill, freedom basically meant the rights of the individual. A nationalist living at a time when the ideas of pan-Islamism and Arab nationalism were in the air, al-Sayyid was also concerned with the freedom of the nation (in his case, Egypt).

Apostasy

However, one problem which faces any Muslim reformer, insofar as the principle of religious liberty is concerned, is posed by the *sharī'ah* (Islamic law) provisions affecting the offense of apostasy (*riddah*), provisions which effectively contradict any supposed right which an individual has to exercise freedom of choice in his or her religious beliefs. Whereas *sharī'ah* permits the free practice of one's religion, it is very restrictive regarding the freedom to change one's religion.⁴⁴ It is a capital offense under *sharī'ah* punishable by death, for a Muslim to repudiate his faith in Islam or convert to any other religion. The Muslim who gives up his religion is called a *murtadd*, apostate, and he is subject to a number of legal restrictions, penal as well as civil. In spite of disagreement on minor details of laws pertaining to apostasy, all schools of Islamic *sharī'ah* prescribe the death penalty as punishment.⁴⁵ The marriage of an apostate is void. He also lacks the capacity to inherit. Furthermore, according to the prevailing view of jurists, while an apostate remains legally entitled to his property, his rights to dispose of it are in abeyance.

In modern times and with the introduction of Western-type penal codes into the legal systems of many Muslim countries the penalty of capital punishment for apostasy fell more or less into desuetude. However, the emergence of certain sects like the Aḥmadīyah and the Bahā'īyah on the one hand and the spread of the idea of human

⁴⁴ The rights of religious minorities will be discussed later in this chapter.

⁴⁵ There is unanimity in the sources that the male apostate who has reached maturity (*bāligh*), who is *compos mentis* (*‘āqil*) and has apostatized out of his own free will (i.e. not under compulsion) must be put to death if he does not return to Islam. A female apostate, however, is to be imprisoned according to the Ḥanafī and Shī'ī schools of law, whereas, according to the Ḥanbalī, Mālikī and Shāfi'ī schools she must also be put to death. See W. Heffening, "Murtadd," in *EI2*, vol. 7, p. 635; Samuel M. Zwemer, "The Law of Apostasy," *The Muslim World* 14 (1924): pp. 373–391.

rights and their principle of freedom of religion on the other, motivated Muslim thinkers to reconsider the doctrine of apostasy. Some Muslim modernists like Muhammad ‘Abduh, Rashīd Riḍā and Maḥmūd Shaltūt argue that the apostate cannot be executed on the mere grounds of his apostasy. He can be put to death only if he is also a danger to Islamic society.⁴⁶ The argument against the death penalty is based on a disagreement over the traditional interpretation of the Qur’anic verses regarding apostates.⁴⁷ Modernists argue that the Qur’an does not prescribe the death penalty for an apostate and that the traditional interpretations of these verses are based only on two *ḥadīth*, the authenticity of which is doubtful. Furthermore, they are in contradiction with the Qur’anic verse: “Let there be no compulsion in religion.”⁴⁸ More traditionally oriented Muslim scholars such as Abū al-A‘lā’ Mawdūdī and Muḥammad al-Ghazzālī have opined that the apostate is not penalized by death for his abandonment of his faith. Rather he is punished because his act of apostasy is by itself a rebellion against the Islamic social and political order.⁴⁹ Needless to say, this view was based on their conviction that Islam is more than a matter of personal faith; it is a system of social and political order as well. Thus, repudiating Islam is tantamount to repudiating the social order, an action which is punishable to the furthest extent of the law.

EQUALITY

Equality as an ideal has for long fascinated human beings. The connotations of equality are so numerous that any precise formulation of

⁴⁶ M. ‘Abduh and R. Riḍā, *Tafsīr al-Manār* (Cairo: al-Hay’ah al-Miṣrīyah al-‘Āmmah li al-Kitāb, 1973), vol. 5, p. 372; R. Riḍā, “al-Jawāb ‘an Mas’alat Ḥurrīyah al-Dīn wa Qatl al-Murtadd,” *Majallāt al-Manār* 23 (1922): pp. 187–191; M. Shaltūt, *al-Islam, ‘Aqīdah wa Sharī‘ah* (Cairo: Dār al-Qalam, n.d.), pp. 292–293.

⁴⁷ Qur’an 4:90, 5:59.

⁴⁸ Qur’an 2:256. For a discussion of the contradictory positions found in the Qur’an and *ḥadīth* with regard to the death penalty, see S.M. Zwemer, “The Law of Apostasy”; R. Peters and G. De Vries, “Apostasy in Islam,” *Die Welt des Islams* 17 (1976–77): pp. 1–25; and Abdullahi A. An-Na‘im, “The Islamic Law of Apostasy and its Modern Applicability,” *Religion* 16 (1986), pp. 197–224.

⁴⁹ Muḥammad al-Ghazzālī, *Ḥuqūq al-Insān Bayna Ta’ālīm al-Islām wa Fīlān al-Ummah al-Muttaḥidah* (Cairo: al-Maktabah al-Tijārīyah, 1963), pp. 101–102; A. A. Mawdūdī, *Murtadd ki Saḥā Islāmī Qānūn Men*, 4th ed. (Lahore: Islamic Publications, 1963), pp. 45–48; quoted in R. Peters and G. De Vries, “Apostasy,” pp. 16–18.

its meaning is impossible. As an idea, equality is usually interpreted to mean that all human beings should be considered equal regardless of distinctions of sex, age, color, race, language, religion, etc.

The religion of Islam is known as a religion which puts great emphasis on the principles of brotherhood and equality. Its egalitarian spirit is often considered, among other factors, as one of the elements which contributed the most to its rapid spread. Historical events and anecdotes expressing this sense of equality among the early Muslims, particularly at the time of the Prophet, are abundant and widely referred to by Muslim writers and preachers. The Qur'anic verse which is most often quoted in this respect is the following:

O mankind! We created you from a single (pair) of a male and a female, and made you into nations and tribes, that ye may know each other (not that ye may despise each other). Verily the most honored of you in the sight of God is (he who is) the most righteous of you. And God has full knowledge and is well acquainted (with all things).⁵⁰

In addition, the message delivered by the Prophet on the occasion of his last pilgrimage places great emphasis on the equality of mankind in the sight of God, regardless of race or color.

O mankind! Your Lord is one. So is your father. Know this well that no Arab shall have superiority over a non-Arab, or a non-Arab over an Arab. A white man has no superiority over a Negro and a Negro has none over a white man in their merits, excepting for their fear of God. It is certain that in the eyes of God, the most superior of you is the one who follows the principles of Islam most faithfully.⁵¹

The Arabic word for equality is *musāwāt*. Derivatives of its root, *sawiyah*, occur frequently in the Qur'an, though never in the political sense. The word *musāwāt* and its derivatives are basically used in *fiqh* (jurisprudence) in a legal or moral sense. In the 'Abbāsīd period, the Shu'ūbiyah, the non-Arabs seeking social equality with the ruling Arabs, were sometimes referred to as the *ahl al-taswīyah* (proponents of equality).⁵²

⁵⁰ Qur'an 49:13 (translation by Yusuf Ali).

⁵¹ Neset Cagatay, "The Concept of Equality and Brotherhood in Islam," in *International Islamic Conference 1968*, ed. M.A. Khan (Islamabad: Islamic Research Institute, 1970), vol. 1, p. 115.

⁵² Ignaz Goldziher, *Muslim Studies* (London: Allen and Unwin, 1967), vol. 1, p. 136.

In modern times, the words *musāwāt* in Arabic, and *barābarī* in Persian, and *musāvāt* in Turkish are used for the political concept of human equality. The first appearance of *musāwāt* in its political sense occurred in modern Islamic literature when the principles of the French Revolution were translated in 1798 by the Ottoman chief secretary. He translated "equality and liberty" as "*musāvāt ve serbestîyyet*".⁵³ Also in the Arabic translation of Bonaparte's proclamation at the time of his invasion of Egypt (mentioned above) *musāwāt* was used to render the French word *égalité*.⁵⁴

Although Islam is described as an egalitarian religion which permits great opportunities of social mobility, limitations are established and regulated by the *sharī'ah*, in certain important respects. The division of human beings by the *sharī'ah* into Muslims and non-Muslims, male and female, freeman and slave, none of them having an equal status or opportunities, is an aspect of Islam which makes it incompatible with the modern concept of equality based on universal human rights and democracy. The restrictions on the rights of these three groups has made Islam subject to the criticism that full membership in Islamic society is restricted only to free-born male Muslims.⁵⁵ It is on these grounds that the issue of the second-class citizenship of women, non-Muslims and slaves with regard to their political rights in an Islamic system is raised. The following pages try to elucidate briefly those restrictions which endanger the equal status of these groups of citizens in an Islamic state.

Religious Minorities

The non-Muslim subjects of an Islamic state are divided into two main religious categories: the people of the book (*ahl al-kitāb*), comprised mainly of Christians and Jews, but also members of other religious minorities possessing recognized scriptures; and unbelievers, being non-Muslims who do not believe in one of the "divinely revealed" scriptures.

⁵³ C.E. Bosworth, "Musāwāt," in *EI2*, vol. 7, p. 663.

⁵⁴ *Ibid.*

⁵⁵ See for instance B. Lewis, *The Jews of Islam* (Princeton: Princeton University Press, 1984), p. 8; Majid Khadduri, *War and Peace in the Law of Islam* (Baltimore: The John Hopkins Press, 1955), p. 198; Abdullahi A. An-Na'im, "Religious Minorities Under Islamic Law and the Limits of Cultural Relativism," *Human Rights Quarterly* 9 (1987): p. 11.

The relationship between the Muslim state and the *ahl al-kitāb* is regulated by a pact called *dhimma*. Those benefiting from this pact are known as *dhimmīs*. The terms of the pact guarantee the *dhimmī* communities security of their persons and property, freedom to practice their faith, and a degree of internal community autonomy in exchange for recognition of the primacy of Islam and the supremacy of the Muslims.⁵⁶ This recognition is expressed in the payment of *jizyah*, or poll tax, as tribute and symbol of submission to the Muslim state.⁵⁷ The Qur'anic basis for the compact of *dhimma* is the following verse:

Fight those who believe not in God nor the Last Day, nor hold that forbidden which hath been forbidden by God and his Apostle, nor acknowledge the religion of Truth, (even if they are) of the People of the Book, until they pay the jizyah with willing submission, and feel themselves subdued.⁵⁸

According to the *sharī'ah*, *dhimmīs*, as religious minorities, are allowed to conduct their own community affairs in accordance with their own laws and customs whereas, with regard to public matters, they are subject to the jurisdiction of the Muslim state. They are, legally speaking, disqualified by *sharī'ah* from holding any public office—executive, judicial, political—which involves exercising authority over Muslims. *Dhimmīs* have the freedom to practice their religion in private, but they are not allowed to proselytize or preach their faith in public.

The people of the book may be granted the status of partial citizenship in an Islamic state if they submit to Muslim sovereignty under the compact of *dhimma*. Unbelievers, however, are not entitled even to the privileges of this limited citizenship. The following verse is often cited to provide a textual evidence that unbelievers enjoy no permanent or general sanctity of life or property.

But when the forbidden months are past, then fight and slay the pagans wherever ye find them, and seize them, beleaguer them, and lie in

⁵⁶ The following survey is based on Abu Yūsuf, *Kūtib al-Kharāj*, trans. by Ben Shemesh as *Taxation in Islam* (Leiden: E.J. Brill, 1969), vol. 3; Khadduri, *War and Peace*; Cl. Cahen, "Dhimma," in *EI2*, vol. 2, pp. 227–231; A.S. Tritton, *The Caliphs and Their Non-Muslim Subjects* (London: F. Cass, 1970); B. Lewis, *The Jews of Islam*.

⁵⁷ On the subject of *jizyah* see the sources cited in the previous note, as well as Daniel C. Dennett, *Conversion and the Poll Tax in Early Islam* (Cambridge, Mass.: Harvard University Press, 1950).

⁵⁸ Qur'an 9:29.

wait for them in every stratagem (of war); but if they repent, and establish regular prayers and practice regular charity, then open the way for them: for God is oft-forgiving, most merciful.⁵⁹

The only way out of this difficulty is through temporary *amān*, safe conduct, protection.⁶⁰ *Amān*, a pre-Islamic Arab institution, in Islamic religious law, is a safe conduct or pledge of security, granted by a Muslim member of the society, by which an unbeliever's life and property are protected by the sanctions of law for a limited period.⁶¹

Slavery

It was not until the nineteenth century that the abolition of slavery was achieved in most Muslim countries. Along with the rise of the anti-slavery movement in the West and under the world-wide circumstances, the Ottoman sultan (1854) and the shah of Iran (1846) took measures to ban the slave trade. More recently, in 1926, the Muslim World Conference adopted a resolution condemning slavery. Slavery, however, was abolished in Saudi Arabia and Yemen only in 1962 and as late as 1981 in Mauritania.⁶² The long persistence of slavery in Muslim lands owes much to the fact that it is not prohibited by Islamic law (*shari'ah*). Although Islam is much credited for moderating the age-old institution of slavery, which was also accepted and endorsed by the other monotheistic religions, Christianity and Judaism, and was a well-established custom of the pre-Islamic world, it has never preached the abolition of slavery as a doctrine.

The Qur'an accepts the institution of slavery but regulates its practice. Besides *'abd*, which is the common word for "slave" in Arabic, the Qur'an frequently uses the phrase *mā malakat aymānukum* "that which your right hands possess." The Qur'an refers to the basic inequality between master and slave as a divinely ordained distinction:

⁵⁹ Qur'an 9:5. However, according to major interpretations of the Qur'an, this verse refers to the pagans (*mushrikīn*) who were fighting against Prophet Muḥammad.

⁶⁰ The Qur'anic references to *amān* are 9:6 and 16:112. For a detailed discussion of *amān* see Abū Yūsuf, *Kitāb al-Kharāj*; Muḥammad ibn al-Ḥasan al-Shaybānī, *The Islamic Law of Nations: Shaybānī's Siyar*, trans. M. Khadduri (Baltimore: The John Hopkins Press, 1966), pp. 158–195.

⁶¹ J. Schacht, "Amān," in *EI2*, vol. 1, p. 429.

⁶² Murray Gordon, *Slavery in the Arab World* (New York: Amsterdam, 1989), p. 44; B. Lewis, *Race and Slavery in the Middle East* (Oxford: Oxford University Press, 1990), p. 79.

God has bestowed His gifts of sustenance more freely on some of you than on others. Those more favoured are not going to throw back their gifts to those whom their right hands possess [*ma malakat aymanuhum*], so as to be equal in that respect. Will they then deny the favours of God?

Also,

God sets forth the parable (of two men: one) a slave [*abd mamlūk*] under the dominion of another. He has no power of any sort; and (the other) a man on whom We have bestowed goodly favours from ourselves, and he spends thereof (freely), privately and publicly. Are the two equal? (by no means); praise be to God . But most of them understand not.⁶³

Finally,

He does propound to you a similitude from your own (experience): Do ye have partners among those whom your right hands possess [*ma malakat aymanukum*], to share as equals in the wealth we have bestowed on you? Do ye fear them as ye fear each other? Thus do We explain the signs in detail to a people that understands.⁶⁴

However, throughout the Qur'an the emancipation of slaves is repeatedly recommended as praiseworthy, whether it be for the expiation of sins or as a simple pious act.⁶⁵ The humanitarian tendencies of the Qur'an regarding slavery and slaves are well reflected in *ḥadīth*.⁶⁶ The Prophet, both in his sayings and his acts, is reported to have appealed to the conscience of his followers in urging them to treat slaves humanely.⁶⁷ Altogether the Qur'an and *ḥadīth* show a clear

⁶³ Qur'an 16:71, 16:75.

⁶⁴ Qur'an 30:28.

⁶⁵ See for instance Qur'an 2:177, 90:13, 9:60, 4:92, 5:89, 58:3, and 24:33.

⁶⁶ For instances where the Qur'an urges kindness towards slaves see verses 4:36, 9:60 and 24:58. Furthermore, the slave's "dignity as a human being is shown in certain ordinances relating to the sexual side of social relationship." (R. Brunschvig, "Abd," in *EI2*, vol. 1, p. 25.) For the ban on the prostitution of female slaves see verses 24:33, 23:6, 33:50 and 70:30; for the moral duty of the master to marry off his slaves of both sexes see verse 24:32; for the right of Muslim slaves to marry free Muslims see verses 2:221 and 4:25.

⁶⁷ A frequently quoted prophetic saying that urges kind and even equal treatment for slaves is the Prophet's speech on the occasion of the "farewell pilgrimage," wherein he made the following exhortation to his followers: "as to your slaves, male and female, feed them with what you eat yourself and clothe them with what you wear. If you can not keep them or they commit any fault, discharge them. They are God's people like unto you and be kind unto them." He also recommended that a master not show contempt for his slaves by referring to them as "my slave" but rather to address them as members of his family by saying "my

concern for the slave. No doubt, at the spiritual level, the slave is possessed of the same value as the freeman, particularly since he is, in God's judgement, the equal of the free man. In regard to earthly matters, however, he enjoys an inferior status to which he must resign himself.

No matter how much Islam improved the conditions of slaves and elevated their legal status, there remain in the *sharī'ah* certain civic disqualifications of slaves which are not compatible with the standards of modern democratic principles.⁶⁸ Slaves were excluded from certain religious functions and forbidden to hold any office of authority, *wilāyat*, over others. The slave's acting as leader, *imām*, of the Friday prayer, a post which is associated with public authority, is much debated among the various schools of law. "The slave is no more qualified to hold a position of religious magistrature (judgeship, *ḥisba*), than an official position of secular authority."⁶⁹ Officials employed by judges and *sultāns* had to be freemen.⁷⁰ With regard to their eligibility for high political offices it should be mentioned that "the status of freeman was, for instance, a condition for becoming caliph in orthodox Islam; for being appointed to the 'delegated wazirate,' though not for the 'executive wazirate'; for holding the office of administrator of charity tax, etc."⁷¹ In matters of criminal law, the slave's status often worked to his advantage. For instance, he received half of the punishment of a freeman, and was not subject to the death penalty for committing fornication. In certain other cases, however, the slave was at a disadvantage, and his inequality in the eyes of the law burdensome. The slave could not serve as a witness in court. "In penal law, the penalty for an offense against a person, a fine or bloodwit, is for a slave, half of that for a freeman."⁷² The Qur'anic formula "the free for the free, the slave for

boy" or "my young woman." For *ḥadīths* on slavery see A.J. Wensinck et al., *Concordance et indices de la tradition musulmane*, 8 vols. (Leiden: E.J. Brill, 1933-88), s.vv. *ghulam*, etc. See also Al-Ghazzālī's *Ihyā' ulūm al-dīn* (Cairo: Muṣṭafā al-Bābī al-Ḥalabī, 1939), vol. 2, in the section "ḥuqūq al-mamālīk," where he uses a number of well known *ḥadīths* in order to explain ethical principles to slave-owners.

⁶⁸ For the improvements and changes that Islam introduced to the institution of slavery see for instance, Ali Abdel Wahid Wafi, "Human Rights in Islam," *Islamic Quarterly* 2 (1967): pp. 69-75.

⁶⁹ R. Brunschvig, "Abd", p. 27.

⁷⁰ Al-Qalqashandī, *Subḥ al-A'ṣhā* (Cairo: n.p., 1331-38 H.Q./1913-19), vol. 1, p. 65; quoted in Rosenthal, *The Muslim Concept of Freedom*, p. 30.

⁷¹ F. Rosenthal, *The Muslim Concept of Freedom*, p. 30.

⁷² B. Lewis, *Race and Slavery in the Middle East*, p. 7. For details on the slave's

the slave⁷³ has served as the basis of inequality between the freeman and the slave in the law of retaliation, *qiyās*, according to which a freeman cannot be put to death for killing a slave.

On the basis of these inequalities, as well as in virtue of the impact of the realities of the modern world, Muslim reformers of the late nineteenth and early twentieth centuries began to express their discomfort over the existence of slavery and its incompatibility with the modern society they envisaged for Muslims. Justifying the acceptance of slavery by Islam as having been due to particular economic and social circumstances, reformers such as Sayyid Ahmad Khan and Amir Ali criticized and condemned the institution. Ahmad Khan maintained that "the Qur'an (42:4) forbade the making of new slaves."⁷⁴ In the light of modern social ethics, Amir Ali, emphasizing social equality and human progress, argued that slavery was antithetical to the Qur'anic teachings which teach the equality of all people.⁷⁵ The Egyptian Ahmad Shafiq furthermore argued on much the same lines in his book, *L'esclavage au point de vue musulman* (1891). The important point is that these reform-minded Muslims ultimately left the task of finally abrogating slavery to man-made laws.

Male-Female Dichotomy

Women, like slaves and non-Muslims, suffer from an inferior status in Islamic law, *sharī'ah*. But, unlike the other two boundaries which also involve hierarchies—Muslim and non-Muslim, free and slave—the male-female boundary can not be crossed. While a person's civil category may change by conversion or manumission, a woman cannot cross the sexual boundary by a simple act of will. Although certain modifications and adjustments are introduced into Islamic law in modern times, their efficacy has remained limited due to some fundamental and explicit Qur'anic injunctions and their authoritative traditional interpretations which have moulded the general social attitudes of Muslims toward women.

treatment in Muslim penal law see Abū Yūsuf, *Kitāb al-Kharāj*, p. 159; R. Brunschwig, "Abd."

⁷³ Qur'an 2:178.

⁷⁴ J.M. Baljon, *The Reforms and Religious Ideas of Sir Sayyid Ahmad Khan* (Leiden: E.J. Brill, 1949), pp. 28–29; quoted in Brunschwig, "Abd," p. 38. Ahmad Khan's work, *Ibtāl-i Ghulāmī* appeared in 1893 and was translated into Arabic in 1958.

⁷⁵ Amir Ali, *The Spirit of Islam*, quoted in M. Gordon, *Slavery in the Arab World*, pp. 45–46; Brunschwig, "Abd," p. 38.

The inequality between women and men in Islamic law stirred up debate as far back as the nineteenth century and contributed to the advent of Islamic modernism and the emergence of women's liberation movements in Muslim lands.⁷⁶ The opinions on this matter, including criticism, explanation and justification, expressed by Muslim and non-Muslim writers alike, cover a wide range. On one side stand the fundamentalist apologists defending what they see as the natural, divinely-ordained inequality of the sexes.⁷⁷ According to them, Islam does not, or cannot, subscribe to the modern ideal of equality between the sexes which, for them, could only mean social anarchy.⁷⁸ On the other side stand the radicals who state that Islam is intrinsically inimical to women's rights.⁷⁹ A third group advocates a progressive reading of the Qur'an, the *ḥadīth* and early Islamic history. They argue that the early Muslim generations misinterpreted the Islamic sources and that "women's inferior status written into Islamic law . . . is by and large the result of prevailing social conditions rather than of the moral teachings of the Qur'an."⁸⁰ The concern here, however, is not with how Muslim writers have tried to explain the restrictions on women's rights or with the extent of improvement that Islam introduced to the legal and social status of pre-Islamic women. After all, such an inquiry will not affect the content of the basic discriminatory rules of *sharī'ah*.⁸¹ Moreover, the fact remains that a tension

⁷⁶ Qāsim Amīn's book, *Tahrīr al-Mar'a* [The Liberation of Women] (Cairo: Maṭba'ah Rūz al-Yūsuf, 1941), which first appeared in the 1880s, was one of the pioneering works on this topic.

⁷⁷ One recent example of this position is expressed by the Iranian Shī'ī jurist, Muhammad Taqī Mesbah Yazdī, who appeals to a physiological difference, namely the lighter weight of the female brain, in order to prove women's intellectual inferiority. He writes: ". . . the male's brain is anatomically distinguished from the female's, showing signs of superior intelligence and mental growth." (M.T. Mesbah, M.J. Bahonar and L.L. al-Faruqī, *Status of Women in Islam* (New Delhi: Radiant Publishers, 1990), p. 8.) See also: Barbara Fryer Stowasser, "Liberated Equal or Protected Dependent? Contemporary Religious Paradigms on Women's Status in Islam," *Arab Studies Quarterly* 9 (1987): pp. 260–283.

⁷⁸ See for instance S. Sajjad Hussain, "The Concept of Equality and Brotherhood in Islam," in *International Islamic Conference 1968*, ed. M.A. Khan, vol. 1, p. 117.

⁷⁹ See, for instance, F.A. Sabbah, *Women in the Muslim Unconscious* (New York: Pergamon Press, 1984); M. Ghousoub, "Feminism or the Eternal Masculine in the Arab World," *New Left Review* 161 (1987): pp. 3–13.

⁸⁰ Fazlur Rahman, "Status of Women in the Qur'an," in *Women and Revolution in Iran*, ed. Guity Nashat (Boulder: Westview Press, 1983), p. 37. See also Nabia Abbott, "Women and the State in Early Islam," *Journal of Near Eastern Studies* 1 (1942): pp. 106–126.

⁸¹ For the specific improvements to the social status and legal rights of women

exists between two tendencies in the message of Islam, namely, an ethical egalitarianism which is a fundamental part of its broader spiritual message, and an advocacy of male dominance. Although women, as members of the community of the faith, are considered to be the equals of men before God,⁸² they do not enjoy a similar egalitarianism in society itself. It is within a social context that the general rationale for women's inferiority to men, expressed in the Qur'anic verses stating "men have a degree of (advantage) over women,"⁸³ and that "men are the protectors and maintainers of women,"⁸⁴ must be understood.⁸⁵ This principle of superiority, *qawwamah*, has been used by jurists to justify a variety of restrictions on women's rights which can be discussed under the rubric of equality before the law.

While the *shari'ah* recognizes an independent legal personality for women, it does not establish any political, social, or economic equality of the sexes. And although *shari'ah* does not prohibit Muslim women from expressing their opinions on public affairs or from voting for those competing for public office, and although the Qur'an does not forbid women from exercising direct political rule, nevertheless, according to the interpretation of the principle of *qawwamah* agreed upon by all schools of jurisprudence, women are legally disqualified from holding high-ranking public offices which involve exercising authority over men, whether these offices be of a political or juridical nature. According to the *shari'ah*, a woman cannot be a caliph or *imām* or *walī-i faqīh* (in Shī'ī Islam). Nor can she be a judge. The disqualification of women from holding public office is also considered to be "partly based on what is believed to be Qur'anic requirements of the veil and gender segregation."⁸⁶ A frequently

brought by Qur'anic legislation, see Barbara Freyer Stowasser, "The Status of Women in Early Islam," in *Muslim Women*, ed. Freda Hussain (London: Croom Helm, 1984), pp. 15–18.

⁸² The Qur'an's teachings regarding the full equality of men and women in their relationship with God can be found in verses 3:195, 5:38, 9:71–72, 24:2, 24:6–9, 33:35, 40:40, 48:5 and 57:12.

⁸³ Qur'an 2:228.

⁸⁴ Qur'an 4:34.

⁸⁵ For examples of authoritative exegesis on these verses see the commentaries of al-Ṭabarī and Fakhr al-Dīn al-Rāzī, even though, as Qamaruddin Khan remarks, they may contain "the most contemptuous and insulting mentions of women in Islamic religious literature"; see his *Status of Women in Islam* (New Delhi: Sterling Publishers, 1990), 55–60.

⁸⁶ Abdullahi An-Na'im, "The Rights of Women and International Law in the Muslim Context," *Whittier Law Review* 9 (1987): pp. 495–496. For references to the

quoted *ḥadīth* is cited by al-Bukhārī in his authoritative book *al-Ṣaḥīh*, in which the Prophet is quoted as having said: "Those who entrust their affairs to a woman will never know prosperity."⁸⁷ Other prophetic *ḥadīths* or statements made by the companions with similar content are abundant in both Sunni and Shī'ī literature.⁸⁸

On the basis of this general principle of *qawwamah* and the specific rule stated in the Qur'an (2:282) regarding testimonial competence, a woman's testimony is considered by jurists to be defective. The testimony of a woman, in civil cases, is worth half that of a man. Women are disqualified from being witnesses in criminal cases, whatever their number. Similarly, as a general rule, which is also in accordance with the specific Qur'anic rules in verses 4:11 and 4:176, a woman inherits only half of what a man of the same degree of relationship to the deceased.

A number of other specific examples of male-female inequality under Islamic law are to be found in the area of family law. While a man is entitled to be married to four wives at the same time (Qur'an 4:3) and has the right to divorce any of them at will by unilateral repudiation, women may obtain judicial divorce only on certain specific grounds. Nor are Muslim women ever allowed to marry non-Muslim men.

It should also be mentioned that with regard to laws of punishment and retaliation (*qisās*), a variety of legal opinions are available in Sunni juristic literature. The Shī'īs, however, have adopted the striking position that the *diyyah* (compensation for unlawful homicide) for a female victim should be half that for a male victim. In other

seclusion and veiling of women in the Qur'an and *ḥadīth* see Stowasser "The Status of Women," pp. 23-25 and 32-37 respectively.

⁸⁷ Al-Bukhārī, *al-Ṣaḥīh*, vol. 4, p. 226.

⁸⁸ One may argue against the authenticity of these sayings. But what is significant here is that they have been recorded in sources that are regarded as absolutely reliable by scholars of Islamic law. For the most important Shī'ī sources, which also includes similar statements with regard to women, see the *Nahj al-Balāghah* of Imam 'Alī and *Bihār al-Anwār* by Majlisī. Denise A. Spellberge opines that it was neither the Qur'anic injunctions nor the participation of 'A'ishah in the first Muslim civil war that set the precedent for the ban on Muslim women participating in politics, as is often stated. Rather it was "more likely, the definition of women in the 9th century A.D. *ḥadīth* [which] extended and refined the idea that women were basically flawed and dangerous to the maintenance of political order." D.A. Spellberge, "Political Action and Public Example: 'A'isha and the Battle of the Camel," in *Women in Middle Eastern History*, ed. Nikki R. Keddie and Beth Baron (New Haven: Yale University Press, 1991), pp. 54-55.

words the life of a woman or the value of any of her physical organs is worth only half the life of a man or his bodily organs. It follows that if a man were to kill a woman, retaliation, or putting him to death, would be impossible unless the difference in value is first paid by the party of the female victim to the party of the male murderer.⁸⁹

PUBLIC PARTICIPATION IN POLITICS

Shūrā and *Bay'ah*

The principle of *shūrā*, consultation, is often invoked by Muslim scholars as an element in Islamic tradition corresponding to democratic participatory politics. The concept and practice of *shūrā* can be traced to the pre-Islamic era. In pre-Islamic Arabia there existed an institution called the *nādī* (assembly). This was a tribal council wherein important public issues such as the choice of heads of tribes, declarations of war and peace treaties were decided through mutual consultation by elders, notables and prominent personalities. This tradition was recognized by Islam and was given the name *shūrā*. Two Qur'anic verses: ". . . and consult [them] in affairs. Then, when thou hast taken a decision, put thy trust in God" (3:159); and "These [believers] who hearken to their Lord, and establish regular prayer; who (conduct) their affairs by mutual consultation" (42:38), are commonly cited as the basis of a ruler's duty to consult. However, the details concerning the nature of *shūrā* and the procedures of consultation have always been subject to different interpretations throughout Muslim history. The two main points upon which a variety of views are expressed by early as well as modern Qur'an exegetes are: What kinds of matters constitute the subject (*amr*) of consultation? and, What are the qualifications of the members of the *shūrā* (*ahl al-shūrā* or *ahl al-hall wa al-'aqd*)? Some scholars have taken the term *amr* as specifically referring to matters pertaining to war, about which the Prophet was commanded by God to consult with experts, while some others have interpreted it as a general Qur'anic teaching addressed to the Prophet and all other believers, but particularly the ruler, who should consult with his advisers on all kinds of matters

⁸⁹ See the Retribution Act, Sections 5 and 46, of the Islamic Republic of Iran, 1981.

related to the public welfare. There is no unanimous agreement as to who these consultants should be—whether elders and notables, military and other professional experts, the *'ulamā'* or bureaucrats. Moreover, the more important question is whether the opinion rendered by the *shūrā* is binding on the ruler or whether it is purely consultative. All these questions have received various responses.⁹⁰ A considerable body of material is provided in *ḥadīth* literature and in historical accounts of the Prophet's life and those of the first four caliphs in support of the merits of consultation and in order to establish authoritative exemplary models for Muslim rulers.⁹¹ Notwithstanding the reports that the Prophet consulted his companions on certain occasions and despite references to the two so-called *shūrās* which elected the first and the third caliphs, it should be noted that the *shūrā* never developed into a self-sustaining and formal institution and that the members of the *shūrā* were never representatives of the whole community in the modern sense of elected representatives.⁹²

Since the mid-nineteenth century, which saw an increase in the permeation of modern Western political concepts in Islamic societies, Muslim reformers worked to revive the Qur'anic concept of *shūrā*. Perhaps the earliest record of the use of the term *mashwarah* (consultation) by a Muslim author in the Western sense of the term is the "Turkish translation of the first volume of Carlo Botta's *History of Italy from 1789 to 1814*, first printed in Cairo as *Bonapart Ta'rikhi* in 1249/1833. This work speaks of a *parlamento meshwereti* established by the liberals in that country."⁹³ A major consideration came to the fore in the Muslim world at the urging of Sayyid Jamāl al-Dīn

⁹⁰ For various opinions on the theory and practice of *shūrā* see the interpretations of the above-mentioned verses in the *al-Kashshāf* of Zamakhsharī and in the *tafsīrs* of Ibn Kathīr, al-Ṭabarī and Fakhr al-Dīn al-Rāzī. See also al-Māwardī's *al-Aḥkām al-Sultānīyah* and Ibn Taymīyah's *al-Siyāsah al-Shar'īyah*. For a summary of different exegetical views see Souran Mardini, "Fundamental Religio-Political Concepts in the Sources of Islam, the Shūrā in the Islamic Umma," *Hamdard Islamicus* 9, no. 4 (1986): pp. 26–32; Obaidullah Fahad, "A Critical Study of Classical Political Thought in Islam," *Islam and Modern Age* 22 (1991): pp. 123–127;

⁹¹ For a discussion on the practice of *shūrā* in early Islam which explores a number of classical and medieval sources see Muhammad Nazeer Ka Ka Khel, "The Conceptual and Institutional Development of Shura in Early Islam," *Islamic Studies* 19 (1980): pp. 271–282.

⁹² Fazlur Rahman, "The Principle of Shura and the Role of the Ummah in Islam," in *State Politics and Islam*, ed. Mumtaz Ahmad (Indianapolis: American Trust Publications, 1986), p. 92.

⁹³ Bernard Lewis, "Mashwara," *EI2*, vol. 6, p. 725.

al-Afghānī: that the participation of people in the government provided the key to internal progress and development as well as to a strong state which could withstand the pressures of the West. On the basis of this consideration the necessity of establishing a consultative system of government as well as the role of the community in decision-making were emphasized by Muslim modernists. Undoubtedly, Qur'ānic verses were adduced to prove the necessity of the principle of *shūrā*. Also, the scope of the *shūrā* was expanded in modern commentaries, and new issues of importance, such as the problems of legislation and sovereignty, were raised.

As far as the problem of participation of the community in *shūrā* is concerned, most scholars have asserted that the consultative body should not be restricted to a group or an élite. Rather it should be composed of the representatives of the whole community.⁹⁴ On the subject of *shūrā*, almost all modern Muslim scholars are of the opinion that the term *amr* in the Qur'ānic verses refers to all worldly matters not covered by revelation. The questions of who should participate in the *shūrā* (*ahl al-shūrā*), and what should be the subjects of *shūrā*, are of particular importance because they entail the question of legislation. How far does the capacity of *shūrā* extend to legislating new laws? According to Mawdūdī only the '*ulamā*' can legislate on matters not covered by the Qur'ān, the *sunnah* or the conventions of the Righteous Caliphs.⁹⁵ On the other hand, rejecting the concept of legislation's being the '*ulamā*'s prerogative, Fazlur Rahman holds that "legislation in Islam is the business of the community as a whole. It is, therefore, the function of the representatives of the people who sit in the Legislative Assembly to make laws."⁹⁶

⁹⁴ The heyday of this controversy was the period of constitutional reform that took place in several Muslim countries during the late 19th and early 20th centuries. In more recent decades, Muslim scholars have reopened the debate over *shūrā*. Rejecting general public participation, Mawdūdī and 'Abd al-Ḥamīd al-Mutawallī (an Egyptian scholar) express the view that those participating in *shūrā* must be a well-specified group of people. Fazlur Rahman and Muḥammad al-Ghazzālī on the other hand hold the opposing view, as do many other scholars. See A. Mawdūdī, *Political Theory of Islam* (Karachi: Maktaba-E- Jama'at-e-Islami, n.d.); 'Abd al-Ḥamīd al-Mutawallī, *Mabda' al-Shūrā fī al-Islam* (Cairo: 'Alam al-Kutub, 1972); Fazlur Rahman, "A Recent Controversy Over the Interpretation of Shūrā," *History of Religions* 20 (1981): pp. 291-301; Muḥammad al-Ghazzālī, *Min Huḥūl Na'lam* (Cairo: Dār al-Kitāb al-'Arabī, 1951); See also, Abdul Munis Naharong, "Concept of Shura in Sunni Islam" *al-Jamī'ah* (Yogyakarta) 41 (1990): pp. 80-82.

⁹⁵ A.A. Mawdūdī, *First Principles of the Islamic State*, trans. by Khurshid Ahmad (Lahore: Islamic Publications, 1960), pp. 30-31.

⁹⁶ Fazlur Rahman, "The Islamic Concept of State," in *Islam in Transition*, ed. by J. Donohue and John Esposito (New York: Oxford University Press, 1982), p. 262.

Legislation in Islam is a crucial problem because it is related to the question of where sovereignty resides. On this issue again two sets of views have been expressed by Muslim scholars. One group contends that sovereignty belongs to God alone, while the other claims that it is the people who are sovereign. The modern period of Islamic history has witnessed both tendencies. Nâmîk Kemal, the Turkish intellectual, and probably the first Muslim ever to attempt to explain to his Muslim readers the essence of Western liberalism and constitutionalism, contended that:

the right of sovereignty naturally belonged to all. There could be no sovereignty outside, or above the will of the people. Although sovereignty lay with the people, it was impracticable for them to exercise it and, therefore, a group from among them was invested with the duty of exercising sovereignty.⁹⁷

In more recent times the issue of sovereignty has also been discussed by Muslim scholars. Sayyid Quṭb, a leading theoretician of Islamic revival, strongly objected to the notion of popular sovereignty. In his view the sovereignty of the people is a usurpation of God's sovereignty, or aggression against God's governance on the earth and a form of tyranny, for it subordinates the individual to the will of other individuals.⁹⁸ Mawdūdī has also expressed similar ideas, but he has advanced a more moderate position in order to somehow accommodate public sovereignty. Deducing the main characteristics of the Islamic state from certain Qur'ānic verses, he states:

God only is the real sovereign; all others are merely his subjects. All legislative power too vests in God. The believers cannot frame any law for themselves nor can they modify any law which God has laid down even if the desire for such legislation or for a change in it is unanimous.⁹⁹

He goes further, concluding that:

Islam is not democracy; for democracy is the name given to that particular form of government in which sovereignty ultimately rests with the people, in which legislation depends both in its form and content

⁹⁷ Niyazi Berkes, *The Development of Secularism in Turkey* (Montreal: McGill University Press, 1964), p. 210.

⁹⁸ See Sayyid Quṭb, *Fī Ṣilāl al-Qur'ān*, repr. (Cairo: Dār al-Shurūq, 1988) and *Mā'ālim fi al-Ṭarīq*, repr. (Cairo: Dār al-Shurūq, 1987); see also Yvonne Y. Haddad, "Sayyid Quṭb: Ideologue of Islamic Revival," in *Voices of Resurgent Islam*, ed. John Esposito (New York: Oxford University Press, 1983), pp. 67-99.

⁹⁹ A.A. Mawdūdī, *Political Theory*, p. 29.

on the force and direction of public opinion and laws are modified and altered, to correspond to changes in that opinion.¹⁰⁰

Nevertheless, Mawdūdī argues that the Islamic state is not a “theocracy” either. Rather, it is a “theo-democracy”. He describes this system of government as being a “divine democratic government because under it the Muslims have been given a limited popular sovereignty under the suzerainty of God.”¹⁰¹ By this limited popular sovereignty Mawdūdī means nothing more than the role of the public will in constituting or deposing the executive. In other words he limits the role of public consent only to administrative and executive matters.¹⁰² On the other hand, believing in popular sovereignty, Fazlur Rahman criticizes Mawdūdī for confusing the religio-moral and political issues. He asserts that the Qur’anic verses talking about the supremacy of God have no reference to political sovereignty whatsoever, nor even to legal sovereignty.¹⁰³ He maintains that

the term “sovereign” as a political term is of a relatively recent coinage and denotes that definite and defined factor (factors) in a society to which rightfully belongs *coercive force* in order to obtain obedience to its will. It is absolutely obvious that God is not sovereign in this sense and that only people can be and are sovereign, since only to them belongs ultimate coercive force, i.e., only their “Word is law” in the politically ultimate sense.¹⁰⁴

Ahmad Hasan, another Muslim scholar, has found another way to explain away the contradiction between the supremacy of God or *sharī‘ah* and popular sovereignty. Ahmad Hasan distinguishes two kinds of sovereignty, ultimate sovereignty, which is that of God, and the immediate sovereignty, which is that of the people. In his view God is sovereign in the Islamic state in the sense that His word, the Qur’an, exercises a check on the will of the people and functions as a sort of constitution by its values and spirit. Therefore no law enacted by the people shall contradict the obvious teachings of the Qur’an. On the other hand, “God or the Qur’an does not make the law. It is the people who make the law. The immediate sovereign is, therefore, the community at large.”¹⁰⁵

¹⁰⁰ Ibid., p. 30.

¹⁰¹ Ibid., pp. 31–32.

¹⁰² Ibid., p. 32.

¹⁰³ Fazlur Rahman, “The Islamic Concept of State”, p. 264.

¹⁰⁴ Ibid.

¹⁰⁵ Ahmad Hasan, “The Political Role of Ijma’,” *Islamic Studies* 8 (1969): p. 136.

In order to emphasize public participation in the appointment of the head of state, Muslim modernists have also appealed to the historical practice of *bay'ah*. *Bay'ah* is "an Arabic term denoting, in a very broad sense, the act by which a certain number of persons, acting individually or collectively, recognise the authority of another person."¹⁰⁶ Etymologically, the term expresses an act undertaken by both parties, [the ruler and the ruled], resulting in mutual obligations.¹⁰⁷ *Bay'ah* can be practised in two senses. One is by simply recognizing the pre-established authority of a person, and by paying homage to him and promising him obedience. The term is used in this sense in the Qur'an (48:10, 18; 60:13). The other sense of *bay'ah* refers to "the election of a person to a post of command, in particular the election of a caliph."¹⁰⁸ Legally speaking, the *bay'ah* is viewed by the jurists as a contractual agreement with the will of the electors on the one side and the will of the elected person on the other. However, the required number of electors for a valid procedure of *bay'ah* has remained undefined in both historical procedure and in juristic literature. Opinions on this point are various. *Bay'ah* is, however, regarded as binding, irrespective of the number of the electors.¹⁰⁹ With regard to the binding effect of *bay'ah* it is said that those who perform it become firmly and definitely bound by obligations which are in a sense undertaken towards God, for the head of an Islamic state, particularly the caliph, is considered as receiving his investiture from God. Therefore violating a *bay'ah* constitutes disobedience to God. Moreover, "the binding effect of the *bay'ah* is life-long; the idea of a *bay'ah* made for a limited period is, indeed, unknown."¹¹⁰ In other words this type of public choice of the ruler is quite different from the modern democratic sense of election. But the important point to be noted is that according to the contract of *bay'ah* the ruler is also obliged to perform certain duties specified by the jurist. Therefore, the effects remain as long as the recipient of a *bay'ah* remains faithful to the divine prescriptions. Otherwise the contract is dissolved and he is removed from office. This limitation

¹⁰⁶ E. Tyan, "Bay'a," in *EI2*, vol. 1, p. 1113.

¹⁰⁷ Fathi Osman, "Bai'at al-Imam: The Contract for the Appointment of the Head of An Islamic State," in *State Politics*, ed. Mumtaz Ahmad, p. 57.

¹⁰⁸ Tyan, "Bay'a," p. 1113.

¹⁰⁹ For a review of the different perspectives on this issue see Fathi Osman, "Bai'at," pp. 61-67.

¹¹⁰ E. Tyan, "Bay'a," p. 1114.

of the effect of *bay'ah* is maintained to be an indication that "an Islamic ruler is not above the law. He is subject to it, no less than the humblest of his servants."¹¹¹

In any event, regardless of all the controversy over the details of the principles of *shūrā* and *bay'ah*, the evidence of the Qur'anic verses and the historical precedent of the practice of *shūrā* and *bay'ah*, Muslim modernists have been provided with a solid foundation upon which to build their argument for the democratic spirit of Islam. Indeed, when compared to other elements such as freedom and equality, Muslim scholars have depended for more on the Islamic principle of *shūrā* in their writings on this topic. In practice *shūrā* has been actualized in the form of legislative assemblies in almost all Islamic countries since the beginning of the century. No matter how ill-functioning these assemblies might be, they are accommodated in the existing Muslim political systems, whether monarchical or republican, secular or religious. All this theoretical and practical evidence indicates that there is no disagreement on the issue of public participation in political decision-making and thus the setting-up of consultative bodies. Rather, the problem remains the source of political power, i.e. whether this be God or man, and the extent of permissibility of legislation by man versus divine laws and how the two can be reconciled.

The principles of *ḥurriyah*, *musāwāt*, *shūrā* and *bay'ah* have been appealed to by Muslim scholars in order to show the compatibility of Islam with democracy. However, their success has been limited only to their compatibility on the ethical plane. According to Islamic teachings, a human being is created free and is encouraged to preserve his freedom by submitting himself only to God and His divine rulings and by avoiding submission to any other human being. On the other hand Islam, being a comprehensive system of life as perceived by modern Muslim revivalists, provides believers with, at least, a blue-print and in certain cases specific laws and regulations, including those affecting the political system. In an Islamic political system, individuals have freedom to the extent that this freedom does not transgress the *sharī'ah* or the public good of the community, ummah. One may have the right to propose one's ideas within the

¹¹¹ B. Lewis, "Islam and Liberal Democracy," *The Atlantic Monthly*, February 1993, p. 98.

framework of the *sharī'ah*, but one certainly does not have the right to oppose, for such opposition would be considered as heresy or at least *fitnah* (revolt). Islam may be credited with having disseminated the spirit of equality and brotherhood among its followers; nevertheless the inferior status of three groups, namely, non-Muslim citizens, slaves, and women, and their inequality before the law as compared with free male Muslim citizens, do not help in smoothing the path to a democratic system. The same is also true with the principles of *shūrā* and *bay'ah* as means of public participation in government. In spite of the existence of a Qur'anic basis and historical precedents, and apart from disagreements over their definitions, *shūrā* and *bay'ah* cannot be taken as equivalent to democratic participatory politics. Advocacy of their practice is basically confined to their application at the executive level because the issues of divine sovereignty and legislation remain stumbling blocks in the way of democracy. Having said all this, the following chapters will examine the understanding of democracy held by contemporary Iranian religious modernists and their attempts at reconciling it with Islam.

CHAPTER THREE

THE EMERGENCE OF MUSLIM INTELLECTUALISM IN MODERN IRAN

At two junctures in their recent history, Iranian religious thinkers have been threatened by the hegemony of Western ideas and have felt compelled to reevaluate the validity of their Islamic tradition. As a consequence, on each occasion they attempted to reformulate and redefine certain doctrines and institutions in terms of the prevailing ideas of the time. The first challenge came at the turn of the last century and culminated in the event of the Constitutional Movement (1906–1911). The second challenge began to take shape in the middle of the twentieth century. From the early 1930s modernization plans in line with Western models were implemented by the political establishment of Reza Shah, while in the 1940s Marxist ideas began to be disseminated among Iranian youth. These two forces constituted a major threat to the religious establishment which felt gradually weaker under the pressure of these new ideologies. At the outset, the religious establishment tacitly approved these political and administrative reforms without making any attempt to challenge them on a theoretical level. In the 1950s and 1960s, however, a number of developments led to an intellectual reawakening among concerned Iranian Muslims, finally producing a distinctively new Iranian Shī'ite world view which was to play a significant role in the decades following. This newly-emerged trend of Islamic thought was espoused by committed Muslims—essentially coming from a lay background although also including a number of the clergy—who were aware of the problems of their changing cultural and sociopolitical environment. In the present study, they are referred to as Muslim intellectuals. By Muslim intellectualism is meant an outlook distinctive from the traditional mode of Islamic thought. It shares its basic characteristics with religious modernism. This trend of thought can be generally defined as an intellectual endeavour to reestablish harmony between religion and a changing society in which religion is considered to be in position of weakness and dysfunctional. Islamic modernism has been defined as:

an attempt to free the religion of Islam from the shackles of a too rigid orthodoxy, and to accomplish reforms which will render it adaptable to the complex demands of modern life. Its prevailing character is that of religious reform; it is inspired and dominated chiefly by theological considerations.¹

Religious modernism is advocated by individuals who are committed to religion, but who do not necessarily belong to the religious establishment. They are aware of science and the sociocultural problems resulting from economic change. Their major concern then is to prove that what they judge to be true religion is not irrelevant to the modern changing world. Fazlur Rahman refers to Muslim modernists as "those who have made an articulate and conscious effort to reformulate Islamic values and principles in terms of modern thought or to integrate modern thought and institutions with Islam."² Rejecting a fundamental dichotomy between faith and reason, Muslim intellectuals advocate the right freely to examine the sources and to apply liberal humanitarian ideas and values to their interpretation. For that reason, as H.A.R. Gibb has rightly expressed it: "the modernist movements are generally personal and individual and less patient of organization than movements based on tradition."³

Since the essential goal of Muslim intellectuals is the defense of Islam against corrupting influences and practices, as well as the reconstruction and reassertion of the faith and its central tenets in the light of modern thought, they face the hostility both of nonreligious intellectuals and of the religious establishment. Religious modernism and religious reformism may overlap but there are some differences. The forces of religious modernism usually come from outside the religious establishment, while reformist forces often include in their number members of religious hierarchies. While religious modernism is motivated by external forces, religious reformism results from internal processes of change. The main goal of religious reformism is to return to the original meanings of religious norms and values. In order to strengthen the religion, religious modernism does not hesitate to borrow ideas from outside and add them to the religious

¹ Charles C. Adams, *Islam and Modernism in Egypt* (New York: Russell and Russell, reissued in 1968, first published in 1933), p. 1.

² Fazlur Rahman, *Islam*, 2nd ed. (Chicago: University of Chicago Press, 1979), p. 222.

³ H.A.R. Gibb, *Modern Trends in Islam* (Chicago: University of Chicago Press, 1947), p. 58.

corpus. While religious reformism tries to derive solutions from within the religion, religious modernism provides a framework for analysis of the problems of the time.⁴

Since the advocates of the new Islamic trend under study in this work shared more or less common motivations and goals (at least during its formative period even if not later when the movement began to fragment), and in view of their differences with their predecessors at the turn of the century, their movement has been identified as religious modernism and not as reformism. Since their attempt was essentially an intellectual endeavour, the terms religious intellectualism and religious modernism are used here interchangeably. What follows in this chapter is an account of the cultural and sociopolitical conditions which gave rise to religious modernism in Iran in the middle of the twentieth century, an intellectual religious movement which eventually turned into a major political force and shaped the minds and ideals of following generations. It will be against this background that the views of the prominent representatives of this movement on democracy and their attempt at accommodating it within their theory of the Islamic state will be discussed in the following chapter.

During the 1940s and 1950s a religious reformist tendency can be discerned in Iran. Although it was limited to a few isolated reformers within the clerical establishment, the influence it had on the new élites of the country was by no means negligible. Three such reformers were Sharīʿat Sangilajī (1890–1943), a Shīʿite clergyman influenced by Wahhābism, ʿAlī Akbar Ḥakamīzādah and Aḥmad Kasravī (1890–1946); the last two eventually discarded their clerical garb. All three, in spite of differences over minor issues, shared a common goal. They were primarily interested in attempting a rationalistic

⁴ For detailed accounts of characteristics and specifications of Islamic modernism, reform, and revival see for instance: Gibb, *Modern Trends*; Jacques Waardenburg, "Islam as a Vehicle of Protest," in Ernest Gellner, ed., *Islamic Dilemmas: Reformers, Nationalists and Industrialization* (Berlin: Mouton Publishers, 1985), pp. 22–49; Aziz Ahmad, "Islāh" *Et(2)*, vol. 4, pp. 141–171; John O. Voll, "Renewal and Reform in Islamic History: *Tajdīd* and *Islāh*," in John L. Esposito, ed., *Voices of Resurgent Islam* (New York: Oxford University Press, 1983), pp. 32–48; John L. Esposito, *Islam and Politics* (New York: Syracuse University Press, 1984), pp. 32–59; Fazlur Rahman, "Islamic Modernism: Its Scope, Method and Alternatives," *International Journal of Middle East Studies* 1 (1970), pp. 317–333; idem, "Revival and Reform in Islam," in P.M. Holt, Ann K.S. Lambton and Bernard Lewis, eds., *The Cambridge History of Islam, Islamic Society and Civilization*, vol. 2B, (Cambridge: Cambridge University Press, reprint 1982), pp. 632–656.

purification of religion, and tried to elevate the social status of Iranian Muslims by refuting the deplorable superstitions which had overwhelmed the life and faith of their compatriots. As far as their challenge to official Islam was concerned, all three vehemently criticized first and foremost the clerical establishment as being responsible for fostering superstitious beliefs among believers in order to perpetuate its own power. Condemning the *'ulamā'*'s version of Islam as being contrary to progress and science, they held them responsible for the then current lack of interest in religion among the younger and educated generation. Himself a member of the *'ulamā'*, Sangilājī did not identify with his colleagues in the religious establishment. The program which he undertook was a major threat to their moral authority. Having a positive attitude towards the modern world and presuming the positive force of modernity, he sought above all to present a dynamic Islam through resorting to the essential values of the Qur'ān. He believed that in the interplay between Islam and modernity Islam should not recede into asceticism and lose its identity. Rather it should return to its original form, as it was before it fell under the yoke of clerical conservatism. This original form of Islam

... was the religion of the intellect, of logic and *fiṭrat*; the religion of monotheism and the destruction of idols; the religion of virtue and of morals; the religion of patience and of courage, of science and of rectitude. Islam was the law of humanism; it gave man freedom of spirit, of knowledge and intelligence. Islam delivered man from the slavery of priests.⁵

Although Sangilājī's criticism of certain Shī'ite teachings and the Shī'ite clergy made him rather a Wahhābī in the eyes of the *'ulamā'*, he repeatedly reaffirmed his adherence to Shī'ism and ceaselessly employed Qur'anic citations in defense of Islam against Westernization and materialism. His main goal was purification of the sources from later innovations and additions.⁶ This was in contrast to the anti-clerical

⁵ Sharī'at Sangilājī, *Tawḥīd-i 'Ibādat* [Unity of Worship] (Tehran: Dānish, 1327/1948), p. 165.

⁶ The ideas and the roles of these men have not been studied thoroughly. However, some general studies about Sangilājī are available in: Amir Abbas Haydari, "Some Aspects of Islam in Modern Iran, With Special Reference to the Work of Sangilājī and Rāshid" (M.A. thesis, McGill University, 1954), pp. 62–81; Yann Richard, "Sharī'at Sangilājī: A Reformist Theologian of the Ridā Shāh Period," in Said Amir Arjomand, ed., *Authority and Political Culture in Shī'ism* (Albany: SUNY Press, 1988), pp. 159–177.

modernizing campaign of Alī Akbar Ḥakamīzādah, who went so far in defense of secularization that his opponents accused him of ideological compromise. In his book *Asrār-i Hizār Sālah* a number of doctrinal as well as social and political questions—from those about the actual position of the *īmāmat* within Shīʿite dogma to others about the legitimacy of temporal power, of laws written by men and of taxes imposed by a secular state—are posed to the Shīʿite clergy and clear responses sought.⁷ Ahmad Kasravī also went too far in his advocacy of the purification of religion to the extent that, after propagating his new doctrine of *Pāk Dīnī*⁸ and engaging in other questionable activities, he was considered by orthodoxy to be an apostate and was finally assassinated by the *Fidāʾīyān-i Islām*, a militant Islamic organization.⁹

No matter what method each of these three reformers employed and no matter where their activities took them, the point is that they all observed the deplorable position of religion at a time when secularism and materialism had an ever-increasing appeal for the Iranian people. Sangilajī for his part succeeded in preserving his neutrality and independence from sociopolitical trends. Concentrating his efforts on religious reform, he remained, in spite of attacks on his ideas, secure from official denunciation. However, both Ḥakamīzādah and Kasravī were somehow drawn into the prevailing secular ideology and consequently subjected to criticism and denunciation. All three in fact stimulated an outpouring of polemical literature and often harsh criticism and accusations from the religious establishment. The most important response, one may say, came from Ayatullah Khomeini. He wrote his *Kashf al-Asrār*¹⁰ in refutation of Ḥakamīzādah's and

⁷ 'Alī Akbar Ḥakamīzādah, *Asrār-i Hizār Sālah* [Secrets of One Thousands Years] (Tehran: Paymān, 1322/1943).

⁸ Kasravī's book *Varjāvand-i Bunyād* [Worthy Foundations] (Tehran, n.p. 1322/1944) is an exposition of the principles of this new creed.

⁹ Kasravī asked the Tudeh Party to wage a more militant campaign against Islam and criticized it for sometimes cooperating with the clergy against the political establishment of the Pahlavi regime. See for instance his writings entitled *Dar Rāh-i Šīyāsat* [In Politics] (Tehran: n.p., 1324/1946) and *Sarnūsh-i Iran Chi Khāwhad Būd* [What Will Be the Fate of Iran?] (Tehran: n.p., 1324/1946). For some aspects of Kasravī's life and ideas see: Ervand Abrahamian, "Kasravi: The Integrative Nationalist of Iran," in Elie Kedourie and Sylvia G. Haim, eds., *Towards a Modern Iran* (London: Frank Cass, 1980), pp. 96–132; William C. Staley, "The Intellectual Development of Ahmad Kasravī" (Ph.D. thesis, Princeton University, 1966).

¹⁰ Rūhollāh Khomeini, *Kashf al-Asrār* [Revealing the Secrets] (Qum: Muštāfavī, n.d.).

Kasravī's critiques. The book contains a number of attacks on Sangilājī's ideas too.

Although these men were defamed, the role that they played, willingly or unwillingly, in developing the religious consciousness of modern Iranian intellectuals, both clergy and laymen, is undeniable. Their names might not have been acknowledged for whatever reason, but their influence on the next generation of Iranian religious modernists is discernable. Common themes and questions such as the rational aspect of Islam, its compatibility with science and progress, the purification of Islam from outdated modes of thought and superstitions, the legitimacy and power of the 'ulamā', their teachings and their lassitude at times of crisis, their severe condemnation of *taqlīd*, etc., were some of the issues inherited by this later group of modernists. The greatest resemblance occurs between the works of Sangilājī and Ali Shari'ati, particularly in the latter's criticism of "Safavid Shi'ism." The least that can be said of their contribution is that they awakened the traditionalists to the threat of losing ground vis-à-vis non-Islamic ideas and the forces of secularism, and made them aware of the inevitable need for a new interpretation of Islam. The shift occurring in the ideological life of people like Ḥakamīzādah, Kasravī and many other less known persons with an orthodox clerical background, functioned as a sign to concerned religious intellectuals that something had to be done. What they did was attempt to formulate a new religious discourse and *Weltanschauung* which they used to shape the religious conscience of the following generations. The minds of later Iranian Muslim intellectuals were stirred by their rereading of the sources in the light of the questions posed by these men. Nevertheless, the new Muslim modernist trend remained distinctive in many ways. The religious modernism of the 1960s and 1970s was more vigorous and proved in the end to be more important and more durable. The religious modernists of these two decades were more convinced of the latent potential of their religion and were more persistent in their effort to reconcile Islam with the changing socio-cultural environment. In order to become politically and ideologically competitive with the secular forces, the religious modernizers of this era undertook the task of politicizing Islam. Expressing disillusion and disenchantment with the Westernized secular ruling class, they rose in defense of Islam and of the "oppressed classes." They expounded what they considered to be an authentic national cultural identity and demanded national economic and political independence. Thus,

their message appealed both to those whose impulse was primarily to defend Islam against the prevalent irreligious, materialistic tendencies, and to those who merely wanted to promote a political revolution in the nation. Not only did they remain loyal to Islam throughout the course of their movement for reform (unlike Kasravī), they also made every effort to discover in Islam justification for their claim that religious teachings and political activism were compatible.

In this process, the ideas advocated by the reformers of the 1940s and 1950s were not the only sources of motivation from which the later generation benefited. In the 1960s and 1970s the two movements of national secularism represented by the political establishment of the Pahlavī regime (with its fully fledged Westernization/modernization plans) and the counter trend of Marxist ideology reached their zenith in Iran. It was against such a background that the Islamic identity of the new breed of Iranian intellectuals was formed. As history reveals, "dissent in Iranian intellectual history almost always expressed itself in terms and fashions relevant to the sociopolitical situation of the age."¹¹ The emergence of the new breed of Iranian intellectuals at this juncture on the political scene was not an anomaly. Due to several reasons, particularly Reza Shah's rigorous suppression of religious opposition, religiously oriented forces were basically latecomers to the arena of modern Iranian politics. After Reza Shah's abdication in 1941, political life opened up and religious opposition resurfaced. In the brief reign of political freedom in the 1940s and early 1950s, a small militant group of activist Muslims, the *Fadā'iyān-i Islam*, and the moderate nationalist clergy, led by Ayatullah Kāshānī, were the most important religious forces in politics. Also during this period the National Movement under the charismatic leadership of Muṣaddiq came into being. This period furthermore witnessed the pervasive and active presence of the communists, represented in the Tudeh Party.

However, the coup of 1953 which placed Muhammad Reza Shah on the throne put an end to this open political activity as well as to the ascendancy of all political trends. Nevertheless, other groups were provoked into entering the political arena when the established political parties were not allowed to be active. The National Resistance

¹¹ Mangol Bayat-Phillip, "Tradition and Change in Iranian Socio-Religious Thought," in Michael E. Bonine and Nikki R. Keddie, eds., *Modern Iran: The Dialectics of Continuity and Change* (Albany: SUNY Press, 1981), p. 55.

Movement, the main opposition party in which religious modernists played a dominant role, carried on the struggle. Therefore, "it is fair to say that the political activism of the religious modernists was a direct outcome of the 1953 crisis of sovereignty."¹² Politically speaking, the religious opposition, like the secular, demanded above all the establishment of the rule of law. In the process of its consolidation as a new socio-political and intellectual force, religious modernism had to fight on three fronts: against the secular autocracy of the political regime; against its socio-political competitor, the Marxist forces; and against the traditional religious establishment.

After overcoming the political instability of the first dozen years of his reign, in the early 1960s Muhammad Reza Shah, under considerable pressure from the Kennedy administration, launched his reform programme, officially referred to as the "White Revolution." This reform program contributed to the *'ulamā'*'s dissatisfaction with the secular modernizing plans of the Shah. In this they were led by Ayatullah Burūjirdī (d. 1961), the sole *marja'* of the time. The clergy's displeasure publicly manifested itself in its opposition, in particular, to the land reform bill and the women's rights question. Although the clergy's reaction to the shah's plans was not monolithic, the growing autocracy of the shah, the corruption of the regime and most of all its pro-Israel foreign policy provided a justification for the religious opposition's wrath.¹³ The clergy's campaign against the shah's plans manifested itself in different forms, ranging from denunciations from the pulpit and protest speeches in the Majlis, to a private meeting between Ayatullah Burūjirdī and the prime minister of the time, in which the former effectively vetoed the shah's plan.¹⁴

In response, the secular modernizers took issue with the *'ulamā'*. The state-sponsored newspaper, *Ettela'at*, published a series of articles in which the anti-regime *'ulamā'* were charged with employing religion to block Iran's technical and scientific progress. Emphasizing

¹² H.E. Chehabi, *Iranian Politics and Religious Modernism, the Liberation Movement of Iran Under the Shah and Khomeini* (London: I.B. Tauris and Co. Ltd., 1990), p. 38.

¹³ See: Rouhollah Ramazani, *Iran's Foreign Policy 1941-1973* (Charlottesville: University of Virginia Press, 1975).

¹⁴ For state-clergy confrontation in the post-Muṣaddiq era see for example: Shahrough Akhavi, *Religion and Politics in Contemporary Iran* (Albany: SUNY Press, 1980), pp. 91-116; Said Amir Arjomand, *The Turban for the Crown* (New York and Oxford: Oxford University Press, 1988), pp. 71-77 and 80-87; Nikki R. Keddie, *Roots of Revolution* (New Haven and London: Yale University Press, 1981), pp. 142-183.

that Islam and modernization can be mutually supportive and that nothing had been done to contravene the *sharī'ah*, the secular modernizers charged the 'ulamā' with obscurantism, which they believed would alienate youth from their religion.¹⁵ After the death of Ayatullah Burūjirdī however the shah proceeded to implement his White Revolution with complete disregard for any opposition. Nevertheless, the fact that these debates occurred at all indicates that the religious forces had felt the thrust of secular modernization. As a result, they had no choice but to formulate reasonable answers to the serious questions posed by advocates of modernization.

The coup of 1953 which overthrew the liberal nationalist government of Muṣaddiq also caused a reversal in the fortunes of the communist Tudeh Party. Subsequent to its foundation in 1941, the party had enjoyed an unprecedented degree of popularity and influence in the era of political freedom (1941–1953), and particularly during the oil nationalization movement. By the early 1960s the Tudeh was a mere shadow of its former self. Like other organized opposition parties, it remained largely inactive in the 1960s and the 1970s, due both to the oppressive policy of the regime as well as to its own flaws.¹⁶ Nevertheless, indoctrination in communist ideology remained alive in Iran particularly among the young intelligentsia, university students and factory workers. In 1971 the Fadā'īyān-i Khalq, a guerilla organization adhering to a generally communist-oriented doctrine, was formed. Its origins may be traced back to two university student discussion-groups in the early and mid-sixties.¹⁷ Avoiding the overtly pro-Soviet communism of the Tudeh Party and adopting urban guerrilla warfare as its main tactic against the shah's regime, the Fadā'īyān-i Khalq won a broad following among the younger, revolutionary segment of Iranian society. This state of affairs alarmed Muslims into doing something about the passive tendency then being manifested in Islam towards socio-political issues, a tendency which was proving costly. Those concerned, both lay and clergy, set them-

¹⁵ For the details of these editorials and the charges levelled against the 'ulamā' see: Akhavi, *Religion and Politics*, pp. 104–110.

¹⁶ For an account of the early history of communism in Iran and the Tudeh Party see: Ervand Abrahamian, *Iran Between Two Revolutions* (Princeton: Princeton University Press, 1982), pp. 281–415 and 450–457; idem. "Communism and Communism in Iran: The Tudeh and the Firqah-i Dimokrat," *International Journal of Middle East Studies* 1 (1970), pp. 291–316; Sepehr Zabih, *The Communist Movement in Iran* (Berkeley and Los Angeles: University of California Press, 1966).

¹⁷ See: Abrahamian, *Iran Between Two Revolutions*, pp. 480–489.

selves the task, which they had expected the high ranking 'ulamā' and theologians to perform, of revitalizing Islam and of making it function properly once again.

The political opening up of the early 1940s occasioned by Reza Shah's abdication also provided religiously oriented activists, though few in number, with the opportunity to engage in some kind of organized religious activities. In 1941 Sayyid Maḥmūd Ṭāliqānī (later Ayatullah) and others founded the Kānūn-i Islāmī, an Islamic society whose main activity, namely Qur'ān interpretation, was directed at discovering, teaching, and spreading the truth. A similar organization was also founded in Mashhad by Ali Shari'ati's father Muḥammad Taqī Shari'ati, namely Kānūn-i Nashr-i Ḥaqā'iq-i Islāmī. The first Student Islamic Associations were also founded in Tehran University, then the country's only university, to counteract the Tudeh and Bahā'ī activities on campus.¹⁸ Although forming Islamic associations was a very novel act on the part of the intellectuals, their influence on society was still negligible, for the then general atmosphere among Iran's intelligentsia and the educated segment of society was secular. Yet this type of organized activity paved the way for the next generation of Muslim activists who entered politics after the 1953 coup. The 1960s for instance witnessed an increase in the number of religious societies formed in the universities, among expatriates, and by professionals such as engineers, physicians and teachers. One of the best known of these societies, and one which made a significant contribution to religious modernization, was the Anjuman-i Māhānah-i Dīnī (Monthly Religious Society). This society was founded in the fall of 1960 by a group of concerned Muslims, including a few enlightened religious scholars such as Ayatullah S. Maḥmūd Ṭāliqānī, Ayatullah Murtaḍā Muṭahharī, Mahdī Bāzargān and some prominent bazaar leaders. The society grew out of a ten day series of lectures held in honor of one of the Shī'ite mourning occasions in the

¹⁸ For detailed information on the Islamic Student's Associations see Chehabi, *Iranian Politics*, pp. 121–123. For the Tudeh's pervasive influence among university students, and their activities such as forming clubs, establishing student unions, and finally winning the recognition of the university authorities as the official representative of students in various faculties see; Mahdī Bāzargān, *Mudāffat dar Dādghāh-i Ghayr-i Šālih-i Tajdīd-i Naẓar-i Nizāmī* [Defence Before the Illegitimate Military Court of Appeals] (Tehran, 1343/1964; repr., Bellville, Illinois: Nahdat-i Āzādī-i Iran Khārij az Kishwar, 1356/1978); Nāsir Harīrī, *Musāhibah bā Tārīkhsāzān-i Irān* [Interview with Iran's History Makers] (Tehran, n.p., 1357/1979); Abrahamian, *Iran Between Two Revolutions*, pp. 329–334.

house of a bazaar merchant. The lecture series was so successful that its organizers decided to organize one lecture every month. The series of lectures was eventually to last about two and a half years. A total of thirty-one talks were given, and these were published in three volumes, entitled *Guftār-i Māh*.¹⁹ Compared to traditional religious meetings the monthly lectures were innovative in many ways, particularly in their setting, content and format, lecturers and audience. Aiming to shake up a lethargic religious community and to make Islam more relevant to society, the lecturers emphasized the this-worldly aspect of Islam. Some lectures dealt with the necessity of providing a viable response to the young and their problems. This response was to be found basically in the Qurʾān, not in *fiqh* (jurisprudence), for the undue attention given to the latter was seen as having turned Islam into a rigid, stationary and lifeless religion. The emphasis on the social dimension of ethical commands, such as *amr-i bi maʿrūf wa nahy-i az munkar* (enjoining what is good and forbidding what is evil), rather than on the internal or spiritual aspects of faith, presented Islam as a total way of life. The lectures refrained from direct political attacks on the regime; indeed, certain members like Bazargān and Saḥābī avoided lecturing altogether in order not to provoke SAVAK, the regime's secret police. Nevertheless, since no political party was officially allowed to be active, and because these lectures had attracted large audiences, among them many nationalist statesmen and opposition figures, they were eventually banned in early 1963 by the government. However, the lectures stimulated the minds of many clergymen and religiously oriented students. Among those who had participated were many who later became prominent figures in the Islamic revolution. Some of the ideas and subjects discussed in these lectures later surfaced in the works of these men.

Another important step towards modernizing religious thought in the sixties was the publication of a volume of essays entitled *Baḥthīdar Bārah-i Marjaʿīyat wa Rūḥānīyat*²⁰ (An Inquiry into the Institution of Marjaʿīyat and the Clergy). Among its authors were many of the participants in the *Guftār-i Māh* series. After the death of Ayatullah Burūjjirdī in March 1961 Iranian Shīʿites, who had become accus-

¹⁹ *Guftār-i Māh: Dar Namāyāndan-i Rāh-i Rāst-i Dīn* [Monthly Discourse: On Showing the Right Path of Religion] 3 vols. (Tehran: Šadūq, 1340–1342/1961–1963).

²⁰ *Baḥthīdar Bārah-i Marjaʿīyat wa Rūḥānīyat* [Concerning the Institution of Marjaʿīyat and the Clergy] (Tehran: Intishār, 1342/1962).

tomed to the idea of a sole *marja'*, experienced considerable uncertainty. Although a number of prominent ayatullahs were plausible successors, none was clearly recognized as *a'lam*, the most learned. In a telegram of condolence sent to Ayatullah Muḥsin Ḥakīm, a senior *mujtahid* resident in Iraq, the Shah indicated that he preferred that Burūjirdī should be replaced by someone who had shown almost no interest in Iranian politics.

Meanwhile the Islamic associations decided to organize a symposium in Tehran and invited certain important yet progressive clergy to present papers and discuss different aspects of the question of succession. The symposium did not take place but ten papers were collected and published in 1962—i.e. the volume of essays entitled *Baḥthī-dar Bārah-i Marja'īyat wa Rūḥānīyat*. The reason why the Islamic associations took such an active interest in the question is a complex one. It cannot be attributed to a mere increase in public religious activity, nor was it simply a timely topic for debate. Rather, the answer to this question must be sought in the '*ulamā'*'s reaction to change. This was typified by Ayatullah Burūjirdī's decision to remain aloof from Iranian politics and by his adoption of a conservative position vis-à-vis the Shah's reform programs and the proposed changes to the curricula of the *ḥawzahs* (Islamic seminaries). This was moreover evident in how the forces of secular modernization had made themselves felt among the '*ulamā'*', who differed in their assessment of the socio-political situation in Iran and of the role that religion should play in it. These concerns were answered to some extent in the modernists' debate over Shī'ite Islam's central institution, the *marja'īyat*. The volume's contents stimulated the interest of many younger '*ulamā'*' and students. It was widely circulated and was soon reprinted. Yet the conservative '*ulamā'*' were anything but delighted with the book which severely criticized different aspects of the religious leadership, the *ḥawzah*, and the organizational structure of the religious institution. The work remains today a very important one and indeed represents "the first attempt by a group of writers in modern times in Persia to examine and reappraise the different aspects of a fundamental issue of the faith."²¹ The major points dealt with in the collection are: the decentralization of the *marja'īyat* and

²¹ A.K.S. Lambton, "A Reconsideration of the Position of Marja' al-Taqlid and the Religious Institution," *Studia Islamica* 20 (1964): pp. 134–135. Also see: W. Millward, "Aspects of Modernism in Shī'a Iran," *Studia Islamica* 37 (1973): pp. 111–128;

the necessity of a *shūrā-i fatwā*, i.e. a committee of *mujtahids* to issue collective authoritative opinions; the development of *ijtihād* and a reconsideration of *taqlīd*; reform of the *hawzah*'s curricula, i.e. reducing the centrality of *fiqh* and including *akhlāq* (ethics) and *falsafah* (philosophy); the clergy's financial independence from religious donations; the incorporation of social, economic and political issues in the interpretation of Islam; reproach directed at the '*ulamā*' for political passivity; concern for Ayatullah Burūjirdī's cordial relations with the Shah; and some significant remarks on Islam and democracy.

In the short run the impact of the efforts at religious modernization in the 1960s was quite small. The participants in the *Guftār-i Māh* series and the book on *marja'iyat* were few, the nature of their discussion often scholarly and abstract compared to the simple language of traditional preachers, and the audience for the debate limited. Besides, neither the conservative clergy nor the political establishment welcomed these efforts or sought allegiance with the religious modernists. In the long run, however, it proved to have a great impact, particularly on the young who were looking for a new way of thinking about religion and a new religious discourse. The ideas and issues first brought up in the monthly talks and those in *Bahthīdar Bārah-i Marja'iyat wa Rūhānīyat* were further developed in the next phase of the religious modernist movement which started in the Ḥusaynīyah-i Irshād, with its main figure and most popular speaker, Ali Shari'ati. The Ḥusaynīyah-i Irshād was founded in 1964. Among the original founding members were Ayatullah Muṭahhari, Nāṣir Mīnāchī, a lawyer, and Muḥammad Humāyūn, a prominent bazaar merchant and the main financial benefactor of the Ḥusaynīyah. The Ḥusaynīyah-i Irshād was originally intended to be and officially registered as a research and educational institute. Its location, edifice, administration, programme, speakers and the topics addressed marked from the very beginning its difference from the traditional religious centres run and controlled by the orthodox '*ulamā*'.²²

Akhavi, *Religion and Politics*, pp. 117–129. Since the Islamic Revolution contents of the book are sometimes evoked by the critics as authoritative views of insiders about the problems of the institution. Indeed the authoritative nature of the book has increased since the time of its publication due to the importance that these authors gained later as senior scholars and also in the course of the Islamic Revolution.

²² For detailed information on the Ḥusaynīyah-i Irshād see the interview with Nāṣir Mīnāchī in *Mīzān* (Tehran), November 5, 1980; Aḥmad 'Alībābā'i, "Ḥusaynīyah-i

The Ḥusaynīyah served as the center of religious modernism in Iran. The institute's activities brought to the fore and institutionalized the rift between the religious intellectuals, the traditional orthodox 'ulamā', and the Islam of the masses. This division was also reflected within the modernist camp by the clash between the laity, headed by Shari'ati, and the clergy, headed by Muṭahhari, who was the Ḥusaynīyah's driving force before Shari'ati joined the institute in 1969. Soon after Shari'ati's popularity increased, the institute came under attack from two sides. Shari'ati's radically anticlerical position and the heterodox innovations in the style and substance of his teachings displeased large sectors of the 'ulamā'. In conservative circles Shari'ati and thus the Ḥusaynīyah were accused of teaching Wahhābism, communism, and even of being SAVAK collaborators. The government, which had already shown tolerance towards the Ḥusaynīyah and its activities, presuming that it would weaken the conservative clergy and sow discord in religious circles, became increasingly alarmed by the politicization of its religious activities. In November 1972 the government ordered its closure. Shari'ati and Mīnāchī were subsequently arrested.

Those individuals who participated in the religious modernist movement reflected the taste and tone of the time. After 1953 many of the young Iranian intelligentsia began questioning ideologies that had inspired previous generations. They felt increasingly uneasy with regard to Marxism—even though they themselves borrowed heavily from Marxist teachings—in view of its alien character. It was not only a product of the West, it was also anti-Islamic. Nor had it succeeded in creating "just societies" even in its heartland. Furthermore, the communist countries, notably China and the Soviet Union, had cordial relations with the shah. The state-sponsored form of nationalism that yearned for a pre-Islamic Iran with its imperial glory restored fared no better because it lacked roots among the masses and was used for legitimizing the regime. Moreover, the new generation of intelligentsia could not identify with the form of Shī'ite

Irshād rā Mutajaddidīn az Mutaqaddimīn Bastand" [The Modernists Closed the Ḥusaynīyah to the Traditionalists], *Kayhan*, (Tehran), November 15, 1980; idem, "Shari'atī Guft: Raftam Ḥaram-i Imām Riḍā Dard-i Dil wa Da'wā bā Ḥaḍrat" [Shari'ati Said: I Went to Imām Riḍā's Shrine to Chat and Quarell with His Excellency], *Kayhan* (Tehran). June 19, 1980; Akhavi, *Religion and Politics*, pp. 143–144; Chehabi, *Iranian Politics*, pp. 202–210.

Islam which was preached and taught by the traditional *'ulamā'*, whose main concerns were ritual practice, *ḥadīth* interpretation, jurisprudence, and various esoteric issues, none of which had much to do with the rapid socio-economic and cultural changes occurring in the world. Thus a kind of ideological vacuum existed. A dynamic religion which could speak the language of the masses and at the same time enable them to achieve their socio-political aims without the risk of Iran becoming Westernized was seen as the best alternative. What the religious intellectuals of the 1960s and 1970s produced in Iran was exactly what the young intelligentsia craved: "a radical layman's religion that disassociated itself from the traditional clergy and associated itself with the secular trinity of social revolution, technological innovation, and cultural self-assertion."²³

The Muslim intellectuals' efforts at reformulating Islamic thought and practice took in the entire range of doctrines, institutions, ethics and rituals, as well as the Islamic outlook on history. However, in the following chapter only those issues which are relevant to the subject of this study, namely, the place of democracy in the religio-political teachings of the main figures of the movement and their attempt at reconciling Islam and democracy will be examined.

²³ Abrahamian, *Iran Between Two Revolutions*, p. 473.

CHAPTER FOUR

RELIGIOUS MODERNISM AND DEMOCRACY IN IRAN

In order to present the Iranian Islamists' conception of a democratic system of government, seven seminal religious thinkers whose ideas shaped or are currently shaping the nature and constitution of Shī'ite modernism in the period under study (1953–2000) are surveyed below. Ayatullah Sayyid Maḥmūd Ṭāliqānī (1910–1979), Maḥdī Bāzargān (1907–1995), Ali Shari'ati (1933–1977), Ayatullah Sayyid Muḥammad Ḥusayn Ṭabāṭabā'ī (1903–1981), Ayatullah Murtaḍā Muṭahharī (1920–1979), Ayatullah Sayyid Ruhollāh Khomeini (1902–1989), and Abdulkarim Soroush (1945–). Four of these were clerics of an intermediate to high stature while the other three were/are religiously minded lay intellectuals. The present chapter will examine the ideas of the first six of these figures, since they were the primary architects of the ideological build-up that preceded the Iranian Revolution in 1979. A discussion of Ayatullah Ṭāliqānī's views and activities will precede that of Bāzargān because it will provide a contextual background for the latter. Abdulkarim Soroush's views will be dealt with in a separate chapter for two reasons: first, chronologically he is a post-revolutionary thinker; and second, although his ideas are rooted in the thought of his predecessors, they represent a shift which marks the birth of a new breed of religious modernism.

Owing to the wealth of readily available biographical information on these individuals, and more importantly, in order not to deviate from the main objective, the present chapter will not discuss these men's lives in any detail, but will instead pursue two major lines of inquiry.¹ First, a brief discussion of the features or themes common

¹ Biographical and general accounts of these outstanding Iranian Islamists may be found in almost any publication about the Iranian Revolution. Some of the most comprehensive ones are: Nikki R. Keddie, *Roots of Revolution* (New Haven and London: Yale University Press, 1981); Said Amir Arjomand, *The Turban for the Crown* (Oxford: Oxford University Press, 1988); Ervand Abrahamian, *Iran Between Two Revolutions*; Shahrugh Akhavi, *Religion and Politics In Contemporary Iran*; H.E. Chehabi, *Iranian Politics and Religious Modernism; The Liberation Movement of Iran Under the Shah and Khomeini* (London: I.B. Tauris, 1990); Hamid Dabashi, *Theology of Discontent: The Ideological Foundation of the Islamic Revolution in Iran* (New York: New York University Press, 1993).

to all their writings will take place. The diversity of their religious and secular backgrounds did leave an impact on their respective approaches, which consequently won them a variety of political constituencies, even though their socio-political discourse can be said to enjoy certain common characteristics. The second main line of inquiry, which in fact is the primary objective of this chapter, will consist of a systematization and analysis of these individuals' specific statements about the possibility and the place of democracy in an Islamic state. What were their respective understandings of this relationship? Was there any attempt at all to reconcile the two? To meet this objective, the contextualization of these ideas in their respective settings is imperative. Therefore some cultural, socio-political and historical materials will be introduced which will occasionally lend a political tone to the text, although this study intends in no way to be either a social or a political history of the period.

As mentioned in the previous chapter, the socio-cultural milieu of Iran between the downfall of Muşaddiq's national democratic government (1953) and the Revolution of 1979 witnessed many different currents of thought, each with discrete structures of social perception and political inclination. To place the Islamic modernist discourse of this era in its context, one could say that it essentially interacted with three prominent groups: the secular modernists, the clerical community and the Marxists.

The secular attitude of the modernists enjoyed a dominant position in dictating the form and content of social perceptions in that it exercised authority in several fields, including politics, under the Pahlavi regime. The notion of Iranian national identity portrayed by this group was a romantic one, built upon references to ancient Iranian empires and the Aryan race. It was of a secular nature and supported the Pahlavis' plan to westernize the country; thus it enjoyed the patronage of the regime. Religious modernists responded to this socio-cultural trend by emphasizing the Islamic ingredient in the Iranian national identity, and by demanding socio-economic development and modernization without dependency on the West.

The most significant aspect of the traditional clerical community addressed by the Muslim modernists was their conservative and reactionary political position. The quietist position of the traditional '*ulamā*' had minimized the political role of Islam and had put them at ease with the authoritarian notion of government.

In contrast to the approach adopted by the clergy, Iranian Marxists ardently advocated revolutionary praxis, class conflict and anti-imperialism in line with cold war polemics.

In rejecting both these types of discourse, the Muslim modernists set themselves the task of generating an Islamic *Weltanschauung* which would be both responsive to current social issues and which would also rejuvenate religion. The most consistent and common themes in the Islamic modernist discourse were: religious moralism; the mundane functions and benefits of Islam, particularly its voice in politics; Islam's role in forging a national identity; innovative methodologies in the interpretation of religious texts; and a revolutionary analysis of Islamic history. The ideas, as well as the principles underlying them, which the Iranian Shī'ite modernists addressed were the same as those which concerned their Sunni counterparts. Being convinced, like other Islamic modernists, that "true" Islam had been deformed in the process of its later development by the infiltration of alien ideas, the Iranian religious modernists advocated a return to the sources of the faith in order to recover its pristine qualities. This meant a return to the Qur'an, the traditions of the Prophet and the Imams, and the *Nahj al-Balāghah* which the Shī'ites attribute to Imam Ali. Perhaps the most significant contribution of these religious modernists was their revival of interest in the exegesis of the Qur'an (*tafsīr*), which had fallen into neglect among the orthodox Shī'ite 'ulamā' and which no longer had a central place in the curricula of the religious seminaries.² Ayt. Ṭabāṭabā'ī, with his twenty volume work of *tafsīr, al-Mīzān*, stands out as the most authoritative exegete of contemporary Shī'ism. A large part as well of Ayt. Ṭāliqānī's scholarly activities consisted in interpreting the Qur'an in modern Persian. His volumes of *tafsīr, Partawī az Qur'an*, enjoy great popularity among lay readers and young Muslim activists. Besides frequently quoting the Qur'an in his works, Mahdī Bāzargān also produced separate studies of Islamic scripture. Inspired by Régis Blachère's critical work on the Qur'an *Introduction au Coran* (1959),

² Some complaints regarding the marginality of Qur'anic studies compared to *fiqh* may be found in Ayt. Muṭahhari's writings. See for instance his *Rahbarī-i Nasl-i Jawān* [Leadership of the Young Generation], (Tehran: Kānūn-i Khadamāt-i Farhangī Alast, 1361/1982); and "Mushkil-i Asāsī dar Sāzmān-i Rūḥānīyat" in *Baḥthī dar Barah-i Marja'īyat wa Rūḥānīyat*, p. 175.

Bāzargān produced his *Sayr-i Tahavvul-i Qurʾān*. Shariʿati’s criticism of the traditionalists’ treatment of the Qurʾan and his emphasis on giving the holy book a greater part in daily life and on rescuing it from a merely ceremonial role in weddings and funerals was perhaps the most effective attempt to make the Qurʾan the primary source of Islamic ideology. His revolutionary interpretation of certain Qurʾanic concepts such as *nās* (the masses), *qisṭ* (justice), *jihād* (struggle), etc., constituted the key elements of his Islamic revolutionary discourse. Ayat. Khomeini’s independent approach to *tafsīr*, characterized by mystical interpretation, appeared immediately after the revolution. His intellectual background indicates that, unlike the majority of his fellow ‘ulamā’, he had engaged in a close study of *tafsīr*, even though his primary concentration was on *fiqh* (Islamic jurisprudence). As far as the prophetic traditions and the exemplary model of Prophet Muḥammad, the Imams and some other outstanding figures of early Islamic history were concerned, all six of the individuals under study here made frequent use of these paradigms in their works, often to considerable effect. The *Nahj al-Balāghah* of Imam Ali in particular has always occupied a prominent position among the canonical Shīʿite texts. Both Ṭāliqānī and Muṭahharī wrote commentaries on parts of it. What is more, both Muṭahharī and Shariʿati produced full-length works on the life and character of Imam Ali, highlighting in particular his political ethics and his conduct, and the symbolic value of these for Muslim statesmen. Besides Imam Ali’s sermons, which teach piety on both the personal and social levels, there are in Shīʿite modernist literature, abundant references to and interpretations of his famous letter to Mālīk Ashtar, the governor that he appointed over Egypt. There is no discourse on the nature of government which does not allude somehow to that particular letter as providing the example of a just political system, whatever the writer’s definition of justice might be. Like their Sunni counterparts, Shīʿite modernists also tried to convince their audience that the spirit of Islam is not against science, in spite of the current absence of a scientific spirit of inquiry in the Islamic world. Another common feature, either explicit or implicit, in the writings of all these Iranian Shīʿite modernists is their anti-dictatorial and anti-imperialistic position. In reaction to Iran’s bitter experience of foreign meddling in its affairs and to the non-democratic policies of the Pahlavi regime, they developed a strong “anti” dimension in their discourse. This dimension was expressed in a call for political action.

Their conviction was that if Muslims wanted to improve their lot they had to take their destiny into their own hands, a conviction which they substantiated with the Qur'anic verse: "God changes not what is in a people, until they change what is in themselves" (13:12). This verse became a political maxim which they taught their compatriots. Thus the common goal of all these men was to educate the people about the role that they could and should play in the decision-making processes of their society; a role that they had long been deprived of under dictatorial rule. To achieve this goal each of these thinkers used the Iranian Islamic heritage in his own particular way, reflecting his perception of the role and place of the people in the political life of what he saw as the ideal society. We will show how they went about this in the following pages.

Among the six Iranian religio-political thinkers selected for study here, Ṭāliqānī and Bāzargān had a longer history of direct political involvement and engagement in party politics. Although the early stage of their activities was more religious in nature, their political stance vis à vis the autocratic rule of the Pahlavis was declared much earlier than the 1963 uprising led by Ayt. Khomeini. Nonetheless, Ṭāliqānī's political views were less explicitly stated than Khomeini's.

AYATULLAH SAYYID MAḤMŪD ṬĀLIQĀNĪ

Ayatullah Sayyid Maḥmūd Ṭāliqānī (1910–1979) was, from the beginning of his career as an *‘ālim*, an extremely independent-minded member of the clergy. After pursuing his theological studies in the famous seminary at Qum, Ṭāliqānī resided in Tehran where he taught at a theological school. In 1939/40 he was jailed for six months for his opposition to the religious policies of Reza Shah (1941). This was only the first of the many jail sentences or periods of exile that he had to face in his lifetime. During the open political atmosphere that reigned after the abdication of Reza Shah, Ṭāliqānī became the main lecturer at the Hidāyat Mosque in Tehran, then a meeting-place for a small group of politically minded religious individuals. His ideas earned him a high level of prestige, for they appealed to the more educated youth of Iran who considered Ṭāliqānī's views an alternative to the ideas of both the traditional *‘ulamā’* and westernizing forces. In the period 1949–1953 he strongly supported the national democratic policies of Muṣaddiq's government

and remained the most prominent clerical supporter of the National Front after Ayt. Kāshānī ceased to help Muşaddiq. The royalist coup d'état of 1953, which overthrew Muşaddiq's government, also brought about the collapse of the National Front, many of whose leaders had been arrested. In 1954, after their release from prison, some of them maintained secret contacts with Muşaddiq, who remained under house arrest until his death in 1967. They used their new-found freedom to reorganize the Front, which had previously been a loose coalition of independent political organizations each with its own political strategy, under the new name of Nahdat-i Muqāvat-i Millī, or National Resistance Movement (NRM).³ Among the prominent figures in the NRM were its religious minded members Mahdī Bāzargān and Sayyid Maḥmūd Ṭāliqānī. The NRM began with high hopes, but after only four years it was dissolved due to a combination of internal conflict and police repression. Taking advantage of the slight relaxation of police controls in 1960–1963, opposition was once again revitalized. Ṭāliqānī, Bāzargān, Yadullāh Saḥābī and a few other like-minded individuals formed in 1961 a group named Nahdat-i Āzādī-i Irān, or The Freedom Movement of Iran (FMI), and joined it to the Second National Front. We will have more to say below about the FMI.

Ṭāliqānī was jailed a second time in the 1960s for his activities in the FMI. Similarly, he was imprisoned in the 1970s for his support of the leftist Muslim guerillas, the Mujāhidīn-i Khalq. Ṭāliqānī was generally regarded as the most liberal and progressive among the Iranian '*ulamā*' both before and after the 1979 Revolution, serving as he did as a link between lay and religious groups. He was perhaps the most isolated among the '*ulamā*' but was undoubtedly the most popular. His prominence and popularity in the 1979 Revolution was second only to that of Ayt. Khomeini. Besides his commentaries on the Qur'an and the *Nahj al-Balāghah*, Ṭāliqānī produced a number of other works primarily dealing with socio-economic problems. Although he did not devote an independent work to political issues, his political ideas are expressed throughout his

³ The more prominent organizations within the NRM included the Iran Party, the National Party, and the Socialist Society, headed respectively by Sanjābī, Furuḥar, and Khalīl Malikī. Another re-alliance of these parties later created the Second National Front.

writings, most notably in his introduction and notes to Ayt. Muḥammad Ḥusayn Nāʾīnī's *Tanbīh al-Ummah wa Tanzīh al-Millah*, originally written in 1909.⁴ In this work Ṭāliqānī constructs an argument against despotic rule and expresses his approval of the constitutional limitations to autocratic power. Taking up Nāʾīnī's line of reasoning, Ṭāliqānī argues that Shīʿism is inherently against autocracy and for democracy without elaborating his conception of the latter.⁵ In fact he condemns despotism and concentration of power as a form of idolatry and, as such, considers it an offense against *tawḥīd*. Here, *tawḥīd* for Ṭāliqānī is not just the unity of God's essence or that of His attributes. He extends its meaning to Divine Sovereignty, the unity of divine laws ruling the whole universe. Ṭāliqānī contends that the main objective of all the prophets throughout human history was to invite man and guide him to this extended meaning of *tawḥīd*. Otherwise, he asks, if they were appointed simply to preach unity in worship or to struggle against idolatry, then why did they all confront the autocrats and despots of their time, who had made idols of themselves by concentrating all power in their hands and by forcing their subjects to obey them, thus turning them into slaves? The goal of all prophetic missions was to free man from the slavery of obeying other human beings.⁶ Thus despotism is idolatry and consequently enslaves man. No religion, and Islam in particular, can or should stand such rule. Although Ṭāliqānī acknowledges the fact that constitutionalism was a foreign import, and as such faced resistance from some of the *ʿulamāʾ*,⁷ he states that "any school of thought, any social program and platform, which limits the power and will of the tyrants is one step closer to the aim of the prophets and Islam,"⁸ i.e., establishing *tawḥīd* on earth. He continues by saying that while "constitutionalism, democracy, and socialism in their true sense" are only "successive steps" towards the Islamic ideal, the true

⁴ Mīrzā Muḥammad Ḥusayn Nāʾīnī, *Tanbīh al-Ummah wa Tanzīh al-Millah* [The Admonition and Refinement of the People], 3rd ed., introduced and annotated by S. Maḥmūd Ṭāliqānī (Tehran: n.p., 1334/1955). The first edition of this work appeared in Baghdad in 1909; a second edition was published the following year in Tehran.

⁵ For a detailed exposition of Nāʾīnī's views see A.H. Hairī, *Shīʿism and Constitutionalism in Iran* (Leiden: E.J. Brill, 1977).

⁶ See Ṭāliqānī's introduction to Nāʾīnī's *Tanbīh al-Ummah*, pp. 6–9.

⁷ *Ibid.*, p. 4.

⁸ *Ibid.*, p. 10.

goal of Islam lies beyond these concepts. Ṭāliqānī develops here a theory of authority which excludes, in his view, the tyrannical reign of the king and functions in accordance with *tawḥīd*. According to him there are four levels of legitimate authority within Islam. At the top of this hierarchy, universal authority belongs only to God (*in al-ḥukm-u illā li-allāh*). The second level of authority reflects the temporal aspect of the Divine, as the will of God Almighty manifests itself in the form of rules and laws regulating the physical world as a constituent part of the universe. On the third level, authority is guaranteed to the prophets and the Imams whose will, thought and intention are entirely subject to the divine law; they are said to enjoy “spiritual infallibility” (*‘iṣmat-i ma’nawī*). On the earthly plane, the fourth state of authority is to be exercised by the just ‘ulamā’ (*‘ulamā’-i ‘ādil*) and the just believers (*‘udūl-i mu’minīn*) who must be knowledgeable in both the primary (*uṣūl*) and secondary (*furū’*) principles of religion and in whose hands rest the affairs of the society. It is in the fourth state that Ṭāliqānī apparently relegates authority to the people. However, his intention is not very clear here. He does not explain what he means by the *‘udūl-i mu’minīn*, whom he places on a par with the ‘ulamā’. He emphasizes that at this stage “it is the people’s turn to elect and designate [their leader] according to the characteristics just mentioned.”⁹ Probably he is endorsing a government which is somehow supervised by the ‘ulamā’. This is exactly the model that the constitution of 1906 had envisioned and which Nā’īnī had endorsed as conforming to Islamic principles. There is not sufficient evidence to conclude that Ṭāliqānī meant the ‘ulamā’ to govern.¹⁰

The timing of his re-publication of Nā’īnī’s book was in fact of great significance. It came just two years after the collapse of Muṣaddiq’s government and at a time when the leading cleric, Ayt. Kāshānī, had just withdrawn his support from the legitimate and constitutional government of Muṣaddiq. This was the period when Ṭāliqānī,

⁹ Ibid., p. 9.

¹⁰ See Hamid Dabashi, *Theology of Discontent*, p. 232. It seems that the unexplained omission of the expression *‘udūl-i mu’minīn* (the just believers) in Dabashi’s citation of Ṭāliqānī’s words has led him to believe that the latter should be included among the major ideologues of the Islamic Revolution, whose primary goal was the ideological and revolutionary mobilization of mass sentiment behind the concept of a theocratic state run by the ‘ulamā’.

as mentioned above, was expressing criticism of his fellow 'ulamā' and staunchly supporting Muṣaddiq's demands for constitutional rights. He in fact used his edition of Nā'īnī's work as a platform to attack any form of despotism, particularly religious despotism which he regarded as its worst form.¹¹ Also, Ṭāliqānī's emphasis on and advocacy of *shūrā* (consultation) in his later works, as well as his post-revolutionary praxis, i.e. his stand against the exclusivist policy of the leading 'ulamā', all allude to his strong belief in participatory politics. Although the main goal of his life-long struggle was to prove that politics is an integral part of Islam, in contrast to what other secular ideologies were claiming, this does not mean that he was advocating or fighting for an Islamic state ruled by the 'ulamā'. However, it is equally hard to determine what he saw as the exact form and extent of the people's participation in politics.

In his doctrinally based reading of the Qur'an, Ṭāliqānī establishes the philosophical foundation of his theory of political authority. Commenting on the Qur'anic reference to man as God's vicegerent on earth (2:30), Ṭāliqānī stipulates the conditions for the "selected vicegerents" or those human beings in a position of authority (*ulū al-amr*), namely, those who "know the secret of man's creation and are able to guide and advance man's hidden capabilities towards goodness and perfection."¹² Ṭāliqānī opines that the ultimate objective of the Qur'an is to provide man with the best of guidance on his road to perfection and salvation. On the other hand benefiting from the Qur'an requires an innate virtuosity in man, for, "the Qur'an is the Book of Guidance for the virtuous." (2:2) Thus if the ultimate realization of the goals of creation is contingent upon the degree of man's intellectual capabilities, and if man can be led only by those who are more virtuous, more cognizant of the secrets of creation and more knowledgable about the path to perfection, there remains no doubt that Muslim society must be led only by those who are the most qualified to help man achieve his potential to become the vicegerent of God on earth. This is indeed quite in accordance with Ṭāliqānī's endorsement of Nā'īnī's constitutional theory and his above-mentioned classification of authority, according

¹¹ Ṭāliqānī's introduction to Nā'īnī's *Tanbīh al-Ummah*, p. 11.

¹² S. Maḥmūd Ṭāliqānī, *Partawī az Qur'an* [Some Rays From the Qur'an], (Tehran: Intishār, 1350/1971), vol. 1, p. 118.

to which the least illegitimate was constitutional government under the supervision of the most learned and pious representatives of the 'ulamā' as stipulated in the 1906 constitution. Ṭāliqānī believed that earthly sovereignty resides in the masses of Muslims under the guidance of the 'ulamā'. However, actual government can be claimed by no one, as it belongs solely to God. After God the rightful rulers were the Prophet Muḥammad and the Twelve Imams. Yet, in their absence, all men are responsible for executing the divine law. Ṭāliqānī repeats this opinion in his later works, for instance in his *Jihād wa Shahādat*, whose text is based on a lecture delivered in the Hidāyat Mosque in 1963. There he states:

Radically speaking, there is no *Hukūmat* (government) in Islam. *In al-hukm-u illā li-allāh* (rule belongs to no one but God). Government belongs to God, the Apostle, and the Imams. After the Imam is the *mujtahid* and then the masses of Muslims who are all the executive power of divine law.¹³

Since man-made laws are susceptible to human abuses they must be checked and brought into line with Islamic law, which is of divine origin and which provides legislation which in both its letter and spirit guarantees human well-being and perfection.¹⁴ Yet the incorporation of laws into Islamic society is left to those who are qualified to do so based on their "special spiritual qualities and profound intelligence."¹⁵ Although this seems to be a direct reference to rule by the 'ulamā', as indeed it is often taken to be,¹⁶ it does not specifically say as much; its ambiguity leaves the question open to interpretation. However in another treatise written by Ṭāliqānī which was published after his death, he clearly emphasizes that sovereignty belongs to the Book of God and not to any particular individual or class.¹⁷

¹³ Mehdi Abedi and Gary Legenhausen, eds., *Jihad and Shahadat (Struggle and Martyrdom in Islam)* (Houston: The Institute for Research and Islamic Studies, 1986), pp. 65–66.

¹⁴ S. Maḥmūd Ṭāliqānī, *Islam wa Mālikīyat* [Islam and Ownership], (Tehran: Intishār, 1344/1965), pp. 137–142.

¹⁵ S. Maḥmūd Ṭāliqānī, *Islam and Ownership*, a translation of *Islām wa Malikīyat* by A. Jabbari and F. Rajaei (Lexington: Mazda Publishers, 1983), p. 84.

¹⁶ See Dabashi, *Theology of Discontent*, p. 232; Y. Richard, "Contemporary Shi'i Thought," in *Roots of Revolution*, ed. N. Keddie, p. 212.

¹⁷ S. Maḥmūd Ṭāliqānī, "Ḥukūmat-i Kitāb, Hadaf-i Bi'that-i Anbiyā'," [The Rule of the Book: The Goal of the Prophets' Mission], in *Yādnāmah-i Abūdhār-i Zāman* [Studies in Memory of the *Abūdhār* of Our Time], (Tehran: Bunyād-i Farhang-i Ayt. Ṭāliqānī, 1360/1981), pp. 170–171.

Therefore, for Ṭāliqānī, the only legitimate political authority is one which is religiously defined. His emphasis on popular participation gives a democratic colouring to his theory of political authority. However, it seems that the role of the people is limited to providing the executive power of divine law, as discussed above and understood by his predecessors like Nā'inī. The participation of the people is first and foremost their religious duty, not their right. It is an appropriate action which will lead them towards the realization of their perfection. In a sermon delivered in mid-1979, he describes the people's participation in elections as a divine act and responsibility:

Today, you brothers and sisters went to the ballot boxes. This human act, this divine act, in so far as the faith and the social responsibility are concerned, is a glorifying (*tasbīḥ*) movement because it means voting for the most honest, most informed, and most conscientious of all people. Election for what? For the preparation of the constitution, that is to say a law that would be able to cleanse the atmosphere from colonialism, tyranny, repression, injustice, selfishness; and thus prepare the means of developing your potential capabilities.¹⁸

By and large the political conditions in which Ṭāliqānī lived and the political stands he adopted both before and after the Islamic Revolution indicate that he had developed an understanding of certain democratic measures and norms, most notably manifested in his opposition to one-man rule, both in politics and religion.

As discussed in the previous chapter, one of the most important expressions of the religious modernists' position on matters of Shī'ī faith and institutions was the collective work published in the 1960s entitled *Baḥthā dar Bārah-i Marja'iyat wa Rūḥānīyat*. Ṭāliqānī's contribution to that book was the controversial article entitled: "Tamarkuz wa 'Adam-i Tamarkuz-i Marja'iyat wa Fatwā" (Centralization and De-centralization of Religious Authority and the *Fatwā*) in which he radically opposes the centralization of religious authority in the person of the *mujtahid-i a'lam* (the most learned jurist) as the *marja' i taqlīd*. Emphasizing the necessity of responding to the urgent problems of the time and stressing the fact that in Shī'ism the gates of *ijtihād*

¹⁸ Ṭāliqānī, *Dar Maktab-i Jum'ah: Majmu'ah-i Khutbah'hā-yi Namāz-i Jum'ah-i Tihārān* [At Fridays' School; Collection of Ṭāliqānī's Sermons at Tehran's Friday Prayers], (Tehran: Wizārat-i Irshād-i Islāmī, 1364/1985), pp. 11–12, quoted and translated in Dabashi, *Theology of Discontent*, p. 255.

have never been closed, Ṭāliqānī reminds the *mujtahids* of their responsibility to provide jurisprudentially informed opinions about matters of contemporary relevance (*al-hawādith al-wāqī'ah*). For Ṭāliqānī, *ijtihād* constitutes the *raison d'être* of the clergy (*rūḥānīyūn*) in Muslim society.¹⁹ He goes on to point out that as the realities of the modern world become more complicated, informed judgement requires greater sophistication and precision. Thus, individual expression of juridical opinions could result in religious despotism, a situation detrimental to Islam. The solution that Ṭāliqānī offers is “consultation.”²⁰

As a consequence, Ṭāliqānī sees three possible ways in which supreme religious authority might function: first, centralization of this authority in one or a few high-ranking *mujtahids*; second, in the absence of any kind of centralization and organization; and third, centralization of the authority in a committee that works through consultation.²¹ Ṭāliqānī rejects the first choice which leads to “the necessity of following the exemplary conduct of the most learned” (*wajūb-i taqlīd az a'lam*) and for which Ṭāliqānī can find no justification either in the religious texts, (*nusūs-i shar'ī*, i.e. the Qur'an and the traditions of the Prophet and the Imams), or in reason.²² Rather, he argues that in the time of the Prophet and the Imams, such an exclusive authority to issue religious opinions was never the prerogative of “the most learned”²³ and should not be so in the present either. He supports his argument with a Qur'anic verse (9:122) which according to him lays the basis for the necessity of *fiqh* and *ijtihād*, and which explicitly rejects exclusivity or centralization of authority in this area.²⁴ Having experienced the practical difficulties emerging from having Ayt. Burūjirdī as the sole *marja'*, Ṭāliqānī also appeals to socio-political reality in warning of the possibility of corrupt advisers who might surround a scholar who in his old age assumes the supreme leadership of the Shī'ite community, advisers who would keep him unaware of what is going on around him. Finally, he concludes that “centralization in issuing *fatwās* and administering [reli-

¹⁹ *Baḥthī dar Bārah-i Marja'īyat*, pp. 201–202.

²⁰ *Ibid.*, p. 203.

²¹ *Ibid.*

²² *Ibid.*

²³ *Ibid.*, pp. 204–205.

²⁴ *Ibid.*, pp. 205–206.

gious affairs] has neither a juridical rationale nor is it in the best interests of the religion [Islam] or Muslim society."²⁵

Ṭāliqānī likewise rejects the second option, i.e. the absence of any central organization by reason of the fact that there would never be sufficient consensus among the religious authorities regarding the prevailing questions and problems, thus causing confusion on the part of the believers.²⁶ According to Ṭāliqānī therefore the surest and most accurate way to determine the Lawmaker's (*Shāri'*) intention is the third option: a central committee of religious authorities who conduct the affairs of the Shī'ī community through consultation and on the basis of their collective consensus.²⁷ In addition to citing the Qur'anic sanction of consultation, Ṭāliqānī supports his view by offering practical evidence to show that consultation and consensus have long been practised by *mujtahids*, and that what he is suggesting is not incompatible with authority being invested in one or a few high-ranking '*ulamā'*'.²⁸ His main concern is to establish a practical mechanism through which lower-ranking '*ulamā'*' and those clerics in remote provinces could make their particular concerns and opinions heard and thus participate in the making of the final collective consensus.²⁹ Ṭāliqānī's proposal to break the long-established tradition of the most learned assuming the supreme religious authority, indicates his primary concern regarding the concentration of power, whether political, which he rejected in his introduction to Nā'īnī's book, or religious, which he considered as "religious despotism."³⁰ This small treatise clearly shows the centrality that Ṭāliqānī assigns to consultation in his theory. Indeed, in contemporary Iranian religio-political discourse, Ṭāliqānī's name is traditionally associated with the concept of *shūrā*. Also, after the Revolution he prepared a plan for local administrative committees known as *shūrāhā-yi maḥallī*

²⁵ Ibid., p. 207.

²⁶ Ibid.

²⁷ Ibid., pp. 207–208.

²⁸ Ibid., p. 208.

²⁹ Ibid., pp. 210–211.

³⁰ Ibid., p. 207. In his proposal for diffusing the power of the religious authority, Ṭāliqānī might have been inspired, as Akhavi suggests, by the famous Article 2 of the 1906–1907 constitution which called for a committee of *mujtahids* to determine the compatibility of legislation with Islamic law; see Shahrough Akhavi, "Islam, Politics and Society in the Thought of Ayatullah Khomeini, Ayatullah Taliqani and Ali Shariati," *Middle Eastern Studies* 24 (1988): p. 415.

and which were supposed to function as autonomus executive bodies in each town and city and which through a hierarchial chain would present the needs and views of the smallest social units to the government. The purpose behind this was the diffusion of political power among those at the lowest end of the society.

It was not just the concentration of political and religious powers that Ṭāliqānī was suspicious of. He equally repudiated the concentration of wealth in the hands of an individual or a group for fear that this would lead to class domination and social oppression. The theme of social justice is so prominent in Ṭāliqānī's writings that one may conclude that "the thrust of much of his argument concerning property could readily be reconciled with social democracy."³¹ Ṭāliqānī's views on this matter, as in other instances, were coloured by the events of his day. Just as his edition of Nā'īnī's book was issued following the demise of the Muṣaddīq government and in the wake of the assumption of autocratic rule by the shah, which was silently approved by the conservative 'ulamā', his book *Islam wa Mālikīyat* (Islam and Ownership)³² was written in response to the economic situation of Iran between the rise of Muṣaddīq and the mid 1960s. It can in fact be seen as a reaction to the conservative position of the 'ulamā' with respect to the shah's economic reform plans. In contrast to the rest of the religious establishment that had rejected the land reform bill, Ṭāliqānī took a more realistic position and presented a constructive opposition. He believed that both the Shah's policies and the position of conservative 'ulamā' had left the young no other alternative than to adopt Western ideologies, particularly communism and capitalism. To counter the influence of these theories, particularly the communist propaganda of the Tudeh Party which called for the redistribution of wealth and the elimination of poverty, Ṭāliqānī tried in this book to prove that Islam, economically speaking, is neither communist nor capitalist; rather, if its laws were correctly implemented it would bring about a just society. In

³¹ Akhavi, "Islam, Politics and Society," p. 415.

³² Ṭāliqānī's work *Islam wa Mālikīyat* first appeared in 1330/1951 as a fairly short treatise; it was then revised and reissued thrice by the author who increased its length and focus on each printing. It was finally published in its final form in 1344/1965. Most of the references in this work are made to its English translation entitled *Islam and Ownership*.

his critique of the western economic systems of capitalism and communism as sources of social injustice, he writes:

Free ownership causes subjugation, tyranny, centralized wealth, emergence of privileged capitalists and the deprivation of workers. The negation of private ownership limits individual freedom and, in turn, requires the dictatorship of a special class.³³

Explaining the distinct character of Islamic economics, which should be distinguished from any of the Western alternatives, Ṭāliqānī states that:

it [Islamic economics] contains conditions with regard to communal and individual wealth which are compatible with human nature, the order of a just society, and overall rights.³⁴

This was of course in line with his criticism of the essential premises of the two western economic systems that were, in Ṭāliqānī's view, the very cause of the ills afflicting Western society. He defines these as "the premise that individuals are free and independent" in capitalism and the "revolutionary ideology of a particular class" in communism which gives excessive power to the state as its representative, effectively creating class despotism.³⁵ Thus, for Ṭāliqānī the socio-economic system of Islam, whose primary function is the liberation of the oppressed, is the best option for the achievement of a just society. Social justice is, indeed, the goal of religion in Ṭāliqānī's view, as he states:

Islam has come to straighten man's stature, to direct his attention to God, and to establish justice and equality in the world.³⁶

Given all this it seems that as far as the concept of equality was concerned Ṭāliqānī was quite preoccupied with the issue of class privilege and domination, whether it involved social, political or religious groups. Although he acknowledged differences and repudiated the Marxist solution which promised a classless society, he never stopped fighting for the cause of the oppressed and always strove to awaken the people to their rights and the need to resist oppression.

³³ Ṭāliqānī, *Jihād and Shahādat*, p. 56.

³⁴ Ṭāliqānī, *Islam and Ownership*, p. 91.

³⁵ *Ibid.*, p. 146.

³⁶ Ṭāliqānī, *Jihād and Shahādat*, p. 56.

Just as he rejected the economic dominance of any class and the political dominance of any tyrant, he equally rejected any prerogatives for the ‘*ulamā*’ as a religious class. He states in this regard:

In Islamic jurisprudence, . . . no general or specific injunction can be found that is in the interest of special individuals or classes and detrimental to others.³⁷

MAHDĪ BĀZARGĀN

A Biographical Sketch

Among the prominent contemporary Iranian Muslim thinkers selected for review in this chapter, Mahdī Bāzargān was the closest to Ṭāliqānī in terms of both political background and views. Mahdī Bāzargān (1907–1995), the son of a religiously active Tabrizi merchant who had settled in Tehran, received a privileged education. For his secondary schooling he attended Dār al-Mu’allimīn, one of the earliest modern schools in the country, headed by Abul Ḥasan Khān-i Furūghī, who also taught courses on philosophy and the interpretation of the Qur’an. In 1928 Bāzargān was sent to France to pursue his studies in engineering as a member of one of the first student groups supported by a government grant to attend university abroad.³⁸ Impressed by the progress of European society, Bāzargān was determined to bring back to Iran not only science and technology but also what he thought to be the root cause of development, a modern outlook. As he recalled some thirty years later, while there may have been a modernizing tendency at the time which was primarily concerned with transferring to Iran the technological advancements

³⁷ Ṭāliqānī, *Islam and Ownership*, p. 147.

³⁸ Most of the biographical information on Bāzargān’s life is taken from his book *Mudāfi’āt dar Dādghāh-i Ghayr-i Sālih-i Tajdid-i Nazar-i Nizāmī* [Defense Before the Illegitimate Military Court of Appeals], (Tehran, 1343; repr., Bellville, Illinois: Nahdat-i Āzādī-i Iran Khārij az Kishwar, 1356/1978). An analytical biography of Bāzargān may also be found in Ibrāhīm Yazdī, “Muhandis Bāzargān; Nīm Qarn Talāsh dar ‘Arshah-i Sīyāsāt wa Andīshah-i Dīnī” [Engineer Bzargan: Half a Century Struggle in the Fields of Politics and Religious Thought], *Kīyan* 4, no. 23 (1995): pp. 2–12. A more recent source is Bāzargān’s memoirs, *Shaṣṭ Sāl Khidmat wa Muqāwamat: Khāṭirāt-i Muhandis Mahdī Bāzargān* [Sixty Years of Service and Resistance: Memoirs of Engineer Bazargan], compiled by Ghulāmriḍā Najātī, vol. 1 (Tehran: Rasā, 1374/1996).

of the West, he was more interested in discovering the non-material causes of modern civilization and progress. Undoubtedly, Bāzargān's seven years' stay in France left a profound impression on his critical mind. Besides acquiring some technical and specialized knowledge in his field of study, i.e. thermodynamics, Bāzargān brought home some important observations, which he called his "souvenirs from Europe," including an enhanced interest in religion and a deeper faith in what he calls in his works the "true" Islam, i.e. an Islam which is socially active, not an Islam of superstitions. He perceived that European civilization was neither created by nor was it the property of any individual person, rather it was the by-product of the efforts and contributions of all the members of that society. All individuals participate in its making because their efforts are valued and they enjoy freedom and respect. Thus the lasting progress and prosperity of the European or any other living society can not stand on the initiative and will of one individual, but on the collective will and common cause of the whole society, in which spiritual values such as friendship and honesty unite all members, making it an active, strong and productive unit.³⁹ Some other lasting impressions of his stay in France that Bāzargān describes in some detail are the co-existence of religion and modernity in an advanced civilization, the existence of a high degree of patriotism and sense of national solidarity, and the existence of moral virtues such as honesty, perseverance, righteousness and moderation, as well as co-operation, selflessness and hard work.⁴⁰ More important is his observation that the French were not leader-oriented; rather, ordinary individuals were honored and their rights protected. Therefore, they were motivated to contribute to the advancement of their society through voluntary associations operating free of government supervision, something that was non-existent in Iran.

In a detailed account of what he thought Iranian society needed and what the motivation and goals of a responsible member of the intelligentsia should be, two major lines of thinking emerge. One was his conviction that Islam, as he understood it, is compatible with modernity and progress; therefore there is no need for the two to

³⁹ Bāzargān, *Mudāffāt*, pp. 64–65. This was a striking observation for Bāzargān to have made, particularly in view of the socio-political conditions in his homeland where modernization had just been started from above by the autocratic rule of Reza Shah.

⁴⁰ *Ibid.*, pp. 44–56.

conflict with one another. If Iranian society wanted to raise its status among modern civilizations, there was a need to reconsider or even revive religio-ethical and social values among the people in support of material progress. The second was his anti-tyrannical position. He condemned modernization from above under political autocracy and the exclusion of the community from playing a creative role or taking any initiative. These two major themes took root in Bāzargān's intellectual makeup, due more than anything else to the socio-political climate of the first Pahlavi era. They also stayed with him throughout his life of religio-political activities. They certainly reflect the response of a religiously-minded educated man such as Bāzargān, who like other progressive members of the intelligentsia of his time yearned for the modernization of Iran, to the religiously repressive and politically autocratic policies of Reza Shah's modernizing plans. This is why he was very much impressed and relieved to see modern, civilized Europeans praying devoutly⁴¹ and finding that 68% of his French fellow students were members of Catholic student associations.⁴²

Upon his return to Iran in 1935 Bāzargān, "hopeful of reform and modernism",⁴³ joined the ranks of the civil service of Reza Shah's regime—which was the main force of reform and progress in the era known as Iranian Modernism. For about two decades Bāzargān's preference was to avoid direct political activities. He occupied during this period important positions in the civil service. Nevertheless he always considered it his task to contribute to building his society, his main concerns revolving around the issues of religious moralism, updating the role and meaning of religious practices through the scientific interpretation of Islam, and the development of a civil society's institutions and organizations. However, towards the end of the twelve year period of relative political freedom that followed Reza Shah's abdication (1941–1953), Bāzargān's interest in politics increased. During the period of the National Movement he was active in the National Front (NF) led by Prime Minister Muḥammad Muṣaddiq. During the process of nationalizing the oil industry he was appointed, in 1951, by Muṣaddiq to supervise its takeover. It

⁴¹ *Ibid.*, p. 42.

⁴² *Ibid.*, p. 57.

⁴³ *Ibid.*, p. 92.

was only about a month after the 1953 royal coup d'état that Bāzargān became directly involved in party politics by founding, along with some other collaborators of Muṣaddiq, the National Resistance Movement (NRM) of Iran. In 1955 Bāzargān was arrested for the first time and kept in jail for five months. In 1961, with eleven other friends (among them Ayt. Ṭāliqānī and Yadullāh Saḥābī) he founded Nahḍat-i Āzādī-i Iran, the Freedom Movement of Iran (FMI). After nineteen months the FMI was proscribed and in January 1963 Bāzargān and most of its leaders were thrown into prison. Following his release three years later, and throughout the 1970s under the autocratic rule of Muhammad Reza Shah, Bāzargān and his political organization, like every other political movement, kept a low profile. He himself however was actively involved in a number of the intellectual movements of the time. With the relaxation of political control in the final years of the Shah's regime, Bāzargān resumed open political activities with the establishment in 1977 of the Society for the Defence of Human Rights. On the basis of his record of Islamic and nationalist activities, Bāzargān's appointment by Ayt. Khomeini in 1979 as the first post-revolution prime minister was well received in all Iranian political circles.

As mentioned earlier, during the pre-coup d'état period Bāzargān was more involved in social and religious activities than in political ones, even though he was more politically active than Ṭāliqānī. During those years, both he and Ṭāliqānī chose spiritual renewal and self-improvement as the methods for reforming Iranian society.⁴⁴ He had no political ambition nor did he feel any disposition towards party politics.⁴⁵ Like all religious modernizers and social reformers, Bāzargān was critical of many aspects of Iranian society and culture. His main goal in pursuing intellectual activities was to cleanse the tarnished image of Islam held by the younger generation. He repudiated superstitions and superficial language in order to prove that Islam is not incompatible with science and progress, in spite of the claims put forward by the secular modernizing regime and its Marxist opponents. An "original, vital, social and creative Islam," not the "deviant Islam of superstition, ritualism, and individualism,"⁴⁶

⁴⁴ *Ibid.*, p. 74 and pp. 110–112.

⁴⁵ *Ibid.*, pp. 139–141.

⁴⁶ *Ibid.*, p. 64.

was what Bāzargān was trying to present as a total way of life, one which could meet the needs of modern man. His emphasis on Islam as an integral component of Iranian nationality was a response to the powerful socio-political current of secular nationalism under the Pahlavi regime launched by Riza Shah, as well as to the popular growth of Marxist ideas.⁴⁷ Bāzargān's preoccupation, however, with the role of Islam in the socio-political sphere, or more generally, in the mundane matters of everyday life, remained one of the major lines of his thought to the end of his life.

Bāzargān started his socio-religious activities when he joined Kānūn-i Islām (The Islamic Center) at Ayt. Ṭāliqānī's invitation. Kānūn-i Islām had no organization, programme, or membership; in these respects it was very unlike a political organization. Its primary goal was to teach and spread religious truth among its audience which included university students, military personnel, and civil servants. It was basically an expanded and more developed form of Ṭāliqānī's religious meetings, which he had maintained in continuation of his father's religious activities. The first article that Bāzargān wrote after his return to Iran was a contribution to the Kānūn's journal, *Dānish Āmūz* (The Student). It was entitled "Madhhab dar Urūpā" (Religion in Europe). The title is in itself a reflection of Bāzargān's early pre-occupation with the position of religion in society. At Kānūn meetings Ṭāliqānī delivered his sermons on Qur'an interpretation, and sometimes university professors, such as Yadullāh Saḥābī, were invited to lecture on the issues and topics relevant to the intellectual needs of the time in order to prove the congruity between modern science and Islamic tenets. Bāzargān's book *Muṭahharāt dar Islām* (Purities/Cleanliness in Islam)⁴⁸ is a version of one of his lectures delivered in the Kānūn. In this book he appeals to mathematical formulas and the laws of chemistry and physics in order to prove the scientific viability of Islamic prescriptions for ablution and other rules on personal cleanliness which receive much attention in Islamic jurisprudence. Bāzargān's attempt at a rather scientific rationalization of the Islamic faith and rituals, in which there was embedded a criticism of the traditional interpretation of Islam, continued for many years.⁴⁹

⁴⁷ Ibid., pp. 116–120.

⁴⁸ Mahdī Bāzargān, *Muṭahharāt dar Islām* [Purities in Islam], (Tehran: n.p., 1322/1943).

⁴⁹ See for instance his other publications: *Ẓarīb-i Tabādul Miṣṣān-i Mādīyāt wa*

Among other themes in his writings is his criticism of certain aspects of Iranian culture and social behaviour which he considered as the cause of backwardness and as obstacles to progress and freedom.⁵⁰ He also tried to correct the false and superficial image of the West which was then the model for Iranians, in order to show them that progress and freedom demand hard work and that they are congruent with religious morality too. As he points out, he considered it his duty to describe to his people the Europe that he had visited. He writes:

In addition to my professional activities I considered it my most important task to make my compatriots understand that the civilized, developed, real Europe was not the Europe of the novels and the cinema. Europe had not become Europe because of the men's ties and the women's lipstick. Europe had spirituality, religion, and ideals. Europe was full of activity and sacrifice. It had righteousness and social spirit.⁵¹

Due to his firm belief in cooperation and organizational work as the first step towards a civil society and vital for achieving political pluralism, Bāzargān became one of the leading founding members of Iran's first Engineers Association, Kānūn-i Muhandisīn, in 1942. This was primarily a professional association, but after a split in its ranks the Iran Party emerged out of the association as a vehicle for political action. As the political activities and propaganda of the Tudeh Party increased on the campus of Tehran University, then the country's only university, some medical students founded the first Muslim Students Association at the university's Faculty of Medicine in 1944.⁵² It aimed at disseminating Islamic teachings through propaganda and publication in order to counter the communist effort. The Muslim Students Association for its part had no direct affiliation to any political organizations, even though some of its members were individually

Ma'navīyāt [Coefficient of Conversion Between the Material and the Spiritual] (Tehran: Intishār, 1344/1965); and "Bī Nahāyat Kuchakhā" [The Infinitely Small] (Tehran: Intishār, 1344/1965).

⁵⁰ See for instance: *Fuḥṣh wa Ta'arūf dar Iran* [Complimentary and Abusive Language in Iran] (N.p., 1321/1942); *Sirr-i 'Aqab Uftādāgi-i Milal-i Musalmān* [The Secret of the Backwardness of the Muslim Nations] (Houston: Book Distribution Center, 1356/1977). An English version of the latter work was first published in *Islamic Review* (London), June, 1951; revised in the 1960s and reprinted in 1977.

⁵¹ Bāzargān, *Mudāffāt*, p. 73.

⁵² Interview with 'Izzatullāh Saḥābī, in: Nāṣir Ḥarīrī, *Muṣāhibah bā Tārīkhsāzān-i Iran* [Interview with Iran's History Makers] (Tehran: n.p., 1357/1979), pp. 173–174.

active in various political associations. Some of them also attended Kānūn-i Islām's lectures. The idea of establishing a Muslim Students Association quickly spread into other faculties, notably the Faculty of Engineering where Bāzargān was the dean. 'Izzatullāh Saḥābī, the son of Yaddullāh Saḥābī, also became a very active member of the Muslim Students Association.

During the following decade a number of similar Islamic and professional associations were to be formed by teachers, doctors, and engineers in Tehran and other provinces. None, however, became politically significant. Although Bāzargān was not involved in the establishment of the associations, he attended their meetings and delivered lectures on a regular basis. He also allocated them a prayer room on the university campus. The general atmosphere within Iran's educated class in 1941–53 was secular, with Marxist ideology being predominant. The titles of some of Ṭāliqānī's and Bāzargān's writings during this period reflect their attempt at refuting the mandate of Marxist discourse and at providing the Muslim intelligentsia with an alternative Islamic ideology.⁵³ Bāzargān's lectures "Islam or Communism", "Pragmatism in Islam", and "Labour in Islam,"⁵⁴ as well as Ṭāliqānī's lecture "Ownership in Islam" which later became an inspiring source for students of Islamic economics, paved the way for the building of an Islamic agenda which corresponded to the socio-historical agenda of secular ideology: i.e., scientific socialism. Although the impact of Muslim intellectuals' activities in general and of Muslim student associations in particular on Iranian society was only a very marginal one in the pre-coup years,⁵⁵ the intellectual and organizational experience gained was to prove useful after the coup and in the following decade when many members of Muslim student associations joined the National Resistance Movement, and later in the early 1960s when they were recruited by the religiously oriented political party founded by Bāzargān, Ṭāliqānī and Saḥābī,

⁵³ Bāzargān, *Mudāfī'āt*, pp. 78–89.

⁵⁴ Mahdī Bāzargān, *Prāgmatism dar Islām* [Pragmatism in Islam] (n.p., 1323/1944), reprinted in idem, *Madhhab dar Urūpā* [Religion in Europe] (Tehran: Intishār, 1343/1964); idem, *Kār dar Islām* [Labour in Islam] (n.p., 1324/1946; repr., Houston: Book Distribution Center, 1978); idem, "Islām yā Kumunizm" [Islam or Communism], a speech delivered at the Muslim Students' Association in Tehran (1331/1952), printed in his *Az Khudā Parastī tā Khudā Parastī* [From God Worshipping to Self Worshipping] (Tehran: Intishār, 1331/1952), pp. 38–68.

⁵⁵ Ḥarīrī, *Musāhibah bā Tāriksāzān-i Iran*, p. 173; Bāzargān, *Mudāfī'āt*, pp. 123–124.

namely, the Freedom Movement of Iran. The latter was in fact to play a significant role at crucial junctures of modern Iranian history, most notably in the 1979 Revolution.

In the 1941–1953 period, Iran's political scene, which lacked established processes and institutions, witnessed a variety of alliances between various factions depending on the tide of political events. However, the Tudeh Party and the National Front, both seeking social change and fighting conservative resistance, were the two major popular movements to emerge during this period. The Tudeh party's call for a national and democratic programme to challenge the political order and the power of the state and its claim to represent the interests of the middle and working classes, won the party a growth and popularity unprecedented in Iranian political history. Nevertheless, its alliance with the Soviet Union, its Marxist ideology, plus its role in the creation of the Soviet-backed Azerbaijan Autonomous Government, caused its demise and forced it underground in 1949. Its reemergence during the 1951–53 national democratic rule of Muṣaddiq was short-lived, once the coup d'état engineered by the royalists put an end to the activities of all existing political parties.⁵⁶

A coalition made up of a wide selection of socio-political forces representing a broad ideological spectrum emerged in 1949 under the name of the National Front.⁵⁷ The common ground which brought these groups together was their appeal to an Iranian nationalist and anti-imperialist identity, a commitment to uprooting despotism, and support for a form of constitutionalist government which would bring about the rule of law and ensure social reconstruction.

Three different political stances are distinguishable among the religious movements in Iran during this period; the conservative

⁵⁶ For the Tudeh Party see for instance: S. Zabih, *The Communist Movement in Iran* (Berkeley: University of California Press, 1966); E. Abrahamian, *Iran Between Two Revolutions*; Khalīl Malikī, *Barkhurd-i 'Aqā'id wa Ārā'* [Encounter of Beliefs and Opinions], new ed., with an introduction by H. Katouzian and A. Pishdad (Tehran: Nashr-i Markazī, 1372/1993). The latter work was first published in the journal *Shāhid* in 1328/1949; a third edition appeared in 1331/1952.

⁵⁷ For a detailed analysis of the structure of the National Front see H. Katouzian, *Muṣaddiq and the Struggle for Power in Iran* (London: I.B. Tauris, 1990); idem, *The Political Economy of Modern Iran* (London: Macmillan Press, 1981); Susan Siavoshi, *Liberal Nationalism in Iran; the Failure of a Movement* (San Francisco and London: Westview Press, 1990); Fakhreddin Azimi, *Iran: The Crisis of Democracy, 1941–1953* (London: I.B. Tauris, 1989).

position of the clerical class led by Ayatullah Muḥammad Ḥusayn Burūjirdī; the pragmatic position of Ayt. Kāshānī, the anti-British political activist cleric who initially supported the NF and Muṣaddīq's government in its early years but who finally split from it and joined the conservatives in supporting the coup d'état of 1953; and the more radical and yet smaller group, the Fadā'iyān-i Islām, whose fundamentalist ideology was to become significant, and who advocated a radical understanding of Shī'ism as a bulwark of Iranian nationalism.⁵⁸

The political activities of both Bāzargān and Ṭāliqānī in the pre-coup period were rather marginal. Nevertheless during the heyday of National Front rule and particularly at crucial moments in the history of the National Movement, they sided with Muṣaddīq. Although they were religiously inclined, politically they sided with the secular wing of the National Front. A religiously-oriented political organization as such was yet non-existent. They did not follow Kāshānī in withdrawing his support from Muṣaddīq. Bāzargān in particular had a close association with Muṣaddīq's government. For a short period, before being appointed by Muṣaddīq as chairman of the Provisional Board of Directors of the National Iranian Oil Company, Bāzargān had worked in the cabinet as the deputy minister of education under Karīm Sanjābī, a leading figure in the National Front. Bāzargān's last managerial job before 1953 was as director of the Tehran Water Organization, supervising the installation of Tehran's first water-supply network.⁵⁹

On the other hand, Ṭāliqānī's activities during this period were primarily religious. He was however involved in politics as a candidate in the Caspian provinces for election to the seventeenth Majlis, an election which was later cancelled by the government. Both Ṭāliqānī and Bāzargān were also active members of the National Resistance Movement (NRM).

⁵⁸ For Ayt. Kāshānī and the Fadā'iyān-i Islām see A. Ferdows, "Religion in Iranian Nationalism" (Ph.D. thesis, Indiana University, 1967); Yann Richard, "Ayatollah Kashani: Precursor of the Islamic Republic?" in *Religion and Politics in Iran*, ed. Nikki Keddie (New Haven: Yale University Press, 1983), pp. 101–125.

⁵⁹ For a detailed account of Bāzargān's political activities during the pre-coup period see: Saeed Barzin, "Islam in Defence of Constitutionalism and Democracy: A Political Biography of Iranian Ideologue Mehdi Bazargan" (Ph.D. thesis, University of Exeter, 1992): pp. 49–129.

It was in the first months after the coup d'état of 1953 that a group of Muşaddiqists, most of them religiously oriented, came together and set up the National Resistance Movement in order to further the goals of the National Movement, the chief of these being the establishment of Iran's independence and national sovereignty, the fight against corruption and dependency and an end to all foreign interference.⁶⁰ The NRM soon found support from the members and the affiliated organisations of the NF. The significance of the NRM lay not as much in its meager activities during its few years of existence under police control, but rather in the political position that it adopted.⁶¹ At a time when all other factions inside Iran had decided to support the coup overtly or tacitly (even the radical position of the Tudeh, before it became paralysed, had changed to one of caution and quietism), the NRM continued its resistance inside the country. Through its publications and declarations, as well as in the several demonstrations that it organized, the NRM protested against the lack of democratic freedom and most particularly against official censorship, rigged elections and martial law. Its position was based on defence of the constitution and the democratic rights of the nation enshrined in it. This contributed greatly to bringing the regime's legitimacy into question. In one of the NRM's official statements, the shah was directly accused of having "transgressed his constitutional powers."⁶² Among the themes of the NRM's ideology were: a nationalism of an anti-colonial nature; struggle against foreign domination; a demand for democratic freedoms; and popular sovereignty.

Although Iran had never been colonized, the conflict with Britain over the issue of nationalization of oil provoked feelings of Iranian patriotism. The emphasis on national identity was coloured by the anti-colonialist and non-alignment movements in the Third World during the post-World War II period. The NRM in particular viewed its own opposition to the Iranian government, which was seen by many as an instrument for implementing the wishes and policies of

⁶⁰ *Asnād-i Nahdat-i Muqāvimat-i Milli-i Iran: Şafahātī az Tārīkh-i Muʿāşir-i Iran* [Documents of the National Resistance Movement of Iran: Some pages from Contemporary Iranian History] (Tehran: Nahdat-i Āzādī-i Iran, 1363/1984), vol. 5, p. 257.

⁶¹ For the activities of the NRM see *ibid.*, pp. 254–293.

⁶² *Asnād-i Nahdat-i Muqāvimat-i Milli-i Iran: Hadīth-i Muqāvimat* [Documents of the National Resistance Movement of Iran: The Story of Resistance] (Tehran: Nahdat-i Āzādī-i Iran, 1365/1986) vol. 1, p. 114.

foreign powers, as being in line with the nationalist and anti-colonial movements in several Muslim countries, especially Egypt, Algeria and Iraq.⁶³ Besides emphatically and repeatedly demanding free elections, the NRM's ideology was directly inspired by and identified itself with the ideals of the Constitutional Revolution. The contribution of these currents of ideas and political events to the development of Bāzargān's political thought was later manifested in the ideology of the Freedom Movement of Iran. In spite of the fact the founders of the NRM were nationalist Muṣaddiqists with religious inclinations, and despite the fact that some religious groups like the Susyālīsthā-i Khudāparast (The Movement of God-Worshipping Socialists)⁶⁴ had joined the movement, the religious element in the ideological and intellectual structure of the NRM was not predominant. Religion and politics were in fact kept apart as much as possible. Nevertheless in the following decade the Islamic activism of high ranking members of the NRM like Bāzargān, Ṭāliqānī, and others, converged with their political activities in the Freedom Movement. In 1955 Bāzargān and some other members of the NRM were arrested and imprisoned for a few months. The final demise of the NRM, however, occurred in 1957 when its top leadership, including Bāzargān, Ṭāliqānī and Saḥābī, as well as the members of its Mashhad branch including Muḥammad Taqī Shari'ati and his son Ali Shari'ati, were arrested and imprisoned for about eight months. After that the NRM had no public activity. From then until the early 1960s when Iranian politics enjoyed a short liberalization, Bāzargān's political activities were of a low profile. In the post-coup period he also wrote a relatively small number of books and pamphlets, basically revisions of his previous lectures. The major theme addressed in them was that of the significance of social laws, a reflection of Bāzargān's attempt to defend political and civil liberties against the lawlessness of the arbitrary power of the tyrannical state.⁶⁵ He also developed the thesis that Iranian society, due to 2500 years of despotism, has lost its capacity for democracy, an institution which requires tolerance, compromise and cooperation. Thus,

⁶³ *Asnād-i Nahdat-i Muqāvimat-i Millī-i Irān: Saḡahāt az Tarīkh-i Mu'āṣir-i Irān*, vol. 5, pp. 24, 157.

⁶⁴ For more information on this group see Chehabi, *Iranian Politics and Religious Modernism*, pp. 113–114.

⁶⁵ See for instance: Mahdī Bāzargān, *Rāh-i Ṭay Shudah* [The Trodden Path] (Tehran: Kānūn-i Ma'rīfat, 1327/1947; repr. with extensive revisions, 1334/1955).

appropriate social and political education is prerequisite to any meaningful political action.⁶⁶

The Freedom Movement of Iran

The second form of political activity in which Bāzargān engaged was his participation in the Freedom Movement of Iran (FMI), whose ideology reflected his own political thought and discourse on many points. In the early 1960s, at the height of the government's liberalization policy, the National Front was reconstituted as the Second National Front, NF(II) by the NRM's leaders who had been freed from prison, and by other leading nationalist figures and collaborators of Muṣaddiq.⁶⁷ A few months later, conflict within the NF(II) surfaced when its radical wing, most notably the former NRM elements, decided to reconstitute themselves as a party. Nevertheless, as the contemporary literature on the event indicates, the disintegration of the NF(II) was due more to disagreements over structural and strategic issues than religious motivations.⁶⁸ Bāzargān, Y. Saḥābī and Ṭāliqānī, however, aimed at establishing a political party with an Islamic ideology. Bāzargān recalls that in spite of the fact that his group shared many goals in common with the NF(II), such as protecting the sovereignty and independence of the country and the freedom of its people, they had different motivations. He writes: "... for us, for many of our friends... there could be no motivation other than religious belief and the tenets of Islam... for us [Islam] was the basic motivation of our social and political activism."⁶⁹ Finally, in early 1961, the three men joined forces and founded the Freedom Movement of Iran (FMI).⁷⁰ The FMI, however, considered itself part of the National Movement, and informed its leader-in-exile of the event. In his reply Muṣaddiq gave his blessing and support.

The executive committee of the party consisted of Bāzargān, Y. Saḥābī, Raḥīm 'Aṭā'ī, and Ayt. Ṭāliqānī whose membership in a political party was a novel act for a member of the clergy. At the inaugural meeting of the FMI, Bāzargān enumerated the reasons for

⁶⁶ Mahdī Bāzargān, *Ishq wa Parastish* [Love and Worship] (Tehran: Sipih, 1335/1956).

⁶⁷ Katouzian, *Muṣaddiq and the Struggle for Power in Iran*, chapter 16.

⁶⁸ For a detailed analysis of the NF(II) and the separation of its radical wing see Chehabi, *Iranian Politics and Religious Modernism*, pp. 143–153.

⁶⁹ Bāzargān, *Mudāffā'āt*, p. 207.

⁷⁰ *Ibid.* pp. 207–208.

founding a new party. Besides his criticism of the performance of the existing parties including the NF(II), and especially their lack of organizational discipline, programme and political vigour and the obvious dissatisfaction that Iranians felt with their efforts, his other argument reflects his earlier conviction regarding the necessity of organizational and cooperative effort in overcoming internal and external oppression, and Iran's weakness and failure in this respect.⁷¹ The four basic principles of the party were a reflection of its concern to distinguish itself from other nationalist forces; these principles describe its members as being Muslim, Iranian, constitutionalist, and Muṣaddiqist. A fuller exposition of these principles follow, for they indicate Bāzargān's political mindset, which in itself mirrors his perception of democracy.

1. We are *Muslims*, but not in the sense of considering prayers and fasting our only duties. Rather, our entry into politics and social activism was prompted by our national duty and religious obligations. We do not consider religion and politics separate, and regard serving the people . . . an act of worship. We recognize freedom as a primary divine gift and its achievement and keeping are for us an Islamic tradition and a hallmark of Shi'ism. We are Muslims in the sense that we believe in the principles of justice, equality, sincerity, and other social and humane duties before they were proclaimed by the French Revolution and the Charter of the United Nations.
2. We are *Iranians* but do not claim that Iranians are superior to other peoples. Our love for Iran and our nationalism imply no racial fanaticism, and are on the contrary based on an acceptance of our own shortcomings and honouring of others' virtues and rights. We insist on our country's standing and independence but are not opposed to contact with other nations, [as we live] in an [increasingly interdependent] world.
3. We respect the *Iranian Constitution* as an integral whole, and will not accept that its basic principles, namely the freedom of thought, press, and reunions, the independence of judges, the separation of powers, and finally honest elections be forgotten and sacrificed, whereas minor details and misinterpreted legal formalities occupy the major role, resulting in the abrogation of national sovereignty and the rule of law.
4. We are *Mosaddeqists* and regard Mosaddeq as one of the great servants of Iran and the East, . . .

⁷¹ Ibid., p. 208, p. 211.

We honor Mosaddeq as the only head of government in Iran's history who was truly chosen and loved by the majority of the people, who acted in a direction desired by the people, enabling him to establish bonds between the rulers and the ruled and explain the true meaning of government and thus achieve the greatest success in Iran's recent history, namely the victory over colonialism.⁷²

Of the four principles in this manifesto, the first, i.e. emphasis on Islamic identity, and the third, i.e. commitment to a constitutional and democratic form of government, have proven to be the most important and the most persistent characteristics of the FMI up until the present day. These two elements remained predominant in the discourse of Bāzargān, the primary ideologue and the outstanding figure of FMI. The other two, though integral elements of FMI ideology, were more time-bound and their importance diminished gradually alongside the declining fervour of the National Movement.

Besides being their source of motivation for political activism, Islam was appealed to by the FMI as an indispensable element of the Iranian social identity. Thus, the use of what might be called religious symbolism became more frequent. Islamic language, i.e. Qur'anic verses and quotations from the sayings of the Prophet and the Imams were used in their communiqués and publications. Also, emphasis was placed on religious holy days, and on a few but important occasions the FMI sided with the religious establishment or received their support in its opposition to the Pahlavi regime. Bāzargān and Ṭāliqānī were both convinced that Islam inherently opposes tyranny and endorses social democratic norms. Their interpretation of Islam was a constitutional and democratic one. Frequent references in FMI documents to the Constitutional Revolution, and particularly to the role of Ayt. Nā'īnī, reveal their source of inspiration and their overall perception of constitutionalism, democracy and Islam.

The FMI commitment to constitutional and democratic government and its call for the rule of law, which indeed echoes the political demands of the constitutional era, should be understood against

⁷² *Asnād-i Nahdat-i Āzādī-i Iran: Šafahātī az Tārīkh-i Mu'āšir-i, Jarayān-i Ta'sīs-i Nahdat-i Āzādī-i Iran* [Documents of the National Resistance Movement of Iran: Establishing the Freedom Movement of Iran], vol. 1, (1361/1982), pp. 17–18, quoted and translated in Chehabi, *Iranian Politics and Religious Modernism*, p. 158. The italics are ours.

the background of the political practice of the time, i.e. the arbitrary lawlessness of the government and the Shah's violation of the constitution.⁷³ The FMI regarded it as its primary duty to attempt:

to revive the constitution and to establish the rule of law in order to determine the limits and the responsibilities of the various [government] powers so as to safeguard the true government of the people for the people.⁷⁴

Considering the implementation of the constitution, whatever its content, as being equal to democracy and in accordance with Islamic principles, the FMI repeatedly and consistently referred to different articles in this document and made it the supreme source and main frame of reference for its interpretation of democracy. This explains why the FMI had such high praise for Muṣaddiq as the defender of democracy and why it officially associated its very existence with his name. It should be restated that the FMI and its ideologues had the experiential background of the National Front and the National Resistance Movement, both of which grew out of parliamentary democracy as organizational representatives of the popular National Movement, which aimed at regulating the arbitrary rule of the government and at safeguarding the implementation of the constitutional rights of the nation. This sheds light, as will be explained later, on why Bāzargān's perception of democracy resembles, at least in its principles, that which his predecessors had expressed at the beginning of the century in the form of the first Iranian constitution. For Bāzargān the existence and exercise of political freedom was the main element of democracy and its denial gave him the incentive to engage in political action and oriented his political discourse.

Refutation of Despotism

In the early 1960s the FMI opposed the Shah's "White Revolution" which it considered an impractical programme for Iran, developed by the autocratic modernizing ruler at the request of his foreign allies. It also openly and severely criticized the Shah's suppression of the uprising of June 1963 led by Ayt. Khomeini. Consequently the leading members of the FMI were arrested. Ṭāliqānī and Bāzargān were sentenced to ten years' imprisonment. Bāzargān used the occa-

⁷³ *Ibid.*, pp. 133–156 and pp. 95–103.

⁷⁴ *Ibid.*, p. 25.

sion of his trial to condemn the absolutist monarchy of the Pahlavi regime, accusing it of tyranny and despotism. His defense statement, which was later published, includes his most comprehensive and systematic argument against tyranny and in support of democratic and constitutional rule.⁷⁵ This document indicates how Bāzargān had been inspired by Ayt. Nā'īnī's refutation of despotism and defense of constitutionalism. Bāzargān goes on to enumerate the disadvantages of despotism, showing his debt to Nā'īnī when he adopts the latter's logic and interpretation of the Qur'an and *sunnaḥ* to demonstrate that tyranny is an affront to God. It is *butparastī* (idolatry) and *shirk* (polytheism) and thus has grave consequences for the morals of the individual and society.⁷⁶ Bāzargān's condemnation of absolute rule and its incompatibility with the rule of God remains one of the most consistent lines in his political thought. It is also a clear example of his politicization of certain Islamic tenets. Bāzargān turns to religious argument in order to appeal to the Muslim community to resist despotism. Referring to Qur'anic stories about how all the prophets fought against the tyrants of their age, Bāzargān concludes that religion is by nature against tyranny, which is the subordination of people to the rule of someone other than God:

Religion and despotism have never been compatible. An ongoing contradiction and conflict exists between the two. Neither can God permit the obedience of one man to another nor can despotic rulers and tyrants accept the subordination and submission of people to the rule and interests of anyone other than themselves.⁷⁷

Bāzargān asserts that religion in general and Islam in particular has always been the only haven and refuge of people from absolutism. In this respect, however, Shi'ism, in historical perspective, scores far

⁷⁵ Mahdi Bāzargān, *Mudāff'āt dar Dādghāh-i Ghayr-i Sālih-i Tajdīd-i Nazar-i Niẓāmī* [Defense Before the Illegitimate Military Court of Appeals] (Bellville, Illinois: Nahdat-i Azādi-i Iran Khārij az Kishwar, 1356/1978).

Bāzargān's defense consists of two parts. The first part includes his political autobiography and a defense of the political ideas and activities of the FMI. This part, which he delivered orally to the court was first published in Tehran in 1343/1964. The second part, which includes his ideas regarding tyranny and absolute monarchy, he was not permitted to read out loud at his trial. However, a full and critically edited version of the defense was published in the United States in 1971 and reprinted in 1356/1978.

⁷⁶ Bāzargān, *Mudāff'āt*, pp. 294–295, p. 305; idem, *Āfāt-i Tawḥīd* [Monotheism's Plagues] (Houston: Book Distribution Center, 1357/1979), pp. 34–40.

⁷⁷ Bāzargān, *Mudāff'āt*, pp. 258–259.

better than Sunni Islam. For it at least never yielded to the autocratic rule of caliphs or kings. Besides, the existence of the institution of *marjaʿ-i taqlīd* in Shiʿism, which is independent of the political establishment but very dependant on the masses, financially and otherwise, gives it a democratic quality.⁷⁸ Here, Bāzargān is confusing the freedom of choosing a religious authority with that of choosing a political authority. Moreover, it indicates that he looked for a religious justification and precedent for a people's right to choose. Bāzargān's view of absolute rule and its incompatibility with Islam is consistent with his pre- and post-revolutionary discourse. Once again, in the 1980s when the *wilāyat-i faqīh* theory of Islamic government was consolidated by the ruling clergy, Bāzargān appealed to the same line of argument and to Nāʾini's book in refuting despotism in its worst form, i.e. religious despotism. He vehemently criticized the use of divine attributes and dazzling religious titles to describe political officials, most of whom were members of the clergy, and particularly if they were considered, as they themselves would have it, to be the deputies of God, the Prophet and the Imams. Thus to oppose them would have been equivalent to opposing God. By comparing this combination of political and religious authority in the Islamic Republic to the practice of the medieval Catholic Church, Bāzargān concludes that under such conditions the nation would never enjoy its due rights, nor would freedom, progress and prosperity ever survive. He appeals to the Qur'an and prophetic traditions to show that Islam is incompatible with tyrannical rule, whether it be that of pharaohs, emperors, modern secular monarchs or any other autocratic ruler acting in the name of God.⁷⁹

Opposing despotism on every front, Bāzargān draws attention to the way in which it harms the dignity of the individual character. Despotism is "the mother of all evils"⁸⁰ and causes the greatest damage to spirituality by destroying the individual. Since it is based on deceit and duplicity, it creates corruption and dishonesty. Those who live under despotic rule suffer humiliation and loss of self respect

⁷⁸ Ibid., pp. 255–258.

⁷⁹ Mahdī Bāzargān, "Dīn wa Āzādī" [Faith and Freedom], in his *Bāzyābī-i Arzishhā* [Recovering the Values], 3 vols. (Tehran: Narāqī, 1364/1985–6; repr. 19??), pp. 78–79.

⁸⁰ Bāzargān, *Mudāfīʿāt*, p. 271.

and develop a servile character. In a society ruled by despotism, humanity, decency, independence, innovation and belief in progress are destroyed by the deceit of tyranny,⁸¹ whereas under a democratic regime, or a true Islamic government as it was once correctly put into practice by Imam Ali, the individual's character is considered worthy of respect.

Beyond the moral damage that it entails, despotism is the source of all social corruption. Bāzargān enumerates and explains in detail a number of its destructive consequences, among them: dissemination of individual and public insecurity and mistrust; a weakening of the spirit of social cooperation, tolerance and solidarity upon which democracy is founded; social and political instability encouraging colonial interest and subordination to foreign rule. Despotism is by nature against development and is the chief enemy of freedom.⁸²

In his analysis of despotism, Bāzargān compares it to the rule of law and democracy, and tries to explain why the latter has never taken root in Iranian society, whereas despotism has had a long history in the country.⁸³ Three causes are identified. In the first place there is the historical fact that the land of Iran has, since ancient times, frequently been invaded by her neighbours, who imposed violence and despotism in order to maintain their rule. Second there is the fact that the inhospitable geographical conditions keep small villages apart and scattered all over the country. This does not allow for close relations or easy communication between them, or even the urban growth which in turn would encourage the development of civil institutions independent of the ruler. Such institutions are vital to the evolution of democracy on a larger scale. This explains why most Iranians are individualistic rather than communalistic and are not used to cooperation and consultation. To these two causes there should be added a third: i.e., the fact that Iranian society is predominantly an agricultural society surviving in an inhospitable and harsh setting, with all the attendant cultural and social effects

⁸¹ Ibid., pp. 260–281; Mahdī Bāzargān, *Musalman-i Ijtīmā'i wa Musalmān-i Jahānī* [The Social Muslim and the Universal Muslim] (Tehran: Intushār, 1344/1965; repr., Houston: Book Distribution Center, 1356/1978), pp. 43–44.

⁸² Bāzargān, *Mudāff'āt*, pp. 237–245, 260–268, 281–294.

⁸³ This theme is dealt with in his *Mudāff'āt* and in more detail in his *Sāzīgārī-i Irānī* [Iranians' Agreeability] (Tehran, 1343/1964; repr., Houston: Book Distribution Center, 1357/1979).

that these conditions would have on a people's mentality and way of life. For instance, control over limited water resources was one of the factors in the creation and acceptance of despotism. These were just some of the cultural and historical reasons for the failure of democracy in Iran and her surrender to despotism.⁸⁴ Nevertheless, Bāzargān did not relent in his attacks on the latter nor did he give up hope that if the rule of law were established, and the people given the opportunity to participate in decision making, then Iranians would also enjoy the prosperity and development of a modern, democratic, civilized nation. For this reason he insists in his writings on the observance of the constitution, according to which the monarch should reign, not rule, and on the people's representatives to the national parliament being elected through a free plebiscite.⁸⁵ In this argument Bāzargān has attempted a discussion of necessary means and conditions for the development of democracy, having it in mind to show the reasons that have led to the absence of a spirit of civil society. His speculations, though anthropologically interesting, are neither theoretically sound nor historically defensible. Yet they are significant in that they show that he did not consider religion to be a contributing factor in the acceptance of despotism by Iranians.

Although Bāzargān's argument against tyranny was originally prepared for his trial defence and was thus very circumstantial, the main line of his argument, particularly on the incompatibility of Islam with despotism in any form, persisted in his political discourse under both the Pahlavi and the Islamic regimes for about half a century. However, the main thrust of his political message, at least at this stage, did not go beyond the refutation of despotism, which in the Pahlavi era was synonymous with the institution of monarchy. Nor did his defense of democracy amount to anything more than preserving constitutional parliamentarism as explained in the first Iranian constitution and practised during the short period of Muṣaddīq's government. He refuted despotism in terms of its social and moral consequences.

The military tribunal referred to earlier sentenced both Ṭāliqāni and Bāzargān in 1963 to ten years' imprisonment each. Bāzargān was released after serving three years. After his release, the political conditions of the time forced him to keep a low public profile, at least until 1976–1977 when the political openness of the last years of the Shah's reign brought him back onto the scene. In 1978 he

⁸⁴ Bāzargān, *Mudāffāt*, pp. 306–322; idem, *Sāzigār-i Irānī*, pp. 1–72.

⁸⁵ Bāzargān, *Mudāffāt*, pp. 101, 132–135, 333–334.

founded the Iranian Committee for the Defense of Freedom and Human Rights and finally in 1979 was appointed by Ayt. Khomeini to serve as the prime minister of the Islamic Revolutionary Provisional Government. Nevertheless, throughout the period 1966–1979 Bāzargān was intellectually active. Although he did not associate himself with the activities of the Ḥusaynīyah-i Irshād, the most active intellectual centre of the period, he nevertheless published some fourteen books and pamphlets. The most important and the best political work among these was his book entitled *Bī'that wa Īdī'ulūzhī* (Prophetic Mission and Ideology) published in 1966.⁸⁶ The book reflects the typical intellectual concern of the pre-1979 era, i.e., polemical ideological dialogue. The pre-1979 era was an era of ideological conflict as the opposition attempted to elaborate ideological constructs as theoretical bases for their political struggle against the regime. In particular, the relative success of the armed struggle of the Marxist guerilla organization Fadā'iyān-i Khalq motivated Muslim intellectuals to construct an Islamic ideological alternative. It is in the light of this intellectual climate that the works of Iranian Muslim intellectuals, especially those of Bāzargān and Shari'ati, should be evaluated.

Islamic Ideology

In *Bī'that wa Īdī'ulūzhī*, Bāzargān deals with a body of political ideas which he selected and brought together from the arguments contained in traditional Islamic, modernist and liberal discourse. With them he constructs an Islamic ideology which he insists is indispensable for any uprising or attempt at national liberation.⁸⁷ Trying to convince his audience that each nation should find the ideology that best suits it and then operate accordingly, Bāzargān contends that Islamic ideology is the most appropriate for those Iranians who do not want to borrow or to imitate foreign ideologies or schools of thought.⁸⁸ Islamic ideology is the best because it is a divine ideology based on the prophetic mission of the Prophet Muḥammad, and is thus more comprehensive than other man-made ideologies, and eternally valid.⁸⁹ The main elements of Bāzargān's effort to create a

⁸⁶ Mahdī Bāzargān, *Bī'that wa Īdī'ulūzhī* [Prophetic Mission and Ideology] (Mashhad: Tūlū', 1345/1966).

⁸⁷ *Ibid.*, p. 80.

⁸⁸ *Ibid.*, p. 80.

⁸⁹ *Ibid.*, pp. 80–89.

harmonious political ideology, one which reflects his attempt at reconciling Islamic teachings with the democratic theory of government, will be examined here. His ideas in this respect will be cross-checked with both his pre- and post-revolutionary writings in order to examine them for the presence or lack of consistency in his views regarding the compatibility of Islam with democracy.

For Bāzargān, as for the FMI and other Shī'ite Muslim intellectuals, religion and politics could not be separated. Living as they did in an age when the state has developed into an institution that actively interferes in almost all aspects of people's lives, political abstinence on the part of Muslims was seen as no longer being justified. As a matter of fact the necessity of a Muslim presence in politics was the *leitmotiv* of Bāzargān and his colleagues in founding the FMI. According to Bāzargān, Islam, unlike Christianity, from its very beginning preached matters of faith and of social and political action concurrently. The Qur'an and the traditions of the Prophet and the Imams are full of political teachings. This is particularly true of Shī'ism whose entire history is the story of political resistance against despotism, a resistance which will continue until the reappearance of the twelfth Imam and the establishment of his legitimate rule. Islam is anything but apolitical; indeed the issues of government and authority (*wilāyat*) have long been of major concern to Muslims. Their participation in social and political affairs and in choosing a leader has been urged and put on an equal, or even higher footing than fasting and prayer.⁹⁰ Bāzargān however emphasizes that although in Islam the temporal and religious realms are not separated, their relationship is not entirely a reversible one. Religion should interfere in and direct all aspects of the lives of Muslims, including socio-political affairs, and yet politics should never interfere with religion, for this would lead to polytheism. Religion determines the goals and the main principles of the state,⁹¹ whereas religion should never be manipulated by politicians in pursuit of their worldly aims.⁹² Bāzargān

⁹⁰ Ibid., pp. 77–78. Here Bāzargān is very much influenced by Haydarqulī Qalamdāran's work *Hukūmat dar Islām* [Government in Islam] (Tehran: Mihr Ā'in, n.d.), to which he refers repeatedly in his text.

⁹¹ Mahdī Bāzargān, *Marz-i Miyan-i Dīn wa Umūr-i Ijtimā'ī* [The Borderline Between Religion and Social Matters] (Houston: Book Distribution Center, 1355/1976), pp. 28–34. The book consists of a lecture delivered in Tehran in 1341/1962.

⁹² Ibid., p. 29, p. 33.

developed and expressed his ideas in a state which was largely in secular hands and which from time to time exploited the religious sentiments of the nation in order to suppress its non-religious political opponents, e.g., the Marxists. On the other hand the religious leaders were themselves largely apolitical and somewhat resigned to developments in public life. This political apathy began with Ayt. ‘Abdulkarīm Ḥā’irī Yazdī (d. 1937) at the time of Reza Shah, and continued under his successor Ayt. Burūjirdī (d. 1961). Politically minded and articulate ‘*ulamā*’ were scarce during the Pahlavi era and those who entered politics did so only on an individual basis.⁹³ Bāzargān, as pointed out earlier, was himself critical of quietism on the part of the ‘*ulamā*’. He repeatedly urged them to become politically active. Nevertheless, Bāzargān was quick to warn against the danger of the clergy merely assuming that their privileged religious status guaranteed them the right to interfere in politics.⁹⁴ This was an issue that he had to address directly about twenty years later in his criticism of the activities of the clergy in the Islamic Republic of Iran. When responding to the allegations made against them by the religious class, i.e. that they advocated the separation of religion and politics, Bāzargān and his fellow FMI leaders had to restate the *raison d’être* of the organization, i.e. that of establishing a political party with religious ideology, but they still had to make it clear that in their view politics was subordinate to religion (*dīyānat*) but not to the clergy (*rūḥānīyat*).⁹⁵ Even in his pre-revolutionary works, Bāzargān criticized the *fuqahā*’ for their exclusive preoccupation with Islamic jurisprudence (*fiqh*) and for giving it undue prominence at the cost of neglecting other aspects of Islam. He considered this development to be one of the reasons behind the general decadence of Islamic society; thus the blame for the separation of religion from politics

⁹³ Besides Ayt. Ṭāliqānī and Ayt. Khomeini, Bāzargān refers to two other clerics of an earlier period who had exceptionally turned to writing on social issues, namely, Sayyid Asadullah Khāriqānī (d. 1315/1936) and Shaykh Muḥammad Khālīšizādah (d. 1342/1963). (see for example *ibid.*, pp. 8–12). For detailed information on the latter two and the nature of their religio-political position see Said Amir Arjomand “Ideological Revolution in Shi‘ism,” in S.A. Arjomand, ed., *Authority and Political Culture in Shi‘ism* (Albany: State University of New York Press, 1988), pp. 184–191.

⁹⁴ *Ibid.*

⁹⁵ Bāzargān, “Ibrāhīm, Imām wa Ummat” [Abraham, Imam and the Ummah], in his *Bāzayābī-i Arzishhā*, pp. 336–337.

could be laid at the feet of Muslims themselves and not, as was widely believed, at those of foreigners and their allies.⁹⁶

Following the traditional line of Islamic political discourse, Bāzargān begins his discussion in *Bī'that wa Īdī'ulūzhī* by emphasizing the importance of government as a means of maintaining order and law and of managing the affairs of society. He provides ample references to the Qur'an, to the traditions of the Prophet and the Imams, and to historical events such as Imam Ali's conflict with the Kharijites in arguing that Islam acknowledges the inevitable need for government and commands man to establish God's government on earth. This ideal state is based on Islamic ideology, which in its turn is based on divine law and the democratic participation of the people.⁹⁷ Divine law guarantees man's salvation. He emphasizes that

in divine ideology God is the primordial and eternal law-giver and no one, neither the sultan, nor the people, nor any group of the latter, whether through referenda or other similar mechanisms, has the right to make laws.⁹⁸

Here, potential conflict arises between, on the one hand, the absolute authority of God as the main law-giver,⁹⁹ and on the other hand, the democratic participation of the people. For Bāzargān, this is not incompatible with progressive ideological governments of modern times.¹⁰⁰ His solution is similar to what the constitutionalist *'ulamā'* had proposed. The divine law determines the principal rules that govern the Muslim community. The legislative activity of the people is limited to the implementation of these basic rules in everyday life, and to legislating secondary and executive laws.¹⁰¹ In the absence of the Prophet and the Imams, the legitimacy of the Islamic state is based on the notion of *wilāyat*, which for Bāzargān meant the delegation of authority from the people to their representatives.¹⁰² It is

⁹⁶ Mahdī Bāzargān, *Sirr-i 'Aqab Uftādagi-i Milal-i Musalmān* [The Secret Behind the Backwardness of Muslim Nations] (Houston: Book Distribution Center, 1356/1977), pp. 23–28.

⁹⁷ Bāzargān, *Bī'that wa Īdī'ulūzhī*, pp. 108–120.

⁹⁸ *Ibid.*, p. 100.

⁹⁹ *Ibid.*, pp. 101–102.

¹⁰⁰ *Ibid.*, p. 105.

¹⁰¹ *Ibid.*, p. 100, p. 109; Bāzargān, "Irān wa Islām" [Iran and Islam], in his *Bāzyābi-i Arzishhā*, p. 232.

¹⁰² Bāzargān, *Bī'that wa Īdī'ulūzhī*, p. 108, 115–116, 159.

the people themselves who must choose the government, whereas the government, on behalf of the people, is responsible for carrying out the task that has been entrusted to it. This is the meaning of *wilāyat*, ensuring that “the Islamic state is a perfect democratic state or a government of the people.”¹⁰³

Bāzargān continues by pointing out that the role of the people is not limited to choosing a government. Rather, in a true and perfect democratic state, public participation continues in the process of decision-making through supervision of the government’s activities.¹⁰⁴ This Bāzargān considers to be the right of the people, which is recognized in Islam by the Qur’anic injunction of *mashwarah* (consultation) and prophetic practice and statements.¹⁰⁵ He cites the famous verses: “And those who answer the call of their Lord and establish worship, and whose affairs are a matter of counsel, and who spend of what We have bestowed on them” (42:38); and “. . . pardon them and ask forgiveness for them and consult with them upon the conduct of affairs. And when thou art resolved, then put thy trust in Allah . . .” (3:159). According to Bāzargān these verses indicate the solidarity and cooperation that are expected of the Islamic community in managing its affairs. Arguing for the general applicability of this direct divine rule, Bāzargān maintains that if the Prophet himself, who was a genius of his time, was commanded to carry out decisions through consultation, this is all the more so imperative for rulers who do not enjoy divine inspiration.¹⁰⁶ From these verses he also concludes that the counsellors are meant to be ordinary average members of the community, and not necessarily of the élite as some interpreters have suggested.¹⁰⁷ Several examples of Imam Ali’s and Prophet Muhammad’s experiences of consultation on important occasions are mentioned to show how they surrendered to the view of the majority, despite the fact that it may have contradicted their personal opinions.

Bāzargān extends and emphasizes the consultative role of the people in opposing or dismissing the imam or the leader of the community. In other words he refers to the principles of *ijmā‘* and *bay‘ah*

¹⁰³ Ibid., pp. 116–117.

¹⁰⁴ Ibid., p. 143.

¹⁰⁵ Ibid., pp. 143–144.

¹⁰⁶ Ibid., p. 145.

¹⁰⁷ Ibid., pp. 145–146.

as practised in early Islam. In support of this view, which somehow justifies the principle, though not necessarily the results, of the practice of the early Muslims in choosing the Prophet's successors, Bāzargān quotes several *hadiths* and statements from different Shī'ī Imams.¹⁰⁸ This is indeed not a very orthodox Shī'ī position. But Bāzargān's detailed explanation clarifies the problematic points. Although he states that Sunni Muslims were not wrong in principle,¹⁰⁹ he still does not confirm the results of their choice. Moreover he states that the first three successors of the Prophet were not elected by a consultative body representing the whole community, nor did there exist a consensus of all the companions of the Prophet.¹¹⁰ Here Bāzargān, again benefiting from Nā'īnī's reasoning, argues against some scholars of his own day¹¹¹ who had argued in favour of the consensus of the élite of the believers (*ahl al-hall wa al-'aqd*) and who had refuted the validity of majority view on the basis of some Qur'anic verses which condemn a majority who does not know, does not think, does not have faith, etc. In Bāzargān's opinion, the rule of a minority over a majority is condemned, no matter who the minority consists of. Besides, he argues, there are no decisive, universally accepted criteria for choosing the members of such an élite group. Piety, righteousness, religious knowledge, etc. and other religio-moral virtues, though needed in the realm of human relations with the divine, should not dictate who will be elected to take charge of managing and administering the socio-political and economic affairs of the community. This is an executive task, which involves dealing with the relations of people with one another and their mutual rights and duties. It requires other qualifications besides moral virtues.¹¹² In spite of overcrediting *mashwarah* or consultation as the main legitimizing factor in state decisions, Bāzargān insists that this does not contradict the principle of *wilāyat*. The *walī* should carry on his responsibilities according to the commands of the Qur'an, wherever and whenever they are clearly indicated. The principle of *shūrā* is applicable only in minor and executive matters. Also, certain rights are

¹⁰⁸ Ibid., pp. 147-149.

¹⁰⁹ Ibid., p. 147.

¹¹⁰ Ibid., pp. 150-151.

¹¹¹ Ibid., pp. 151-156. Bāzargān's direct reference is to Qalamdārān, *Hukūmat dar Islam*.

¹¹² Ibid., pp. 156-157.

reserved for the *walī*. In the tradition of the Prophet and Imam Ali, military commanders and governors should be appointed by the person of the *walī*.¹¹³ This however, as Bāzargān emphasizes, does not include the appointment of judges or the head of the judicial system, which should remain independent of the executive power.

How far are the decisions made in accordance with *shūrā* binding? What if a disagreement breaks out between the ruler and the ruled? There are issues of particular concern in the Islamic state, where both sides may claim the compatibility of its own views with God's law. Here, Bāzargān appeals to Islam as an ideology,¹¹⁴ the principles of which should be referred to for a final judgement. These principles are to be found in the Qur'an and the traditions of the Prophet and Imams. Many verses and traditions are cited to suggest that the community should stay united and avoid division since the religion, in God's eyes, is also one, i.e., Islam.¹¹⁵ Here, Bāzargān considers Islam to be a fixed, unified entity, without taking into consideration the fact that disagreements often emerge as a result of different interpretations of what constitutes the nature of Islam. However, he insists that checking the validity of the government's or the ruler's decisions against the Qur'an and the prophetic traditions should be the task of a high commission of the clergy, consisting of a certain number of just (*ādil*) '*ulamā*' elected directly or indirectly by the people. This committee would act as an arbitrator, basing its decisions on the Qur'an, the traditions and reason, and would have the final word in instances of disagreement between the people and the state or even between the judiciary and the executive powers.¹¹⁶ This committee could also veto parliamentary legislation. In his proposal for the creation of such a supervising committee, Bāzargān was very much inspired by the first Iranian constitution which guaranteed the '*ulamā*' such a role. In spite of all these limitations, however, Bāzargān still considered his model of government to be democratic. Out of concern for the consequences of disagreements and discrepancies, however, Bāzargān argues that obedience to the imam or the ruler, as long as he acts according to the Qur'an and

¹¹³ Ibid., p. 160.

¹¹⁴ Ibid., p. 167.

¹¹⁵ Ibid., p. 163.

¹¹⁶ Ibid., pp. 168-169.

the traditions of the Prophet, is obligatory.¹¹⁷ The first inference that may be drawn here, is that Bāzargān, like other traditionalists, gives preference to the good of the society rather than to the rights of the individual. Second, the minority, in Bāzargān's democratic theory of state, is given a very defined and limited role. The minority may not go any further than raising legitimate objections and giving guidance; otherwise its opposition may be regarded as harmful to the good of the society.¹¹⁸ This opposition has the same role as *amr-i bi ma'rūf wa nahy-i az munkar* (commanding the good and forbidding the bad) which every member of the community is entitled to do and whose performance is recommended. This, for Bāzargān and other Muslim activists, is one of Islam's most progressive principles, and one which renders it democratic. It may in fact be taken as the equivalent of the system of checks and balances in a democracy. As far as majority rule and the role of the people is concerned, Bāzargān's treatment of this issue falls within the same frame of reference as do the traditional theories of the Islamic state. Only the terminology that he uses and the corresponding elements that he refers to in western democratic states are new.

Essential also to Bāzargān's version of Islamic ideology is freedom. According to Bāzargān, the ideals and slogans of modern western political philosophies, particularly those of the French Revolution, i.e. Liberty, Equality, and Fraternity, are essential doctrines of Islam too. They are certainly not unknown in Muslim societies. It was for this reason that at the time of the Constitutional Revolution the slogan "*Hurrīyah, Musāwāt, wa Ukhuwwat*", a direct translation and imitation of the French slogan, was eagerly adopted by Iranians.¹¹⁹ Providing ample evidence from the Qur'an, Bāzargān contends that freedom is a divine gift that God has bestowed upon man; that in fact the prophets had brought to man the first declaration of human freedom.¹²⁰ For Bāzargān freedom is of divine origin. God has created man and granted him freedom on earth. Here Bāzargān refers

¹¹⁷ Ibid., pp. 164–167.

¹¹⁸ Ibid.

¹¹⁹ Ibid., p. 87.

¹²⁰ See for instance: Ibid., pp. 132–141; Bāzargān, "Dīn wa Āzādī," in his *Bāzyābī Arzishhā*, pp. 67–70; idem, "Āzādī Khawstah-i Abadī" [Freedom: The Eternal Wish], in his *Bāzyābī Arzishhā*, pp. 364–373; idem, *Ṭabī'at, Takāmul, Tawḥīd* [Nature, Evolution, Monotheism] (Houston: Book Distribution Center, 1356/1977), pp. 32–34.

to the Qur'anic story according to which God gave man the freedom to obey or disobey Him. He equates the term *ikhtiyār* (free will) with freedom.¹²¹ This is but one example of how in his post-imprisonment works Bāzargān appeals to religious discourse, more than ever before, in an effort to render Islamic ideology more compatible with democratic norms. Although in his trial defense Bāzargān also invoked the same theme, the use of religious language was less pronounced, and the thrust of his argument was to condemn tyranny, which demands total obedience from its subjects, rather than stressing obedience to God's will or the total freedom which He has given man, even to the extent of disobeying Him. Bāzargān's perception of the concept of freedom thus eventually moved into the domain of the relation between man and God. Man is the vicegerent of God and enjoys freedom of choice on this earth. The political implication derived from this God-given freedom is that man's obedience to tyranny is first and foremost *shirk* (polytheism); the latter enslaves man, and thus denies him natural freedom. Therefore, freedom as perceived by Bāzargān and as expressed in the FMI manifesto¹²² of 1340/1960–61 is still very much the same as the traditional Islamic perception of it, i.e. the opposite of slavery and servitude to someone other than God. Obedience to God and observing the principle of *taḥḥīd* necessitates struggle against tyrannical rule and foreign dominance. In the mid-1960s Bāzargān wrote a book entitled *Āzādī-i Hind*¹²³ (The Freedom of India) in which he analyzed India's experience as a model for achieving political freedom in Iran. Paying particular attention to the role of religion in the Indian freedom movement, Bāzargān suggests therein that religion can and should be the quintessential foundation of social and political movements.

Regarding freedom of speech and freedom of religion, Bāzargān assures his readers that Islam provides citizens with a better guarantee of these rights than any other ideology or any other religion. He appeals to evidence from the Qur'an and from the manner in which the Prophet and Imam Ali exercised power to support his view.

¹²¹ For a discussion on freedom and *ikhtiyār* see chapter 2, above.

¹²² Bāzargān, "Dīn wa Āzādī," p. 69; see also *Asnād-i Nahdat-i Āzādī*, vol. 1, pp. 24, 43, 65, 208–210.

¹²³ Mahdī Bāzargān, *Āzādī-i Hind* [The Liberation of India] (Tehran: Muḥammadī, n.d.).

Freedom of speech is vital for the development of any society. It creates a spirit of responsibility among its members who, through expressing their opinions and criticism, see their share in the affairs of their society at work; thus hope and a sense of belonging and responsibility will flourish. The individual will develop a positive relation with his/her society. This is one of the main causes of development in democratic societies, as opposed to other societies in which despotism is the main cause of underdevelopment. This according to Bāzargān is because their individual members are deprived of participation in legislation and have no say in its making.¹²⁴ It is evident that living under censorship and extreme restraint on freedom of expression led Bāzargān to overemphasize the functional significance of freedom of speech and to avoid dealing with the theoretical problems arising from practising it in an Islamic society. Freedom of speech for Bāzargān consists almost entirely in criticizing the policies of the state, in other words, having the political freedom to propose changes to or to oppose the state. The lack of freedom of speech is detrimental to any state. Bāzargān cites a tradition from the Prophet saying that a society in which the weak man cannot stand up for his own rights and claim them from the powerful will never enjoy prosperity.¹²⁵ Preventing criticism and punishing political opponents were, according to Bāzargān, the reasons why regression and decadence grew in early Islamic society from the time of the third caliph Uthmān onwards, causing affairs to return to the state of *jāhiliyyah*.¹²⁶ The only exception since that time was the caliphate of Ali, when people were urged to criticize the government whenever they faced any misconduct on the part of their leader or his governors.¹²⁷ Bāzargān, like his predecessors at the time of the Constitutional Revolution, equates freedom of speech with the Islamic principle of *amr-i bi ma'rūf wa nahy-i az munkar*. Thus preventing the former would be equal to abandonment of the latter. And as Imam Ali warned, abandoning this Islamic duty will allow the vices of society to prevail.¹²⁸ Bāzargān also explicitly and strongly argues against

¹²⁴ Bāzargān, *Musalmān-i Ijtimā'ī wa Musalmān-i Jahānī*, pp. 64–66; idem, *Āfāt-i Tawhīd*, p. 40; idem, *Mudāf'āt*, p. 266.

¹²⁵ Bāzargān, *Bī'that*, p. 136.

¹²⁶ *Ibid.*, pp. 135–136.

¹²⁷ *Ibid.*, pp. 134–135.

¹²⁸ *Ibid.*, p. 136.

those who believe, in spite of regarding democracy and freedom of speech as valid ideals, that erroneous opinions should not be permitted freedom. He cites the Qur'an, ". . . and reason with them in the better way" (16:25), in order to show that freedom of speech must be granted even to one's opponents.¹²⁹

The famous verse *lā ikrāha fi dīn*, "no compulsion is there in religion" (2:256), is repeatedly cited by Bāzargān to show that God entrusted man with the freedom even of embracing Islam or rejecting it.¹³⁰ Therefore, no individual person and no political entity should impose upon its subjects the Islamic faith or the observation of its religious practices. Although the assertion of this view is found in Bāzargān's early works, it gained more significance in his works¹³¹ written after the Islamic Revolution when he opposed the policy of the Islamic regime regarding the impingement of the state upon the religious conduct of the people, especially regarding the performance of rituals and observation of the rule on the *hijāb* (Islamic veil), etc.¹³² Bāzargān asserts that the true meaning of freedom is the freedom to oppose or to criticize without restraint; otherwise it would be a meaningless and useless freedom. This right should be granted to the opposition, even if the political establishment considers the opposition illegitimate (*nāḥaq*).¹³³ This definition of freedom, or at least its explicit emphatic tone, seems to indicate an enhancement of Bāzargān's perception of freedom which, when placed in its context, makes it more meaningful. He made these assertions at a time when the hardliners of the revolutionary Islamic regime were consolidating their position and silencing their political opponents with changes of religious rebellion, apostasy and hypocrisy. Bāzargān on the one hand accepts the traditional reasoning (although he quotes it from Marcel Boisard's *L'humanisme de l'Islam*) that total religious freedom in an Islamic community, which may lead to apostasy, can not be tolerated

¹²⁹ Ibid., p. 137.

¹³⁰ See for instance: Bāzargān, *Musalmān-i Ijtīmā'i*, pp. 35–36; idem, *B'ithat*, p. 126; idem, "Āzādī Khawstah-i Abadī," pp. 366–369.

¹³¹ Bāzargān's *Bāzyābī-i Arzishhā* is essentially a collection of his articles and lectures delivered after the Islamic Revolution. See specifically his article "Dīn wa Āzādī" (Religion and Freedom).

¹³² Bāzargān, *Bāzyābī*, p.367; Abdul'ali Bāzargān, ed., *Mas'ul wa Mushkilāt-i Nukhustān Sāl-i Inqilāb* [The Problems and Difficulties in the First Year of the Revolution] (Tehran: Nahdat-i Āzādī-i Iran, 1362/1983), p. 334.

¹³³ Bāzargān, "Dīn wa Āzādī," p. 80.

because it is not merely a matter of personal faith; it weakens the solidarity of the ummah and the foundations of the Islamic government. On the other hand he aims the thrust of his argument against religious intolerance, particularly if it is used as a means to achieve political ends, pointing out that cases of apostasy and religious rebellion are so difficult to detect or to prove that it makes these laws virtually inapplicable.

Bāzargān's view on equality is more or less the same as that of other Muslim modernists. He too invokes Qur'anic verses and the Prophet's or the Imams' sayings in order to show that since there is no discrimination in Islam, and by extension in Islamic political ideology, regarding race, sex or class, all citizens enjoy equal rights in social, political and juridical affairs.¹³⁴ In one of his earlier books, Bāzargān analyzed the Universal Declaration of Human Rights and concluded that, according to the Qur'anic verse which reads: "the dearest to God are those who are most virtuous," the equality that Islam guarantees between nations, the sexes, and races transcends all other pleas for equality made by any other later human ideologies.¹³⁵ In another passage he, like other Muslim modernists, stresses the rational and peaceful character of Islam, spelling out his position that in a political ideology based on Islam, Muslim and non-Muslim citizens would be treated equally and by implication enjoy the same rights and duties. Without dealing with the legal aspects of the restrictions on non-Muslim citizens present in Islamic jurisprudence, Bāzargān focuses on the occasion of revelation of certain related Qur'anic verses, and concludes that these verses commanded violence against only those infidels who had broken their peace treaties with the Muslims or against those who had started wars with them. Otherwise, these verses do not have general applicability; hence, offensive action against the people of the book, infidels and polytheists is not permissible. Furthermore, he points out, in Islam, engagement in war and violence has primarily a defensive nature.¹³⁶ Ample Qur'anic evidence is adduced by Bāzargān to signify that Islam prescribes tolerance and peaceful co-existence among the members of society in general, and between Muslims and non-Muslims in par-

¹³⁴ Bāzargān, *Bī'that*, p. 141.

¹³⁵ Bāzargān, *Rāh-i 'Tay Shudāh*, pp. 113-117.

¹³⁶ A detailed discussion of these verses was given above in chapter 2.

ticular.¹³⁷ As historical justification, Bāzargān refers to the policy of Imam Ali spelled out in his famous letter to his governor in Egypt, Mālīk al-Ashtar, advising him to rule in that land justly and to treat his subjects equally.¹³⁸ As stated earlier, this letter is constantly invoked by Shīʿite political activists and modernists to indicate that true Islamic rule respects equality. In this letter the fourth caliph writes: “treat them [your subjects] all with justice and kindness for they are equal to you. They are either your brothers in faith or your equals in humanity.” Later, after the Islamic Revolution, Bāzargān had to restate perhaps even more vigorously his interpretation of these verses and his perception of the rights of religious minorities in the Islamic regime. This time however it was in a concrete setting rather than in a debate about the ideal Islamic state. The Islamic leadership of Iran, which considered all opponents of the new regime to be traitors or even unbelievers, often invoked the very same verses to justify in Islamic terms its policy of suppressing them.¹³⁹ Bāzargān had a double motivation to argue against the regime’s policy. In the first place, on the basis of his religious conviction he felt compelled to defend Islam as a religion of peace and tolerance; an Islam which his opponents labelled “liberal Islam.” Secondly, he felt obliged to defend the constitution of Iran in which the freedom and equality of all citizens before the law were guaranteed.¹⁴⁰

Regarding women’s rights, Bāzargān contends in his writings that many Qurʾanic verses address men and women simultaneously and equally, particularly the famous verse, “O mankind! We have created you male and female, . . . the noblest of you, in the sight of Allah, is the best in conduct . . .” (49:13), which explicitly indicates their equality. Therefore, men and women should be treated equally

¹³⁷ Bāzargān, *Bīʿthā*, pp. 174–192.

¹³⁸ *Ibid.*, p. 179.

¹³⁹ This topic was especially significant for Bāzargān in that the Iran-Iraq war, which was to last eight years, was being waged by the Iranian leadership as a conflict between Islam and *kufṛ*. Once the Iranian army had finally succeeded in regaining land lost to Iraq and had secured the border, Bāzargān went on record as opposing Ayt. Khomeini’s policy of continuing hostilities. He considered any prolongation of the war to be unjustified in Islamic terms and potentially harmful to the nation. He stated his position on this issue in several open personal letters to Ayt. Khomeini, as well as in various declarations of the FMI.

¹⁴⁰ See for instance his articles “Sīmāy-i Islam” [The Face of Islam], and “Dīn wa Āzādī,” in *Bāzargān-i Arzishhā*, pp. 15–44 and pp. 76–79 respectively.

in all cases except in those where natural duties and matters of chastity require women to be treated differently.¹⁴¹ Assuming that governorship is an act of guardianship of public affairs performed by the people's representatives on their behalf, Bāzargān concludes that since women in Islam have similar rights to men in matters of ownership and possession, and since they are given the right to have and to choose their own representatives in any matter, they must enjoy the same right as men to choose political representatives, as well as the right to express their views about those in power. The historical precedent for this may be found in the time of the Prophet, when the oath of allegiance (*bay'ah*) was sought even from women.¹⁴² Here, although Bāzargān takes a different and more independent position from that of the traditional '*ulamā*' and acknowledges the right of women to vote, he does not talk about their right to be elected to any public office. Still, this is an improvement since 1962, when the FMI had somehow chosen to support the traditional '*ulamā*' in their opposition to the Shah's reform plan and particularly to two measures: one which extended the suffrage to women and another which allowed for the election of non-Muslims to provincial assemblies. Clarifying their reasons for taking such a position, the FMI explained that under a dictatorial state in which even those who enjoyed the suffrage did not have real political rights, (i.e. men), pleas for women's suffrage were irrelevant and a show.¹⁴³ The reasonings behind Bāzargān's proof of the equality of women in the matter of political participation is a very clear example of his approach to the important issue of "rights" in democracy. As explained above he infers the political right of women by analogy to certain other rights that Islam has recognized for them, and not by virtue of their equality on a human level. As he does in the case of other issues, he tries to derive the people's rights to representative rule, to freedom and to equality before the law from Islamic sources and history. Therefore, his argument remains entirely religious.

¹⁴¹ Bāzargān, *Bi'that*, p. 142.

¹⁴² *Ibid.*, p. 142.

¹⁴³ See Bāzargān, *Marz-i Mīyān-i Dīn wa Umūr-i Ijtīmā'ī*, p. 28–29; see also, *Asmād-i Nahdat-i Azādī-i Iran*, vol. 1, pp. 171–173, 175, 178, 196–202.

‘ALLĀMAH SAYYID MUḤAMMAD ḤUSAYN ṬABĀTABĀ’Ī

‘Allāmah Sayyid MuḤammad Ḥusayn Ṭabātabā’ī’s answer to the question of whether Islam and democracy are compatible was an explicit and emphatic no. Ṭabātabā’ī’s view on this matter is presented here in rather more detail, however, for he represents the opposite extreme of modern Iranian Muslim scholars like Bāzargān and Ṭāliqānī. Ṭabātabā’ī was neither a political activist nor a socio-religious preacher. He was best known as a theosophist. Nevertheless, he expressed his opinions on certain issues of the time, usually in the form of articles and most often in response to requests from his students or when other occasions necessitated his doing so. He was a philosopher, a mystic and a Qur’anic exegete of an unprecedented scholarly calibre in the modern history of the Shī’ite faith. Although he had the necessary qualifications to become a *marja’-i taqlīd*, he purposely avoided publishing a *risālah-i ‘amatīyah* (a manual of ritual practice) and devoted his life to studying and teaching philosophy and Qur’anic exegesis, subjects which were considered as minor and often condemned by the ‘ulamā’, for whom *fiqh* has always been the primary, and most often the only, field of specialization.¹⁴⁴

Ṭabātabā’ī’s professional life and intellectual career were very different from those of the mainstream ‘ulamā’. His attempt at revitalizing the “rational” dimensions of Islamic learning (*‘ulūm-i ‘aqlī*) through teaching philosophy and Qur’anic exegesis as well as the method of his antimaterialist campaign (i.e., defending and empowering Islam on rational, not dogmatic and doctrinal grounds) provide sufficient reasons to label him as a religious modernist.¹⁴⁵ Nevertheless his opinion on political authority was in line with that of the

¹⁴⁴ For biographical and other general information on Ṭabātabā’ī’s career see for instance: MuḤammad Husaynī Tehrānī, *Mihr-i Tābān* [The Luminous Sun] (Qum: Intishārāt-i Bāqir al-‘ulūm, n.d.); *Kayhan-i Farhangī* 6, no. 8 (1989) which is a special issue on Ṭabātabā’ī; an English translation of his brief autobiography is also available in *Islamic Teachings: An Overview*, translated by R. Campbell (New York: Mostazafan Foundation, 1989), pp. 13–18.

¹⁴⁵ For a good account in English of the difficulties that Ṭabātabā’ī faced from the side of the religious establishment in Qum, and from Ayatullah Burūjirdī in particular, for his determination to teach the nonjuridical branches of the Islamic sciences, see Dabashi, *Theology of Discontent*, pp. 278–286. An earlier work which situates the modernist position of Ṭabātabā’ī in the Shī’ite context is: William G. Millward, “Aspects of Modernism in Shī’a Islam”, in *Studia Islamica* 37 (1973): pp. 111–128.

conservative *'ulamā'*. Ṭabāṭabā'ī may however be credited for not endeavouring to politicize or ideologize Islam. Moreover, he chose not to adopt an apologetic position regarding the compatibility of Islam and democracy. Nor did he ever involve himself in practical politics. His concerns were primarily of an intellectual nature which sometimes had unintended political consequences. Upon the death of Ayatullāh Burūjirdī in 1961, when debate arose over the supreme religious authority, Ṭabāṭabā'ī contributed two articles to the famous collection *Bahthī dar Bārah-i Marja'iyat wa Rūhānīyat*, one of them entitled "Wilāyat wa Za'āmat" which deals with the question of religious and political authority in Islamic society. Therein Ṭabāṭabā'ī makes a sweeping comparison between Islam and democracy. He argues that although there are similarities between the socio-political frame of reference in Islam and the principles of democracy, Islam should not be mistakenly identified with the latter or with socialism.

Starting with a discussion on the necessity of government, Ṭabāṭabā'ī argues that Islamic society, like any other, requires a system of governance to run and conduct its affairs in order to ensure the well-being of its members. Ṭabāṭabā'ī considers this to be a necessity common to every human society since it exists in all social units no matter how small they might be. He gives as examples the need of a family for a head, a minor for a custodian, a ministry for a minister, a small institution for a supervisor and a country for a king or a president. Islam attends to this innate necessity by endorsing the principle of *wilāyat* (in Arabic) or *sarparastī* (in Persian), whereby society is provided with protective leadership. This institution, *wilāyat*, entitles "a person or a position" whose "intellect and will is superior to that of the ruled"¹⁴⁶ to uphold two sets of laws in Islamic society: the immutable and the changeable.¹⁴⁷ The immutable laws are the divine laws, (*aḥkām Allāh*), revealed to the Prophet Muḥammad in the form of the Qur'an and in Muḥammad's example as preserved in prophetic tradition. They are permanently valid and binding upon all human beings.¹⁴⁸ In addition, the *walī-i amr*, the guardian of a Muslim community, can draw upon another set of laws which are changeable according to the necessities of time and the expedi-

¹⁴⁶ Ṭabāṭabā'ī, "Wilāyat wa Za'āmat" [Guardianship and Leadership], in *Bahthī dar Bārah-i Marja'iyat wa Rūhānīyat*, p. 74.

¹⁴⁷ *Ibid.*, p. 83.

¹⁴⁸ *Ibid.*, p. 84.

ency of the community. Yet, they are, for a given period, as valid and as binding as the immutable laws.¹⁴⁹

Ṭabāṭabā'ī contends that Islamic society and democratic society resemble each other in so far as each has two sets of laws, one of these immutable, consisting of fundamental laws and the other secondary, changeable ones. Nevertheless their differences are substantial.¹⁵⁰ He furthermore states that two sets of laws also exist in a democratic society: fundamental or constitutional laws which are not readily changeable, and those laws which are enacted by parliaments or other legislative bodies.¹⁵¹ The first set resembles the immutable divine laws of Islamic society, the second, the human legislation which is also available to the *walī-i amr*.

However, Ṭabāṭabā'ī is quick to point out the principal difference between an Islamic form of government and a democratic one. He argues that the fundamental laws in Islam are enacted by God Almighty, while in other social systems they are established on the basis of public collective consent.¹⁵² Also, the minor and secondary laws in democracies and other social systems are derived from the will of the majority, i.e., the will of half of the population plus one, regardless of whether it complies with the truth. In Islam however, the minor laws, though created through consultation, *shūrā*, are based on "truth, not the will of a majority." For in an Islamic society, the truth and the real good of Islam and Muslims should rule whether or not they please most of its members. Moreover, Ṭabāṭabā'ī emphasizes that in an Islamic society, which is a society of knowledge and virtue, the majority would never prefer fanciful desires over truth and veracity.¹⁵³ Thus, even the secondary laws created through *shūrā* would not contradict the truth. Therefore, democracies, for Ṭabāṭabā'ī, are disqualified since they follow the whims and interests (basically material in nature) of human beings. As such they fall short in directing human beings to their ultimate perfection, to truth.

These are not, however, the only reasons that Ṭabāṭabā'ī offers for rejecting democracy as a form of government. He first of all points to the failure of the imported notion of democratic government

¹⁴⁹ Ibid., p. 83.

¹⁵⁰ Ibid., pp. 85–86.

¹⁵¹ Ibid., p. 85.

¹⁵² Ibid., p. 86.

¹⁵³ Ibid.

in Iran, which since its inception, according to him, has not only fallen short of bringing stability and prosperity, it has persistently deteriorated and worsened the situation.¹⁵⁴ Nevertheless, he does mention, in all fairness, that the Iranian governments did not actually behave according to democratic principles; rather they confined themselves only to the name of democracy. It should however equally be expected that the opponents of Islamic government should be fair and not equate the misconduct and misery of Muslim nations with the teachings of Islam. Furthermore, in a very general and imprecise reading of history, Ṭabāṭabā'ī rejects the universal validity and appeal of democracy, saying that it was in fact the case that after the First World War many democratic nations turned to communism!¹⁵⁵ Also, when referring to the foreign policies of Western democratic nations, Ṭabāṭabā'ī concludes that "all that this so-called progressive method [of democracy] has so far done is transform the individual despotism of ancient times into collective despotism."¹⁵⁶ Just as tyrants like Alexander the Great or Gengiz Khan imposed their will by force in the past, today's all-powerful and civilized democracies collectively impose theirs on weaker nations. There are still enough reminders of the legacy of the colonial period in every corner of the East: Algeria, the Congo and Korea are but a few of the living and telling examples of this transformation.¹⁵⁷ Hence Ṭabāṭabā'ī condemns at the same time democracy, socialism and communism, for their overwhelming concern with the material aspect of human life, abandoning in the process the most important element of humanity, i.e. spirituality (*ma'nawīyat*).¹⁵⁸ Only Islam can provide the way out of these illusions, for it alone is capable of leading humanity back onto the path of progress and advancement by recognizing both its material and spiritual dimensions. This will be achieved through *wilāyat* which is the "only soul through which a society is alive."¹⁵⁹

Ṭabāṭabā'ī considers all Muslims to be responsible for keeping *wilāyat* permanently operative. The office of *wilāyat* may in fact be

¹⁵⁴ Ibid., p. 89.

¹⁵⁵ Ibid.

¹⁵⁶ Ibid., p. 90.

¹⁵⁷ Ibid., pp. 90–91. It should be noted that this work was written in 1962.

¹⁵⁸ Ibid., pp. 91–93.

¹⁵⁹ Ibid., pp. 93–94.

occupied either by one person or many. However, he does not discuss how this person (or persons) is supposed to attain this office. Rather, he is more concerned with the essential question of who is to assume this supreme political authority which is religiously sanctified. In the absence of the twelfth Imam, he asks, "Does *wilāyat* belong to all Muslims, to the just believers (*‘udūl-i Muslimān*), or to a *faqīh*?"¹⁶⁰ He does not however nominate any of these. Instead he concludes that the person who should occupy this office "must be superior to all in piety (*taqwā*), good management (*ḥusn-i tadbīr*), and have comprehensive knowledge about the affairs of the society (*iṭṭilā‘ bar awḍā‘*)."¹⁶¹ Ṭabāṭabā‘ī's view here is indeed in line with other traditional Islamic philosophers like al-Fārābī. His primary concern is "who should rule", not how he rules. Thus, had a monarch been able to meet the qualifications stipulated, there would have been no problem at all. Significantly, Ṭabāṭabā‘ī contends that *sharī‘ah* is correctly silent on the form of Islamic government, for it contains only the immutable tenets of the religion, while the form of government is subject to change depending on the evolution of human civilization. Nevertheless, the most important and inalienable principle to which the office of *wilāyat* or the government of an Islamic community, regardless of the form that it may take, should conform is that it should follow the exemplary leadership of the Prophet Muḥammad.¹⁶² This may imply that the "rule which deviates—even in minor fashion—from Muḥammad's model is not legitimate,"¹⁶³ but it does

¹⁶⁰ Ibid., p. 97. In the third case, Ṭabāṭabā‘ī first emphasizes that by *faqīh* he means the person who is learned in all the primary and secondary religious sciences and in ethics (which was the original sense of the word in early Islam), as opposed to the current sense of the word applied to one who is learned only in the secondary sciences (*furū‘ al-dīn*). Also, Ṭabāṭabā‘ī contends that whether *wilāyat* should belong to just any *faqīh* or to the most learned one is a question out of the scope of his present discussion and one that should be decided in juridical discourse.

¹⁶¹ Ibid. These are the only three qualifications mentioned and emphasized by Ṭabāṭabā‘ī. However Dabashi's paraphrase of this sentence reads: "He [Ṭabāṭabā‘ī] does say that to occupy this position the person must be learned in *Islamic sciences* and also pious." (Dabashi, *Theology of Discontent*, p. 321, emphasis is added). Ṭabāṭabā‘ī's sentence however does not specify "Islamic sciences". Here, again, as with Ṭāliqānī, Dabashi's reading presents Ṭabāṭabā‘ī as an advocate of government by the *fuqahā‘*. However, elsewhere he alludes to the fact that "there is no reason to believe that [Ṭabāṭabā‘ī] actually approved of the Islamic Revolution in Iran," and even that "he did not exactly share the sentiment of openly fighting the established monarchical force" (p. 277).

¹⁶² Ibid., pp. 97–98.

¹⁶³ Shahrough Akhavi, *Religion and Politics in Contemporary Iran*, p. 127.

not by the same token suggest the rule of the *fuqahā'*.¹⁶⁴ Ṭabāṭabā'ī mentions only three specific aspects of prophetic political practice: first, its rejection of any "class privileges", since the only criterion of distinction in Islam is piety; second its insistence that all are considered equals before the law, without exception; and third, that secondary laws enacted by the authority of *wilāyat* are to be established through consultation (*shūrā*). All three of these aspects are of course supported by relevant Qur'anic verses.¹⁶⁵ Here Ṭabāṭabā'ī becomes apologetic, stating that Islam acknowledges the modern norms of equality and public participation. Yet, his brief explanation of equality includes nothing more than this general statement. Although his mention of *shūrā* implies that he endorsed the existence of a consultative body, no further information is given by him regarding the constituency of this *shūrā*. How is it to be chosen? And who it is that chooses them, the *walī-i amr* or the people?

Regarding freedom, Ṭabāṭabā'ī adopts a similar line of argument. What matters for Ṭabāṭabā'ī is spiritual freedom tied to piety, not political freedom in the modern sense of the word. Freedom is a divine gift, and its pursuit a natural, innate feeling in mankind. As such freedom is endorsed and respected in Islam.¹⁶⁶ However, the freedom taught by Islam differs from the freedom that exists in Western societies. In Islam, freedom means freedom from the yoke of anyone or anything other than God. This of course guarantees that a man is free from being pursued or shackled by his mundane carnal desires as well as free from any kind of despotism and imperialism. By comparison, the Western type of freedom, as understood by Ṭabāṭabā'ī, is condemned since it guarantees man unlimited freedom to pursue his will and interest in order to benefit from everything to its outmost extent, even at the expense of the freedoms of others.¹⁶⁷

¹⁶⁴ In the post-revolutionary literature, Ṭabāṭabā'ī's political views have often been reinterpreted so as to make them support the theory of *wilāyat-i faqīh*. See for instance: Muḥammad Javād Šāhibī, "Falsafah-i Siyāsī az Dīdgāh-i 'Allāmah Ṭabāṭabā'ī" [Political Philosophy According to 'Allāmah Ṭabāṭabā'ī], *Kayhan-i Andishah* [Cultural Kayhan] 26 (Qum, 1368/1989): pp. 13–20.

¹⁶⁵ Ṭabāṭabā'ī, "Wilāyat wa Zi'āmat," pp. 98–99.

¹⁶⁶ Muḥammad Husayn Ṭabāṭabā'ī, *Al-Mīzān fī Tafīr al-Qur'ān* [The Basis in Qur'anic Exegesis] (Beirut: Mu'assasah al-'Alamī, 1970), vol. 4, p. 123; idem, "Islam wa Āzādī" [Islam and Freedom], (originally written in 1379 H.Q./1960) in *Barrasīhā-yi Islāmī* [Some Studies on Islam], ed. S. Hādī Khusraw Shāhī (Qum: Markaz-i Intishārāt-i Dār al-Tablīgh-i Islāmī, 1396 H.Q./1976), p. 49.

¹⁶⁷ Ṭabāṭabā'ī, "Islam wa Āzādī," pp. 50–53.

ALI SHARI'ATI

The name of Dr. Ali Shari'ati is associated with the Ḥusaynīyah-i Irshād and the religious modernist movement that took shape there in the 1970s. He was also the most popular among the Iranian religious intellectuals of his time. His significant role in the ideologization of Islam and the effectiveness of his revolutionary Islamic discourse in mobilizing the Iranian nation are well known and have been the subject of many studies. The only aspect of his thought that we will deal with here is his view of democracy and its possible reconciliation with Islamic teachings. We will see how Shari'ati perceived democracy and what it meant for him, given his championing of the cause of freedom from the tyrannical rule of the shah. Generally speaking, Shari'ati's explicit treatment of democracy in his works consists of little more than a few passing remarks, and yet much will be gained by reading between the lines. There is a good reason for this, however. Shari'ati's primary concern, given the intellectual climate described in the previous chapter, was to provide his compatriots with a comprehensive religious ideology which would be the most effective in launching a socio-political revolution. The provocative approach and the passionate tone of his discourse are certainly those of a revolutionary ideologue and reflect his belief that society needed revolution, not reform. "I consider democracy to be the most progressive and even the most Islamic form of government," Shari'ati states.¹⁶⁸ Nevertheless he had great reservations about advocating it as the answer for developing nations.

Shari'ati's definition of democracy is a rather simplistic one in spite of the fact that he was seemingly familiar with the fundamental ideas associated with democracy, especially the concept of freedom of the individual and human rights. In one passage he associates democracy, as the ideal of all eighteenth century enlightened intellectuals, with liberalism, humanism and human rights—of which he is critical. He adds that democracy is based on majority opinion and that it considers people as the source of sovereignty. Nevertheless in the same passage he simply equates it with the Islamic principle of

¹⁶⁸ Ali Shari'ati, "Iqbāl Muṣliḥ-i Qarn-i Akhīr" [Iqbal: The Reformer of this Century], (lecture delivered in 1349/1970) in his *Majmū'ah-i Āthār* [Collected Works] (Tehran: Ḥusaynīyah-i Irshād, 1357/1979), vol. 5, p. 48.

popular consensus (*ijmāʿ-i ummat*) or the consensus of the experts (*ahl al-hall wa al-ʿaqd*) which legitimated the first Islamic caliphate.¹⁶⁹ In another passage he simply writes: “*shūrā*, *ijmāʿ*, and *bayʿah* are the same as democracy, an Islamic principle explicitly mentioned in the Qurʾan.”¹⁷⁰ (!) Thus Shariʿati was convinced that democracy, as he understood it, is compatible with Islam. And yet, he did not advocate it for Muslims, or at least, for Iranian Muslim society.

Shariʿati’s argument is in line with the theories of Third World revolutionary intellectuals of the 1960s and 1970s who gave preference to revolutionary progress and development rather than to regular democratic elections to choose a government. He contends that leadership and government in a given society may pursue either of the following aims: changing society and guiding it towards what it should become through reform and development; or maintaining society’s status quo, administering its affairs and serving the needs and wishes of its members. The first was what the developing societies and the newly independent nations of Asia and Africa were more in need of.¹⁷¹ This kind of leadership is based on an ideology with an explicit agenda for revolutionary change and development which might not necessarily be favoured by the masses who are usually conservative and thus anti-development. But what Shariʿati does not answer is “the question of whether one could initiate a rebellion under the banner of religion and yet keep the leadership of that rebellion out of the hands of the traditional-minded religious authorities.”¹⁷² Shariʿati does not advocate democracy because democracy in its most liberated form can hinder development and change, for the masses will simply elect those who think like them and who would preserve the traditions and interests as they are.¹⁷³ The model

¹⁶⁹ Shariʿati, “Ummat wa Imāmat” [The Ummah and the Shīʿī Doctrine of Imamate] (lecture delivered in 1347/1968) in his *Majmūʿah-i Athār* (1361/1982), vol. 26, pp. 599–600. Here and in other places Shariʿati acknowledges the Sunni practice of democratically electing a caliph to the Prophet’s succession versus the Shīʿite doctrine of designation (*wiṣāyat*). Nevertheless he questions whether or not the election of Abū Bakr was a good democratic choice and justifies the Shīʿite position on the grounds that democratic election was not a suitable way of choosing the leadership for the Islamic community at that stage of its growth.

¹⁷⁰ *Ibid.*, p. 631.

¹⁷¹ Shariʿati, “Girāyishhā-yi Siyāsī dar Qurūn-i Muʿāṣir” [Political Trends in Last Few Centuries], in his *Majmūʿah-i Athār* (1361/1982), vol. 12, pp. 219–220.

¹⁷² Ervand Abrahamian, *Iran Between Two Revolutions*, p. 473.

¹⁷³ Shariʿati, “Girāyishhā-yi Siyāsī dar Qurūn-i Muʿāṣir,” pp. 220–221.

Shari'ati approved of, along with the intellectuals and sociologists of many developing nations,¹⁷⁴ was "directed democracy" or *démocratie engagée* which is the government of a kind of enlightened élite which is committed to an ideology and which has a stated progressive and revolutionary agenda. This committed revolutionary leadership (*rah-barī-i muta'ahhid-i inqilābī*) has as its goal the transformation of the minds, culture and social relations of the people so as to guide society out of its stagnated traditional mould towards the most progressive form possible.¹⁷⁵ This enlightened leadership is normally elected by the people, but does not concern itself with retaining the loyalty of the electorate. This is because it is usually the case that the leader is elected for life or for long periods of office. After all, the leadership's primary concern is to implement the policies that its ideology dictates; thus it needs to be in power for a long time in order to bring about real change and progress. What Shari'ati had in mind is the model that Soekarno and Tito had adopted for their governments after the 1954 Bandung conference.¹⁷⁶ This was the type of government that Shari'ati believed any nation needs after leaving behind the upheavals of a revolutionary stage. Providing an Islamic justification for his Marxist-oriented revolutionary theory of government, Shari'ati projects this model of committed/responsible leadership onto Muslim society immediately after the Prophet, which in its stage of post-revolutionary reconstruction needed a period of committed leadership (the twelve Imams).¹⁷⁷ It had to establish itself on the more solid foundations of the goals and ideals of the revolution that had just taken place. In his enthusiasm for an ideal original Islam and despite the fact that eleven among the twelve Imams never ruled, he contends that the twelve Imams were designated and not directly elected by the people, because in the early phases of any post-revolutionary reconstruction the masses are, according to Shari'ati, still not ready to choose the best leader(s).¹⁷⁸ After this stage, which might have taken several generations, the *ummah* should have reached the necessary stage of sufficient training and wisdom

¹⁷⁴ Shari'ati, "Ummat wa Imāmat", p. 600.

¹⁷⁵ *Ibid.*, pp. 617-619.

¹⁷⁶ Shari'ati, "Girāyishhā-yi Siyāsī," pp. 232-233.

¹⁷⁷ For Shari'ati's theory of Imāmat see: Majida Gabrani, "The Concept of 'Imāmah' in the Works of Alī Shari'atī (1933-1977)" M.A. thesis, Institute of Islamic Studies, McGill University, 1987.

¹⁷⁸ *Ibid.*, p. 632.

to found and maintain a democratic form of government, i.e., through the practice of *shūrā*, *bay'ah*, and *ijmā'*.¹⁷⁹ Unfortunately, history took a different course.

The ambivalent position of Shari'ati regarding democracy clearly emerges in his explanation of the role of the ideologically responsible leadership of "directed" democracy. In the period of the occultation of the twelfth Imam (from 941 until the present and into the conceivable future), which according to Shari'ati is supposed to be a period in which the the *ummah* should practice democracy,¹⁸⁰ the leader of the society is to be chosen, not designated, by the people through a democratic procedure. But this is still not a free democracy.¹⁸¹ The leader elected under this system acts as one of the general deputies (*nuzwāb-i 'āmm*) of the twelfth Imam,¹⁸² accountable to the Imam and the people, whereas a leader in all other forms of democracy is accountable only to his constituents. Moreover, in this Shi'ite *démocratie engagée*, the leader is committed to train and guide his community according to the law and whatever the ideology of his Imam, i.e. Islam, might dictate. He is not however obliged to execute and fulfil the ideas, ideals or needs of the people who elected him.¹⁸³ The candidate should also possess certain qualifications which not everyone can have. Since this leader is no ordinary social leader but rather is entrusted with the mission of guiding the *ummah* towards perfection, he is to be a "learned person" (*shakhṣīyat-i 'ilmī*).¹⁸⁴ The Imam, in his absence, has bestowed this role upon the pious and learned '*ulamā'*'.¹⁸⁵ Shari'ati's argument justifying this claim by the '*ulamā'*' resembles their own. In his argument he relies for the most part on two *riwāyahs* (sayings of the Imams). In the first of these the

¹⁷⁹ Ibid., p. 632.

¹⁸⁰ Ali Shari'ati, *Tashayyū'i 'Alawī, Tashayyū'i Ṣafawī* [Safavid Shi'ism and Alavid Shi'ism] (Tehran: Husaynīyah-i Irshād, n.d.), p. 273.

¹⁸¹ Ali Shari'ati, "Intizār, Madhhab-i I'tirās" [Waiting [for the Occulted Imam]: The Religion of Protest] (lecture delivered in 1350/1971) in *Majmū'ah-i Athār*, (1360/1981), vol. 19, p. 267.

¹⁸² Ibid., p. 265. For information on the occultation of the twelfth Imam and religious authority after his concealment see for instance: Jassim M. Hussain, *The Occultation of the Twelfth Imam: A Historical Background* (London: The Muhammadi Trust, 1982); Abdulaziz Sachedina *Islamic Messianism: The Idea of Mahdi in Twelver Shi'ism* (Albany: State University of New York Press, 1981).

¹⁸³ Ibid., p. 268.

¹⁸⁴ Ibid., p. 268.

¹⁸⁵ Ibid., pp. 266–268.

twelfth Imam commands his followers, during his absence, to seek guidance from the *'ulamā'*, his deputies, if unprecedented matters should arise. The other is from the sixth Imam, specifying the characteristics of the *faqīh(s)* whom people should choose as a source of emulation.

This is Shari'ati's *'Alawī* Shī'ite model of guided democracy in the period of occultation, a theory which, perhaps inadvertently, provided the blueprint for the theory of *wilāyat-i faqīh*. The main difference consists in the fact that Shari'ati overemphasizes the role of the people in choosing their own leader, and warns against the misuses of this model by *Safawī* Shī'ism which might lead to the reactionary and non-pious *'ulamā'* depriving the people of their rights. For in *Safawī* Shī'ism the *'ulamā'* would argue that the ordinary people are incapable of recognizing and thus unable to choose on their own the most learned and pious from among the *'ulamā'*.¹⁸⁶ Therefore, they need to rely on the advice of their religious leaders with whom they are in contact and who are trusted as experts (*aḥl-i khibrah*),¹⁸⁷ much like when one chooses the best cardiologist after consulting general practitioners and others who are experts in the field of medicine. This procedure, which is called a "natural, two-step" election,¹⁸⁸ is not favoured by Shari'ati who urges the people to master their own destiny. Shari'ati might have "champion[ed] the ability of the common people to choose for themselves,"¹⁸⁹ in the period of occultation but this role, even in his ideal *'Alawī* Shī'ism, is restricted only to their choosing a leader from among an elite group. This should not be mistaken with majority rule in democracies, according to which the role of the people extends beyond and continues after choosing the leader who may not necessarily come from an élite. Whatever Shari'ati means by "people's rule", it most certainly does not mean that the collective mind of the people will govern. The enlightened leader elected in this fashion is accountable only to the Imam and is to implement his policies and plans within the framework of the ideology of the Imam, i.e. Islam. If Shari'ati was critical of intellectuals who wished to imitate Western ideologies and

¹⁸⁶ Ibid., pp. 268, 281, 284.

¹⁸⁷ Ibid., pp. 265, 268.

¹⁸⁸ Ibid.

¹⁸⁹ Shahrough Akhavi, "Islam, Politics, and Society," p. 423.

democracy¹⁹⁰ for Muslim societies in general, and Iran in particular, it is not because he saw them as being incompatible with Islam. Rather, like Ṭabāṭabā'ī, he vehemently attacked Western democratic regimes for their oppressive policies in Third World countries.¹⁹¹ It should therefore come as no surprise that Shari'ati championed the cause of the Algerian Freedom Movement in the 1960s. He was also critical of electoral procedures in capitalist societies where the minds and thus the votes of the people are often directed by interest groups.¹⁹² But what Shari'ati was most concerned about was whether democracy can work in developing societies or not. He did not deal very much with the theoretical compatibility or incompatibility of Islam and democracy. He was however convinced that "democracy, in an underdeveloped society which needs progressive revolutionary leadership, is itself an enemy to democracy."¹⁹³

Shari'ati firmly believed that freedom and equality have been the two main sources of inspiration for revolutionary movements throughout human history. A third one has been *'ishq-i 'irfānī*, or transcendental love.¹⁹⁴ According to Shari'ati, the most comprehensive and perfect ideology or school of thought that can claim to guide man to his ultimate perfection should possess all three of these dimensions.¹⁹⁵ But in a detailed exposition of this issue he contends that his perception of equality and freedom, as essential dimensions of man's being, is neither what Muslim theologians and jurists have taught nor what Western schools of thought such as existentialism, humanism, liberalism, socialism and Marxism have offered as the truth. Although existentialism has freed man, Shari'ati states, from the shackles of the materialistic challenges of capitalism and socialism and has refocused man's attention on his own self, it has failed to replenish his spiritual vacuum. It ignores the transcendental aspect of man and does not replace it with anything;¹⁹⁶ thus the freedom it offers ends

¹⁹⁰ See for instance Shari'ati's "Iqbal Muṣliḥ-i Qarn-i Akhīr", pp. 92-94.

¹⁹¹ See for instance Shari'ati's "Ummat wa Imāmat," pp. 610-617.

¹⁹² *Ibid.*, p. 240; Ali Shari'ati, "Mā wa Iqbal" [We and Iqbal], in his *Majmū'ah-i Āthār*, (1357/1979), vol. 5, pp. 130, 211.

¹⁹³ Shari'ati, "Ummat wa Imāmat," p. 633.

¹⁹⁴ Ali Shari'ati, "Chigūnah Māndan" [How to Live], in *Majmū'ah-i Āthār*, (1356/1978), vol. 2, pp. 42-45; *idem*, "'Irfān, Barābarī, Āzādī" [Mysticism, Equality, Freedom], in *Majmū'ah-i Āthār*, vol. 2, p. 59.

¹⁹⁵ Shari'ati, "'Irfān, Barābarī, Āzādī," p. 86.

¹⁹⁶ *Ibid.*, pp. 77-80.

in nihilism. Freedom in Islam is more than “*liberté*” which is freeing man from a restraint. In Islam it contains a kind of existential growth (*rushd* or *takāmul-i wujūdi*).¹⁹⁷ Socialism too has its own weak points. Although it preaches equality, it does not go beyond the issue of removing class discrimination.¹⁹⁸ Also, in practice, it has turned into statism and as such ignores the freedom of individuals.¹⁹⁹

Islam, particularly in its ‘*Alawī* Shī‘ism form as described by Shari‘atī, includes all these three necessary dimensions of freedom, equality, and transcendental love in their most comprehensive sense; hence, it is capable of guiding man to his ultimate perfection, and salvation. The way to prove this is through examining the lives and characters of certain outstanding representatives of Islamic teachings. Imam Ali and Abūdhār Ghaffārī were living symbols of what freedom, equality and justice mean in Islam.²⁰⁰ Examples of Ali’s treatment of his political opponents as well as his words and actions regarding social equality during his caliphate provide the foundations upon which Shari‘ati builds his exemplary model of a perfect statesman and political system, in which even enemies are not deprived of their human rights. Ali’s government, in this respect, scored so much higher than any system based on modern liberalism and charters of human rights that the latter two would be ashamed of their shortcomings.²⁰¹ Whatever Shari‘ati’s definition of freedom was, he truly fought for it. This anti-despotic perception of political freedom dominates other aspects of this multi-dimensional notion as well. In one place, he writes, “O, freedom, how many times have I been imprisoned and will I be again for you, how many tortures and sufferings have I embraced for your cause; yet, [be sure] I will not

¹⁹⁷ Shari‘ati, “Chigūnah Māndān,” p. 44.

¹⁹⁸ Shari‘ati, “Irfān, Barābarī, Āzādī,” p. 77.

¹⁹⁹ *Ibid.*, pp. 78, 149.

²⁰⁰ Shari‘ati, “Iqbal Muşliḥ-i Qarn-i Akhīr,” p. 95. Shari‘ati refers throughout his works to Ali and Abūdhār as personifications of the human values of freedom, justice and selflessness. See for instance his works: “Ali Haqiqatī bar Gūnah-i Asāṭir” [Ali: A Reality in the Form of a Myth], pp. 5–66; “Qarn-i Mā dar Justujū-yi ‘Alī” [Our Century in Search of Ali], pp. 67–112; “Qāsiṭīn, Māriqīn, Nākithīn” [The Just, The Disloyal, The Turncoat], pp. 195–376; “Alī Bunyāngudhār-i Waḥdat” [Ali: The Initiator of Unity], pp. 155–194; and still others in his *Majmū‘ah-i Āthār*, (1361/1982), vol. 26.

²⁰¹ Ali Shari‘ati, “Khud Sāzi-i Inqilābī” [Revolutionary Self-Construction], in his *Majmū‘ah-i Āthār*, vol. 2, pp. 142–150; *idem*, “Qāsiṭīn, Māriqīn, Nākithīn,” in his *Majmū‘ah-i Āsār*, vol. 26, p. 356.

sell myself to despotism. [After all] I am the child of freedom; Ali is my master and Muṣaddiq is my leader, the old man who lamented seventy years for freedom."²⁰²

Finally, Shari'ati's view of equality can be seen in his reading of Abūdhar's life, whom he regarded as a champion of Islamic social equality. His portrayal of the latter has a socialist flavour to it, in spite of his frequent criticism of socialism and Marxism as political ideologies. Shari'ati's discussion of freedom and equality usually concentrates on how they can be achieved rather than specifically examining their relation to democracy.

MURTAḌĀ MUṬAHHARĪ

Ayatullah Murtaḍā Muṭahharī, was one of the most prominent and most enlightened Iranian 'ulamā' of this century. His name was associated with various religious modernist movements of the 1960s and 1970s, such as Anjuman-i Guftār-i Māh and Ḥusayniyah-i Irshād. Muṭahharī was a very prolific scholar whose works played a significant role in the ideological formation of the Iranian revolution of 1978–1979. But, unlike Bāzargān, Ṭāliqānī and Shari'ati, the topics and issues that made up his primary interest did not have immediate political implications. Consequently, the question of compatibility of Islam with democracy was naturally left untouched. Muṭahharī's primary goal, which he shared with others, was to prepare a new outfit for traditional religious beliefs and principles which would be competitive with modern Western ideologies, Marxism in particular, and as such preserve the faith of youth in the battle with secularism. Nevertheless, Muṭahharī's political strategy differed from that of his fellow activists. He adopted a more conciliatory stand vis-à-vis the shah's regime. Although he was not a pronounced supporter of the latter, he was never imprisoned, nor were his books or lectures ever banned. Rather, he even recommended working under a tyrannical government with the purpose of serving and helping those who have been wronged.²⁰³ He was a lecturer at Tehran University from 1954 to

²⁰² Ali Shari'ati, "Āzādī, Khujastah Āzādī" [Freedom, Blissful Freedom] in his *Majmū'ah-i Āthār*, vol. 2, pp. 127–128.

²⁰³ Murtaḍā Muṭahharī, *Ihyā'-i Tafakkur-i Islāmī* [The Revival of Islamic Thought] (Qum: Intishārāt-i Islāmī, 1361/1982), p. 127.

the end of his life and contributed to the writing of high school religious text-books prepared by the Ministry of Education of the time. He also published his famous book on the *Rights of Women in Islam* in the form of a series of articles in the controversial women's magazine, *Ẓan-i Rūz*.

Among the topics that Muṭahharī has dealt with there is enough material to reconstruct the major lines of his political thought. Like other Muslim activists he believed that politics is part and parcel of Islam²⁰⁴ and repeated the traditional arguments to prove the necessity of government and political leadership.²⁰⁵ Like Shari'ati and others, Muṭahharī believed that society not only needs a leader to govern and to administer it, it also needs somebody to guide and propel it towards perfection (*hidāyat*).²⁰⁶ Nevertheless, Muṭahharī remained silent on the question of government (*ḥukūmat*) in the absence of the infallible Imam. Throughout the book *Imāmat wa Rahbarī*, as well as in the book *Walā'ihā wa Wilāyathā*, in which he discusses all aspects of the authority of the Imams as the successors of the Prophet, Muṭahharī considers political authority (*ḥukūmat*) to be an indispensable part of the doctrine of *imāmat*, though not identical with it.²⁰⁷ In spite of the fact that he was aware of the question of political authority in the absence of the Imam, as in several places his discussion inevitably touches upon the issue,²⁰⁸ Muṭahharī never expressed an opinion. He even remained silent when asked to give his opinion on whether *mujtahids* should have the right to rule or whether the community should choose the leadership.²⁰⁹ The ideal form of government that he envisioned was based on the model of Imam Ali's government, his preaching for which was a kind of response, though very indirect

²⁰⁴ Murtaḍā Muṭahharī, *Imāmat wa Rahbarī* [Imamate and Leadership], 7th ed. (Qum: Ṣadrā, 1367/1988), pp. 32–33. The book contains six lectures delivered in 1349/1970 before a gathering of the Islamic Association of Physicians.

²⁰⁵ See for instance Murtaḍā Muṭahharī, *Sayri dar Nahj al-Balāghah* [A Study on *Nahj al-Balāghah*] (Qum: Ṣadrā, 1354/1975), p. 104.

²⁰⁶ Murtaḍā Muṭahharī, "Mudiriyyat wa Rahbarī dar Islām" [Administration and Leadership in Islam], in his *Imdādihā-i Ghaybi dar Zindigī-i Bashār* [Divine Supports in Human's Life] (Qum: Ṣadrā, 1354/1976), pp. 97–124.

²⁰⁷ Muṭahharī, *Imāmat wa Rahbarī*, pp. 46–63, 67–85; idem, *Walā'ihā wa Wilāyathā* [Friendships and Guardianships] (Qum: Daftar-i Intishārāt-i Islāmī, 1362/1983), pp. 20–37. The latter work consists of lectures originally delivered at the Ḥusayniyah-i Irshād in 1349/1971.

²⁰⁸ Muṭahharī, *Imāmat wa Rahbarī*, pp. 54–57, 70, 80.

²⁰⁹ *Ibid.*, pp. 145–148.

and always in metaphorical language, to the authoritarian rule of the shah. In a series of lectures in Ḥusaynīyah-i Irshād, Muṭahharī surveyed certain political themes of *Nahj al-Balāghah* such as the rights of the ruler with respect to his subjects and those of the ruled with respect to the ruler, justice as the principal legitimating factor of the state, and the necessity of a legitimate ruler. The paradigm of a legitimate ruler is, therefore, that of a just custodian (*amānatdār*) of the people's trust and not a possessor of their livelihood. A discussion of how this legitimate ruler should come to office or how he would rule is not dealt with.²¹⁰

It was not until the first few months after the victory of the revolution that the question of "how to rule" asserted itself. Muṭahharī was asked to express his views on what kind of government the Islamic Republic should be and how much freedom and equality it should guarantee to its citizens. Muṭahharī's responses to these questions were hasty, general remarks which lacked the precision and depth of some of his scholarly works. They seemed to be contingent upon the political necessities of the time. In those months, the issues of equal political rights and freedom of speech were burning issues for all groups participating in the revolution, like the Marxists, nationalists and Mujāhidīn-i Khalq. Taking an apologetic tone, Muṭahharī stated that freedom, the rights of individuals, and democracy were all inherent in Islamic government.²¹¹ In a more general statement he even claimed that liberal values and teachings do inherently exist in Islamic teachings.²¹² In this way he justified Ayatullah Khomeini's opposition to the suggested name for the country, i.e. "Islamic Democratic Republic of Iran," and his insistence on "Islamic Republic of Iran" instead. In sum, Muṭahharī argues that Islam includes democracy and the human values of freedom, equality and justice.²¹³ But Islamic democracy and freedom are far superior to the version applied in both theory and practice in the West. Democracy in Islam means freedom of humanity, whereas in the West democracy guar-

²¹⁰ Muṭahharī, *Sayrī dar Nahj al-Balāghah*, p. 127.

²¹¹ Murtaḍā Muṭahharī, *Majmū'ah-i Yādāshthā, Sukhanrānīhā wa Muṣāhibahā-yi Ustād-i Shahīd Murtaḍā Muṭahharī* [A Collection of Master Muṭahharī's Notes, Speeches and Interviews], 2nd ed. (Qum: Intishārāt-i Islāmī, 1361/1982), p. 78. This book is mainly a collection of lectures delivered in early 1978, during the first two months following the revolution.

²¹² *Ibid.*, pp. 34–35.

²¹³ *Ibid.*, pp. 78–79.

antees the freedom of the carnal soul of man.²¹⁴ Muṭahharī, like other Muslim modernists, associates the concept of political freedom with *tawḥīd*. Freedom, he states, is first and foremost freedom from servitude to anyone other than God. According to his reading of the verse “. . . that we shall worship none but *Allāh*, and that we shall ascribe no partner unto Him, and that none of us shall take others for Lords besides *Allāh* . . .” (3:64), *tawḥīd* is freedom in both the individual and social aspects of human life.²¹⁵ Also in his interpretation of Imam Ali’s teaching to his son in *Nahj al-Balāghah*, “do not be the servant of anyone other than God, for He created you *hur*, free”, the meaning of the concept of *hurriyah* is expanded to include the modern sense of socio-political freedom enshrined in democracies which, according to him, are only one aspect of living a noble and free life.²¹⁶ Regarding freedom of belief and freedom of expression, Muṭahharī assures his audience, through rational arguments as well as by bringing evidence from the Qur’an and Islamic history, that Islam rejects any compulsion in belief because, rationally speaking, it is not possible to stop somebody from thinking or believing in something. Having the freedom to think is a natural right of man. But this does not mean that Muṭahharī assigns equal value to other schools of thought. Nor does he think that they should be freely propagated in society.²¹⁷ Firmly believing that truth lies in Islam and that free thinking does not always result in the right conclusions, Muṭahharī questions the truth of other schools of thought. The main example that he cites among these “misleading” schools is dialectical materialism, whose advocates he invited to engage in academic debate. This represents the kind of directed/limited freedom that Muṭahharī was ready to give to other ways of thinking. Rejecting violent encounters, he advocated, what he called, the Islamically democratic method of *amr-i bi ma’rūf wa nahy-i az munkar* as the best way of guiding the misguided towards the truth.²¹⁸ He equally believed, unlike the dogmatic clergy, that preventing freedom of expression in the name of protecting Islam is unjustifiable, for Islam can only be

²¹⁴ Ibid., pp. 79–82.

²¹⁵ Ibid., pp. 68–69; Murtaḍā Muṭahharī, *Insān-i Kāmil* [The Perfect Man] (Qum: Intishārāt-i Islāmī, 1362/1983), p. 35; idem, *Sayrī dar Nahj al-Balāghah*, p. 294.

²¹⁶ Muṭahharī, *Majmū’ah-i Yāddāshthā, Sukhanrānīhā wa Muṣāḥibihā*, pp. 34–35, 43.

²¹⁷ Ibid., pp. 6–10.

²¹⁸ Ibid., p. 49.

protected through knowledge (*ilm*) and open and strong challenge from opposite views.²¹⁹

Equality, in Muṭahharī's discourse, is synonymous with justice, especially the social justice practiced and preached by Imam Ali for which he fought and was killed.²²⁰ However, justice also means providing opportunities and making them equally accessible to all members of society, but only in accordance with the degree of a person's own talent.²²¹ Muṭahharī does not discuss the different aspects of political equality embedded in democracies. Although he advocated intellectual tolerance vis à vis other trends of thought, he did reject any possibility of Muslims accepting the rule of non-Muslims.²²² As for women's rights, Muṭahharī's book *Nizām-i Huqūq-i Zan dar Islam* (Rights of Women in Islam) has gained him much fame both inside and outside of Iran. Nevertheless, his views seem to be nothing but a justification of women's position in Islamic law (*sharī'ah*) in modern terms. He appeals to all kinds of arguments, from ascribing certain differences to nature, to natural rights, to textual interpretations for the sake of convincing his readers. In some passages he criticizes the misuse and abuse of *sharī'ah* with regard to women, yet offers no suggestion for improving, changing or modifying the laws regarding inheritance, marriage or divorce. Rather they are all endorsed and their philosophy justified.²²³

AYATULLAH RUHOLLAH KHOMEINI

The theoretical climax of Khomeini's political activities came in 1970–1971 when he sketched the major lines of his theory of Islamic government, *wilāyat-i faqīh*.²²⁴ Although until then Khomeini had consistently and severely criticized the shah himself, he had not given

²¹⁹ Ibid., pp. 14–15.

²²⁰ Murtaḍā Muṭahharī, *Bist Guftār* [Twenty Lectures] (Tehran: Kitābkhānah-i Ṣadūq, 1343/1964), pp. 4–10, 31–37, 50–51. The book contains a series of lectures broadcast on Radio Iran during the late 1330s and early 1340s (1960s).

²²¹ Ibid., pp. 84–94.

²²² Muṭahharī, *Walā'ihā wa Wilāyathā*, pp. 6–11.

²²³ Murtaḍā Muṭahharī, *Nizām-i Huqūq-i Zan dar Islam* [The System of Women's Rights], 8th ed. (Qum: Ṣadrā, 1357/1979).

²²⁴ Ruhollah Khomeini, *Hukūmat-i Islāmī* [Islamic Government] (Tehran, n.p., 1354/1976).

up hope in the concept of constitutional monarchy proper, nor had he suggested an alternative.

In Khomeini's theory of Islamic government, which is unprecedented in Shīrī political thought, political authority is not left in abeyance until the reappearance of the hidden Imam, the only legitimate ruler.²²⁵ Rather, another ruler can be chosen to lead a legitimate government. What makes a government legitimate is another matter altogether. Legitimacy can be conferred by the people to some extent, but this should not be mistaken for democracy. "Islamic government does not correspond to any of the existing forms of government," Khomeini states. Yet there are some similarities:

Islamic government is neither tyrannical nor absolute, but constitutional. It is not constitutional in the current sense of the word, i.e., based on the approval of laws in accordance with the opinion of the majority. It is constitutional in the sense that the rulers are subject to a certain set of conditions in governing and administering the country, conditions that are set forth in the Noble Qur'an and the Sunna of the Most Noble Messenger.²²⁶

In Khomeini's theory of government the role of the people is very limited. Although he, like Shari'ati, does believe that in the absence of the Imam a political leader should be chosen, he reserves both the right of choosing and the right to be chosen for this office for the clerical élite, i.e., the *fuqahā'*. Since Islamic government, Khomeini argues, is government by divine laws which are supposed to prevail in Islamic society, the ruler must subordinate himself to the *fuqahā'* who are the experts and the most learned in this law. Thus it makes sense that political power be directly assumed by a *faqīh* or a council of *fuqahā'*. He writes:

Since Islamic government is a government of law, knowledge of the [Islamic] law is necessary for the ruler, as has been laid down in

²²⁵ Ruhollah Khomeini, "Islamic Government," in *Islam and Revolution: Writings and Declarations of Imam Khomeini*, translated and annotated by Hamid Algar (Berkeley: Mizan Press, 1981), p. 61. *Hukūmat-i Islāmī*, the best known of Khomeini's works on political theory, originated in a series of lectures to seminary students at Najaf in early 1970. Three major themes are dealt with in this book: the necessity of having and establishing an Islamic government; the duty of the *fuqahā'* to assume political power (i.e. the doctrine of *wilāyat-i faqīh*) which he justifies on both rational grounds as well as various texts of *aḥādīth*; and finally the necessary measures, like reform of the religious establishment, that would have to be taken as pre-conditions for bringing about an Islamic government.

²²⁶ *Ibid.*, p. 55.

tradition. Indeed such knowledge is necessary not only for the ruler, but also for anyone holding a post or exercising some government function. The ruler, however, must surpass all others in knowledge.²²⁷

This is indeed where he departs from his previous position on the role of the *sharī‘ah* and the ‘*ulamā’* in politics. In an earlier polemical/religio-political work, *Kashf al-Asrār*²²⁸ (first published in 1943), in which he approves of constitutional monarchy, Khomeini rejects knowledge of *fiqh* as one of qualifications for political leadership, remarking sarcastically that it is no more necessary for this task than it would be for an engineer in his own field. At that time what Khomeini was demanding was nothing more than the implementation of the 1906 constitution according to which the laws decided upon in parliament should be reviewed by the ‘*ulamā’*. According to his new theory of Islamic government, however:

If the ruler is unacquainted with the contents of the law, he is not fit to rule; for if he follows the legal pronouncements of others, his power to govern will be impaired, but if, on the other hand, he does not follow such guidance, he will be unable to rule correctly and implement the laws of Islam. It is an established principle that “the *faqih* has authority over the ruler.” If the ruler adheres to Islam, he must necessarily submit to the *faqih*, asking him about the laws and ordinances of Islam in order to implement them. This being the case, the true rulers are the *fuqaha* themselves, and rulership ought officially to be theirs, to apply to them, not to those who are obliged to follow the guidance of the *fuqaha* on account of their own ignorance of the law.²²⁹

For assuming political leadership, two fundamental qualifications are necessary: knowledge of Islamic law and justice.²³⁰ These were the same qualifications imposed by the Commander of the Faithful, Imam Ali,²³¹ and they have been clear to Muslims from the time following the death of the Prophet down to the beginning of the Occultation.²³² Therefore, Khomeini continues, “. . . the ruler should be foremost in knowledge of the laws and ordinances of Islam and just in their

²²⁷ Ibid., p. 59.

²²⁸ Khomeini, *Kashf al-Asrār* [Revealing the Secrets] (Qum: Intishārāt-i Muṣṭafawī, n.d.), p. 232.

²²⁹ Khomeini, “Islamic Government,” p. 60.

²³⁰ Ibid., p. 59.

²³¹ Ibid., p. 67.

²³² Ibid., p. 61.

implementation.”²³³ Since the common people do not have the ability to recognize such a person, the matter of choosing and introducing such a figure remains the prerogative of the ‘*ulamā*’. Once the most just and the most learned *faqīh* is presented to them, the people should extend their allegiance to him.

According to the theory of *wilāyat-i faqīh*, sovereignty belongs to God. He is the only lawmaker. Parliaments or other consultative bodies are only there to plan the implementation of divine law or at most to enact secondary rules and regulations which should of course be in accordance with and within the framework of the *sharī‘ah*. Khomeini himself was aware of this significant difference between his Islamic style of government and other types of administration. He writes:

The fundamental difference between Islamic government, on the one hand, and constitutional monarchies and republics, on the other, is this: whereas the representatives of the people or the monarch in such regimes engage in legislation, in Islam the legislative power and competence to establish laws belongs exclusively to God Almighty. The Sacred Legislator of Islam is the sole legislative power. No one has the right to legislate and no law may be executed except the law of the Divine Legislator. It is for this reason that in an Islamic government, a simple planning body takes the place of the legislative assembly that is one of the three branches of government. This body draws up programs for the different ministries in the light of the ordinances of Islam and thereby determines how public services are to be provided across the country.²³⁴

As for the concepts of freedom and equality, Khomeini’s views are very much in harmony with classical Islamic views of the issues discussed in chapter two. Freedom, first and foremost, is abandonment of servitude to anyone other than God.²³⁵ As for political freedom the same line of argument as set forth by Nā’īnī, Ṭabātabā’ī, Ṭāliqānī and others is traceable here too. What is primarily meant by political freedom is removal of internal despotism and the domination of foreign powers, the two outstanding manifestations of subordination to another power than God’s. As a Muslim revivalist, Khomeini was

²³³ Ibid.

²³⁴ Ibid., pp. 55–56.

²³⁵ For Khomeini’s views on man and his rights see Farhang Rajaee, *Islamic Values and World View: Khomeini On Man, the State and International Politics* (New York: University Press of America, 1983), pp. 35–49.

very much concerned about the honor and dignity (*izzat*) of Muslim nations in general and Iranians in particular. Therefore, subordination to a despot who was in his turn subordinate to foreign powers was the worst form of servitude and humiliation possible for man. During the revolution of 1978–79, Khomeini promised in his lectures and interviews that under an Islamic government all political groups would enjoy freedom of expression contingent upon proving their sincerity, and to the extent that they did not weave a plot against Islam and the Muslims or violate the fundamental laws of the country, i.e., the *shari'ah*.²³⁶

As for equality in political rights, the egalitarian nature of Islam is repeatedly appealed to as a guarantee that the voice of all should be heard, in accordance with the holy law of Islam. Therefore, the freedom of religion of religious minorities is assured and protected by Islamic law.²³⁷ This evidently means nothing more than the protection of the rights of the *ahl al-kitāb* in the Islamic community which, as examined in chapter two, is very different from the concept of equality in the modern sense of the word. Although non-Muslim citizens are allowed to choose their representatives for the Islamic/national assembly, they are not allowed to be elected to political office. There was indeed no change in Khomeini's position in this respect since early 1340/1961 when he and other *mujtahids* declared their opposition to a law passed by the government of the time which removed the condition of being Muslim from the list of qualifications for candidacy in election for provincial executive coun-

²³⁶ See for instance the following: interview with the *Guardian*, October 1978; *Middle East Bulletin*, November 1978; *Ettela'at*, January 1979; a message issued in February 1979; a speech delivered in February 1979; interview with Agence France Presse in March, 1979; several speeches given in March and April 1979; interview with *Der Spiegel*, January 1979; speeches in April-May 1979. Khomeini's speeches, statements and interviews are compiled in several collections by different publishers. The above references are to be found in *Dar Justujū-yi Rāh az Kalām-i Imām; az Bayānāt wa I'lāmīyahā-yi Imām Khomeini (1341–1361)* [Finding the Way by Imama's Words; a Collection of Imam Khomeini's Sermons and Decelerations] (Tehran: Amīr Kabīr, 1363/1984), vol. 17/20, pp. 202, 264, 264, 214–218, 264, 262, 230, 289 (respectively).

²³⁷ See for instance the following: interview with *Le Figaro*, October, 1978; interview with a group of several Western media representatives in Paris, November, 1978; interview with a German newspaper, November, 1978; lecture in Tehran, April, 1979; interview with the news agency United Press, November, 1978; speech in Paris, October, 1978. All of the previous may be found in *Dar Justujū-yi Rāh*, vol. 17/20, pp. 201, 206, 208, 212–213, 380–381 and 383–385, 381–382 (respectively).

cils and which also replaced references to the "Qur'an" with "the holy book" on which parliamentary representatives were to swear their oaths. Nevertheless, there was a change, since then, in his position regarding the role of women in politics. For along with Ayatullah Burūjirdī, Khomeini opposed the Shah's reforms which, among other things, had given women the right to vote.

Although in theory Khomeini criticized Western democracy for being based on man-made laws designed by representatives of the masses in order to serve their whims and interests, he did not stop using the term democracy in describing the Islamic government during the revolution. In response to many questions, particularly those posed by foreign journalists regarding the nature of Islamic government, Khomeini repeatedly equated it with democracy.²³⁸ Nevertheless a couple of months after the revolution, at the time of the referendum on the future shape of the government in Iran, Khomeini vehemently opposed the inclusion of the term "democratic" in the title of "Islamic Republic of Iran," as suggested by Bāzargān, Ṭāliqānī and others. He emphasized that the future regime in Iran would be "the Islamic Republic, not one word less, not one word more."²³⁹ One reason for this, among others, was that Islam has all the advantages of a democracy and even more. Thus, including the term democratic would be redundant and could even imply that Islam lacks democratic norms. What he meant by Islamic democratic elements, however, can only refer to what we have examined above: a democracy in which there is no concept of the sovereignty of the people and in which majority rule has no meaning! As Akhavi puts it, "it is in that denial [of the term democracy] that Khomeini's elitism becomes abundantly evident."²⁴⁰ Moreover, "the exact type of Republic to which Khomeini was referring was never clarified." Certainly however, "the usual idea that in a republican regime the sovereignty lies with the people was not countenanced by Khomeini."²⁴¹ In effect, what Khomeini condemns as Western democracy is a system

²³⁸ See for instance the interview with a group of Western journalists and media representatives, November, 1978; interviews with a French television channel in October, 1978, a Dutch television channel in November, 1978, and a Swiss television station in November, 1978; all of the above are to be found in *Dar Justū-yi Rāh*, vol. 17/20, pp. 206, 306, 306-310, 315 (respectively).

²³⁹ *Ettela'at*, March 11, 1979, p. 8.

²⁴⁰ Shahrough Akhavi, "Islam, Politics and Society", p. 423.

²⁴¹ Farhang Rajaei, *Islamic Values and World View*, p. 58.

in which social and individual immorality and corruption prevail. Otherwise he, like Ṭabāṭabā'ī, believed in the existence of fundamental differences between Islam and democracy. Later on, Ayatullah Muntazirī, a theoretician of *wilāyat-i faqīh*, was to explain in his voluminous book *Dirāsāt fi Wilāyat al-Faqīh wa Fiqh al-Dawlah al-Islāmīyah*,²⁴² which is the most comprehensive and systematic work available on the topic, that there exist two fundamental differences between democracy and Islamic government. First, in the absence of the Imam any political leadership without the consent of the community is illegitimate. But in the period of occultation, the office of *imāmat* (leadership) should go to the most learned and pious *faqīh*, who is aware and knowledgeable, not only of Islamic law but also of the matters and events of his time, and who is to protect the rights of the people, even those of the non-Muslim minorities. The community is not allowed to choose someone else for this task. Second, in Islamic government the real sovereignty belongs to Allah The Almighty and the true religion, i.e., Islam and its comprehensive laws. Islamic government, in its three divisions of power—legislative, executive and judicial—is subordinate to Islamic law. That is why it is designated as theocracy as opposed to democracy. It is theocracy in the sense that it is the government of divine laws, whereas in a democracy people will choose as their own legislators those who promise to fulfil their wishes and desires.²⁴³

CONCLUDING REMARKS

While these six contemporary Iranian religious thinkers and activists share some common ground on the subject of Islam and democracy, they differ to a considerable degree on a number of points. The most striking similarity lies in their conceptions of the nature of Islam, a factor which has perhaps the most significant bearing on their political theorizing. Like other Muslim activist-interpreters, these men too saw Islam as being, in the first place, closely intertwined with all aspects of life, and in the second, a comprehensive system

²⁴² Ayatullah Ḥusayn 'alī Muntazirī, *Dirāsāt fi Wilāyat al-Faqīh wa Fiqh al-Dawlah al-Islāmīyah* [Studies on the Guardianship of Jurists and the Jurisprudence of Islamic Government], 4 vols. (Lebanon: al-Dār al-Islāmīyah, 1988).

²⁴³ *Ibid.*, vol. 1, pp. 538–540.

containing all the solutions for man's and society's problems. Man has only to implement these in order to effect improvements in his own or in his community's life. Interrelated with their political theorizing is their conception of man. While all agree that man is weak and in need of divine guidance, various adaptations of this theme are evident in the methods proposed by these thinkers that will allow man to govern the society and administer his affairs so as to attain, as much as possible, his perfection in the absence of the Imam. For Khomeini, for instance, this could be achieved only through a political system ruled by *fuqahā'* who are the most learned in divine law. For Shari'ati the problem was to be solved through a guided democratic political system operating in accordance with a revolutionary Islamic ideology. Ṭāliqānī and Bāzargān's solution was a constitutional democracy modeled after the 1906 Constitution in which the supervision of the '*ulamā'*' over legislation was guaranteed. Muṭahharī and Ṭabāṭabā'ī, though not explicitly mentioning *wilāyat-i faqīh*, followed in Khomeini's footsteps since both definitely saw *hidāyat* (guidance) as the primary goal of the state. Another common ground which is interrelated with their perception of man is their acceptance of God as the supreme lawmaker and the ultimate authority. Yet, similarities diminish when it becomes a question of the person to whom this authority is relegated on the earthly plane. Ṭāliqānī, Shari'ati and Bāzargān are closer to each other in this respect, as all three display great confidence in the people's capability to be entrusted with this power and in performing the role of vicegerent of God. Nevertheless, this confidence is not absolute, for this publicly-elected rulership is somehow supervised by and accountable to divine laws and to an expert/enlightened leader. Khomeini, Ṭabāṭabā'ī and Muṭahharī on the other hand held a more pessimistic view regarding man's capabilities. According to them, man-made laws are faulty and will not help man to develop himself to his full potential. Man, understood as entirely self-interested and weak in his will, is qualified neither to choose his ruler nor to legislate laws. While all agree upon the necessity of the state's role in governing the society, their concept of how the state is to be governed and by whom set them apart from one another. Khomeini "argues for a monistic conception of democracy"²⁴⁴ in which authority is wholly vested in the

²⁴⁴ Shahrough Akhavi, "Islam, Politics, and Society", p. 423.

fuqahā’, who are just and the most knowledgeable about the law. Some form of democracy was the favourite political structure of Ṭāliqānī, Bāzargān and Shari’ati so long as it was based on popular sovereignty and guaranteed decentralization of power. The 1906 constitution with its civilian democratic government supervised by the ‘*ulamā*’ was the closest possible model to what Ṭāliqānī and Bāzargān described. A form of guided democracy on the basis of a revolutionary reading of Islamic tenets headed by an enlightened revolutionary leader was Shari’ati’s ideal state. Ṭabāṭabā’ī’s model was definitely not democratic in the sense of majority rule, but it definitely provided for the rule of law in which God is recognized as supreme lawmaker. Although Muṭahharī does not specify his ideal type of state in the absence of the Imam, and in spite of the fact that he made confusing and often contradictory statements at the time of the Revolution, his discussion of *wilāyat* and *imāmat* could place him closer to Khomeini’s *wilāyat-i faqīh*.

As for the principles of freedom and equality, the arguments of these thinkers are entirely traditional. All believe that Islam endorses the root principles of democracy i.e., freedom and equality, yet none presents a clear perception of the differences existing between these concepts as understood Islamically and in the framework of *sharī‘a*, or of what these concepts entail in democracies. In discussing equality, all refer to the egalitarian spirit of Islam and not to the irreconcilability of equal rights of Muslims and non-Muslims, men and women in a democracy with Islamic law. As for freedom, often the moral concept of *hurriyah* is stretched to include political disobedience in the face of tyranny. Political freedom, especially freedom of speech, is often likened with the Islamic concept of *amr-i bi ma’rūf wa nahy-i az munkar* (enjoining right conduct and forbidding indecency). This comparison is made particularly with regard to having the freedom to criticize lawlessness of a despotic rule. Undoubtedly all these men betray a certain amount of utopianism in their thought and often mythologize certain historical examples as Islamic paradigms of equality and freedom.

Regardless of all their differences, however, what brought these men into an alliance in the course of the revolution was political necessity and their shared goal of overthrowing a tyrant. Another, perhaps more important link was their desire to protect Islam from secular ideologies and to make it as effective and viable as possible. This points to the fact that democracy as a theory of government

did not occupy and was not the focal point of their religio-political discourse. Their scattered and unsystematic efforts at reconciling Islam and democracy were simply a product of the anti-dictatorial nature of their proposed Islamic ideology which had to be competitive in this respect with other ideologies, particularly Marxism, which was at that time the most appealing to the educated youth. Given the political conditions of the Pahlavi era, one can ask the question whether, if some restraints on the opposition had been loosened and political powers distributed to existing institutions, these Muslim thinkers would still have embarked on reconciling Islam and democracy. It is possible that they might never have made the effort. As it happens, their treatment of the issue reflects their almost accidental encounter with it. Thus there is no surprise that these arguments do not go beyond gross generalization and condemnation of democracy as practiced in the West, nor beyond entirely religious arguments designed to Islamize certain principles of democracy. No effort at tackling the issue at a deeper philosophical level was made. Their arguments do not exceed in content and method what the Shī'ite *mujtahid*, Nā'īnī, had theorized at the beginning of the century. This points more than any other indicator to their mindset, their intellectual training and their schemes of discourse. Therefore, after about eighty years of struggle, both theoretical and practical, with the problem of accommodating democracy in a land which, except for a very few brief periods, has seen nothing but autocracy, the only systematic theoretical attempt of reconciling Islam with a democratic form of government remains that by Nā'īnī. The next chapter however will examine a different approach to the issue which was developed in the post-revolutionary era.

CHAPTER FIVE

POST-REVOLUTIONARY RELIGIOUS INTELLECTUALISM AND DEMOCRACY ABDULKARIM SOROUSH

While the religious intellectual trend of Iran in the 1970s was associated with the names of Ali Shari‘ati and the *Husayniyah-i Irshād*, the corresponding trend in the post-revolutionary era has been identified with those of Abdulkarim Soroush and the journal *Kiyan*. The post-revolutionary religious intellectualism of Iran features certain unique characteristics as it evolves in a context which is socially and politically different from the pre-revolutionary era, though having its roots in it. This context has little precedent in Islamic history, where seldom has religious and political authority been united in one and the same institution. Unlike the religious thinkers of the previous era, the main figures of the new religious modernist movement have all had some kind of association with the ruling structure, which makes the task of any reform more difficult. This intellectual movement has nevertheless emerged from within the same ideological circles that shaped the revolution, and is headed by one of its best known figures, Abdulkarim Soroush.

While the previous trend of religious thought grew in response and reaction to the prevailing ideologies of the time, most notably to Marxism, emerging in the end as an Islamic ideology, the present Islamic intellectual movement has surprisingly developed as a counter trend to the prevailing mode of Islamic ideology. The emerging trend is “making it possible to be Islamic without being fundamentalist,” this by “creating a comprehensive, late 20th-century world view that is, at the same time, authentically Islamic and authentically modern.”¹ Another feature of the new movement is that its growing constituency and its leading figure, Soroush, have experienced at first hand the failure of the mythologized ability of “Islamic

¹ John Voll, quoted by Robin Wright in her article “Islamist’s Theory of Relativity,” in *Los Angeles Times*, Washington edition, January 27, 1995.

ideology” to provide a viable and effective leadership for a religious society in the modern era. The shortcomings and restraints of a dogmatic understanding of Islamic law and the absence of a viable *ijtihād* have made this failure more evident than ever before. Moreover, while the previous generation of religious intellectuals experienced and fought against political despotism and in this process benefited from the support of some notable members of the clergy, the present one has experienced and struggled against both political and religious absolutism at the same time. The post-revolutionary religious modernists have found themselves challenging religious despotism, something that Nā’īnī, at the beginning of the century, had warned the nation against, calling it the worst form of despotism. A phenomenon that was perhaps the unintended consequence of the Islamic ideological discourse developed by pre-revolutionary religious modernists.

The formative years of post-revolutionary religious intellectualism went very much unnoticed by the religio-political authority, which by mid-1980 had already succeeded in consolidating its foundations and overcoming its rivals. Perhaps one can date the earliest activities of this Islamic intellectualism to the early 1980s when the first cultural organization of its kind was founded by a few young but intellectually-oriented revolutionaries who had dissociated themselves from purely political activities and who envisioned the empowerment of the intellectual, rather than the military or political, aspect of the Islamic society. In 1358/1981 these individuals founded an institution called the *Ḥawzah-i Andīshah wa Hunar-i Islāmī*² (Center of Islamic Thought and Art), a deliberate echo of the name of the traditional Islamic seminary, *ḥawzah-i ‘ilmīyah* (Center of Islamic Sciences). The goal of this center was to promote Islamically-inspired fine arts and belles-lettres. Yet the timing of its founding was significant, indicating as it did the intellectual orientation of its members at a time when the prevailing social atmosphere was increasingly directed towards religious emotionalism and popularism through reviving fanatical modes of expression in a society afflicted by revolution and war. After only a couple of years however this Islamic, quasi-liberal art center was taken over by the political establishment. The original

² The most notable founding members were: Sayyid Mostafa Rokhsefat and Reza Tehrani. Many famous poets, painters and film makers of the new generation, like Muhsin Makhmalbaf, started their work at this center.

founders of the *Hawzah-i Andīshah wa Hunar-i Islāmī* started over again,³ this time by the help of a few other like-minded individuals founding in 1363/1984 *Kayhan-i Farhangi* (Cultural Kayhan), a monthly cultural magazine devoted to issues of thought and literature, the first of its kind ever to be published after the revolution. The openness of thought that this magazine displayed during its early years was particularly striking because it did not devote its attention solely to traditional Islamic thinkers and preachers. Translations of works by famous Western literary and philosophical figures as well as Western literary criticism covered several pages in each issue. A number of well-known Iranian scholars were interviewed and introduced to readers. Among the former were a good number of non-religious writers and poets who were in this way brought once again to the attention of Iranian Muslims after years of being defamed and forced to abandon public life by revolutionary hard-liners. Topics such as religion and science, reason and revolution, freedom and social justice, Islam and the West, were among those addressed by the magazine. A focal point in the history of the magazine came in 1988–1990 when it published a series of articles by Abdulkarim Soroush entitled “Qabḍ wa Baṣṭ-i Tī’ūrīk-i Sharī‘at” (The Theoretical Contraction and Expansion of Religion).⁴ These articles laid the foundation of Soroush’s epistemological approach to religious modernism. The argumentative nature of the articles and the implications that Soroush’s theory had for the religious and political establishment led to much controversy, and the editorial board of the Magazine was forced to resign. *Kayhan-i Farhangi* was closed down in 1990. It reopened in 1991 under a new editorial board and in compliance with the regime’s cultural policy. The old editorial board⁵ founded a new, independent bi-monthly journal, entitled *Kīyan*, in late 1991. Since its commencement *Kīyan* has served as an intellectual forum for the ideas of post-revolutionary religious intellectuals, led by Abdulkarim Soroush, who have launched lively debates in the fields of philosophy, theology,

³ Sayyid Mostafa Rokhsefat, Sayyid Kamal Hajj Sayyid Javadi and Hasan Montazer Qa’im.

⁴ *Kayhan-i Farhangi* [Cultural Kayhan] 5, no. 2 (1367/1988): pp. 12–18; *Kayhan-i Farhangi* 5, no. 4 (1367/1988): pp. 13–19; *Kayhan-i Farhangi* 5, no. 12 (1367/1989): pp. 11–16; *Kayhan-i Farhangi* 6, no. 4 (1368/1989): pp. 7–15; *Kayhan-i Farhangi* 6, no. 5 (1368/1989): pp. 6–11; *Kayhan-i Farhangi* 6, no. 9 (1368/1989): pp. 7–13; *Kayhan-i Farhangi* 7, no. 1 (1369/1990): pp. 12–19.

⁵ Sayyid Mostafa Rokhsefat, Reza Tehrani and Mahmoud Sahmsolvaezin.

hermeneutics and epistemology. The journal publishes the opinions of both lay intellectuals and the clerics on a wide range of critical issues in the field of religion and politics; religion and ideology; religion and modernity; religious pluralism; religion and democracy; Islamic jurisprudence and the role of the clergy. So far the journal has survived under all kinds of pressures and restraints created by its opponents in the religious and political establishments. Yet, it has played a very critical role in the development of a new religio-political trend a discussion of which will come later in this work.

ABDULKARIM SOROUSH

A Biographical Sketch

By the mid-1980s Abdulkarim Soroush was already a familiar name to the educated sector of Iranian society, which comprised most of the readership of *Kayhan-i Farhangi*. Abdulkarim Soroush is the pen-name of Ḥusayn Hāj Farajullāh Dabbāgh, born in Tehran in 1945 to a religious family. He received his secondary education at the famous 'Alawī school, a private school originally established by a group of religious merchants and run by a number of well-respected teachers who were both well-grounded in the modern sciences yet also possessed of religious conviction. The school aimed at educating individuals in both the modern and religious sciences. At university in Iran he studied pharmacology, going on to earn a post-graduate degree in analytical chemistry and the history and philosophy of science in London. Soroush also received an extensive traditional Islamic education and was as a result well-grounded in the Islamic sciences. During his stay in England Soroush participated in the political gatherings of Iranian students based in Europe and the United States. He delivered speeches which were transcribed and circulated in pamphlet or book form, among them *Falsafah-i Tārīkh*⁶ and *‘Ilm Chīst, Falsafah Chīst?*⁷ Another book that he published was *Taḍādd-i Dīālīkīkī*,⁸

⁶ Abdulkarim Soroush, *Falsafah-i Tārīkh* [Philosophy of History] (Tehran: Ḥikmat, 1357/1978).

⁷ Abdulkarim Soroush, *‘Ilm Chīst, Falsafah Chīst?* [What is Science, What is Philosophy?], 11th printing (Tehran: Šīrāt, 1371/1992), 1st print, 1363/1984.

⁸ Abdulkarim Soroush, *Taḍādd-i Dīālīkīkī* [Dialectical Antagonism] (Tehran: Ḥikmat, 1357/1978).

consisting of a series of his lectures delivered in an attempt to curtail the increasing influence of Marxist ideology on the minds of young activists. The book was widely circulated in Iran and had the reputation of offering a very effective argument against Marxist dogma. Soroush proved his knowledge and ability to engage in this type of discussion immediately after the revolution, when he participated in a live television debate with Iḥsān Ṭabarī and Nūruddīn Kīyānūrī, the Iranian Marxist ideologues of the Tudeh Party. While he was still in London he published a book entitled *Nahād-i Nā Ārām-i Jahān*.⁹ The book presents a philosophical approach to two fundamental tenets of Islam, *tawḥīd* and *ma'ād*, on the basis of Mullā Ṣadrā's idea of *ḥarakat-i jawharī* (quintessential motion). The book was read by and received the approval and admiration of three great scholars on Mullā Ṣadrā's philosophy, namely, Ayatullah Ṭabāṭabā'ī, Ayatullah Muṭahharī and Ayatullah Khomeini.¹⁰ Upon his return to Iran a few months after the revolution, Soroush engaged in a variety of intellectual activities. He was appointed the chair of the department of Islamic culture in Tehran's Teachers' College. He also delivered several public lectures on different aspects of religion and society, including a series of lectures on Rūmī's *Mathnawī* which were broadcast weekly on Iranian television. He published a book on the philosophy of ethics entitled *Dānish wa Arzish*¹¹ (Knowledge and Value), wherein he discusses the relation between "is" and "ought". At the same time he delivered a number of speeches addressing Marxist dogmatic ideology which were later published under the title *Dugmātism-i Niqābdār*¹² (The Masked Dogmatism).

In the spring of 1980, however, the universities were forced to close their doors for political reasons. Soroush was appointed by Ayatullah Khomeini as one of the seven members of the Sitād-i Inqilāb-i Farhangī (The Advisory Committee on Cultural Revolution). However, in 1983, when the universities started to reopen, Soroush

⁹ Abdulkarim Soroush, *Nahād-i Nā Ārām-i Jahān* [The Dynamic Nature of the Universe], reprint (Tehran: Širāt, 1369/1980), 1st printing, 1357/1978.

¹⁰ Abdulkarim Soroush, *Qissaḥ-i Arbāb-i Mar'ifat* [The Tale of the Lords of Sagacity], 3rd ed. (Tehran: Širāt, 1375/1996), p. xxix.

¹¹ Abdulkarim Soroush, *Dānish wa Arzish* [Knowledge and Value].

¹² "Dugmātism-i Niqābdār" along with a couple of other of his lectures were later edited and published in book form. See, Abdulkarim Soroush, *Id'ulūzhī-i Shayṭānī* [Satanic Ideology], 5th printing. (Tehran: Širāt, 1373/1994, 1st ed., 1359/1980.)

resigned his post, the only official appointment he has ever held within the ruling system of Iran, due to disagreements over the function of the committee, which was about to increase its membership and assume further tasks by transforming itself into the *Shūrāy-i Inqilāb-i Farhangī* (The Council of Cultural Revolution).¹³ During the “cultural revolution” the social sciences were indeed beginning to come under severe attack from traditional-minded clergy and some politically motivated academics who considered this discipline to be western, un-Islamic in inspiration and unworthy, if not corrupting the mind, of the youth of Iran. Soroush published about sixteen articles in defence of social science education which, together with a few other articles, were later published in his book *Tafarruj-i Sun'*.¹⁴ After joining the academy of philosophy and the Institute for Cultural

¹³ In the period of political freedom that followed the revolution, a myriad of political groups became active in the universities. Soon ideological and political differences brought them into often physical and, in some cases (it is said), into armed conflicts. This gave the government the pretext to close down the universities. Subsequently, a committee consisting of seven members was appointed—six of them lay educated figures and one a clergyman—and charged by Ayatullah Khomeini (who had appointed them) with the primary task of revising the higher education curriculum and of preparing the ground for re-opening of the universities. During the years that the universities were closed, however, many students, staff and faculty members, who were considered anti-revolutionary, were either expelled or left the country. Soroush has been often criticized for his membership in the aforementioned committee. The full story of what is often called the “cultural revolution” has yet to be told. To this author's knowledge, no independent study has ever been done on this chapter of the revolution, nor have any of its documents so far been released. Both in my personal discussions of the matter with him and in his public lectures outside Iran where he has been questioned, Soroush has denied having had any role in these purges. More recently, in an interview with the Persian magazine *Lawh* (The Tablet), Soroush has recounted, for the first time, some first hand information regarding the nature of the cultural revolution and the task and the function of the *Sitād-i Inqilāb-i Farhangī*. There, Soroush addresses many issues about which, he believes, there has been widespread public misunderstandings. First he emphasizes that the advisory committee was set up after the universities were closed and that its main task was to prepare the ground for their re-opening and not their closure. He furthermore explains that the purging committees in the universities acted independently of the advisory committee. Like other purging committees, these were under the control of and were answerable to their respective ministries. (See *Lawh*, September, 1999). Soroush has reiterated some of these points in his intellectual autobiography which may be found included in an anthology of his works. See Abdulkarim Soroush, *Reason, Freedom, and Democracy in Islam: Essential Writings of Abdolkarim Soroush*. Trans. by Mahmoud Sadri and Ahmad Sadri. (Oxford: Oxford University Press, 2000.)

¹⁴ Abdulkarim Soroush, *Tafarruj-i Sun': Guftārḥā'ī dar Akhlāq wa Ṣan'at wa 'Ilm-i Insānī* [Observing the Created: Lectures in Ethics, Technology and Human Sciences], 3rd ed. (Tehran: Širāt, 1373/1994).

Research and Studies in 1983, Soroush has since been principally engaged in teaching at the university level. Subjects like the philosophy of the social and empirical sciences and the mysticism of Mawlānā Jalaludīn Rūmī constitute his chief interests. He has also contributed to these fields by writing important articles and books, among them his *Darshā'ī dar Falsafah-i 'Ilm al-ijtimā': Rawish-i Tafsi'r dar 'Ulūm-i Ijtimā'ī* (Lectures in the Philosophy of Social Sciences: Hermeneutics in Social Sciences) and by translating such works as Alan Ryan's *The Philosophy of the Social Sciences*, Edwin A. Brutt's *Metaphysical Foundations of Modern Physical Sciences*, and Daniel Little's *Varieties of Social Explanation: An Introduction to the Philosophy of Social Science*.¹⁵ At the Institute for Cultural Research and Studies, in 1992, Soroush established the Faculty of the History and Philosophy of Science, the first of its kind ever in Iran. He is also a member of the Iranian Academy of Sciences. He has lectured extensively to both university and seminary audiences in Tehran and Qum. In 1988 he started a series of weekly lectures in the Imam Šādiq Mosque in Tehran which continued for six years before its suspension by officials. During the years 1988–1994 he also frequented Qum where he taught and participated in discussions at the religious seminaries. Soroush is a very prolific thinker whose published works as well as the audio and video cassette recordings of his numerous lectures have found an increasing audience among young, educated Iranians. Some of his other works will be referred to in the following pages wherever they pertain to the topics under discussion.

The Theory of Contraction and Expansion of Religious Knowledge

Soroush's religious modernism, though a continuation of the trend set by his immediate predecessors, has its own unique characteristics. His assumptions and his approach differ from theirs and thus entail different conclusions. In assessing his thought in the light of

¹⁵ Abdulkarim Soroush, *Darshā'ī dar Falsafah-i 'Ilm al-ijtimā': Rawish-i Tafsi'r dar 'Ulūm-i Ijtimā'ī* [Lectures in the Philosophy of Social Sciences: Hermeneutics in Social Sciences] (Tehran: Nashr-i Nay, 1374/1995); Alan Ryan, *The Philosophy of the Social Sciences* (London: Macmillan, 1970); Edwin A. Brutt, *Metaphysical Foundations of Modern Physical Sciences* (London: Routledge and Kegan Paul, 1959); Daniel Little, *Varieties of Social Explanation: An Introduction to the Philosophy of Social Science* (Boulder, Colo.: Westview Press, 1990).

the efforts of the religious revivalists (*muḥīyān-i dīn*) of the last century, from Sayyid Jamāluddīn Afghānī to Muhammad Iqbal and Ali Shari‘ati, Soroush contends that his contribution, namely, his Theory of the Contraction and Expansion of Religious Knowledge, provides a solution to the unresolved puzzle that all his predecessors were faced with, i.e. reconciling change and immutability.¹⁶ Nevertheless, he claims neither perfection nor finality for his approach, for he believes that no one can have the final word in the tremendous task of religious revivalism.¹⁷ Those who, according to Soroush, have attempted in the past to “reconstruct” or “revive” Islam wanted to preserve the immutability of religion, on the one hand, and yet render it compatible with the continuously changing nature of the modern world on the other. The result has been a victory of different approaches to the matter. Some have tried to strip from Islam irrelevant and/or foreign elements in order to make it more effective and functional. Some have tried to empower it by adding to it elements borrowed from elsewhere, such as from science. Others, like Afghānī, have seen the problem as lying within Muslims themselves and not Islam.¹⁸ Notwithstanding his appreciation of all these attempts, and in spite of his having gained insights from every one of these approaches, Soroush tries to take the problem to a different level by examining it from an epistemological perspective. He states that all the solutions arrived at until now, though perhaps necessary, lacked an epistemological theory. The missing link in their series of efforts was that they did not distinguish between religion (*dīn*) itself and religious knowledge (*ma‘rifat-i dīnī*). Consequently, the inherent contradictions frustrated their attempts to reconcile a fixed religion with a changing world.¹⁹

According to Soroush, it is not Islam that must be changed in order to bring about a reconciliation between the immutability of religion and the dynamics of the external world: it is rather man’s

¹⁶ Abdulkarim Soroush, *Qabd wa Bašt-i Tī‘ūrik-i Shari‘at: Naẓariyah-i Takāmul-i Ma‘rifat-i Dīnī* [The Theoretical Contraction and Expansion of Religion: The Theory of Evolution of Religious Knowledge], 3rd ed. (Tehran: Širāt, 1373/1994), pp. 47–52.

¹⁷ Abdulkarim Soroush, “Murtaḍā Muṭahharī Ihyā’ Kunandah’ī dar ‘Aṣr-i Jadīd,” [Murtaḍā Muṭahharī, a Contemporary Religious Revivalist], in his *Tafarruj-i Šun‘*, p. 395.

¹⁸ *Ibid.*, pp. 367–384.

¹⁹ Abdulkarim Soroush, *Qabd wa Bašt-i Tī‘ūrik-i Shari‘at*, p. 52.

understanding of it that must be altered. The key principle in Soroush's approach is the distinction that he makes between religion (*dīn*) and religious knowledge (*ma'rifat-i dīnī*), the former being unchanging (*thābit*), the latter constantly in flux (*mutaghayyir*). Soroush's theory of religious knowledge originally appeared in the pages of *Kayhan-i Farhangi* as a series of articles entitled "Qabḍ wa Baṣṭ-i Tī'ūrīk-i Sharī'at" (The Theoretical Contraction and Expansion of Religion)²⁰ published between the years 1988 and 1990. These articles were later amended and, along with some supplementary material and a couple of critical articles and their replies, republished in book form.²¹

The major principles of Soroush's theory, which has a significant bearing on his discussion of the nature of a democratic religious state, among other issues, may be summarized as follows:

1. From an epistemological and historical point of view, religion is different from the understanding of religion.²²
2. Religion per se is divine, eternal, immutable and sacred.²³
3. The understanding of religion is a human endeavour like any other, such as, for instance, the attempt to understand nature. Thus religious knowledge (*ma'rifat-i dīnī*) is not sacred.²⁴
4. Similarly, inasmuch as it is a human endeavour, the understanding of religion and religious knowledge are certainly affected by and in constant exchange with all other fields of human knowledge.²⁵
5. This being the case, religious knowledge is in flux, relative, and time-bound.²⁶

Religious knowledge is the result of mankind's attempt to understand and interpret religion, which, in the case of Shī'ite Islam, consists of the Qur'an, the *ḥadīth*, and the teachings of the Shī'ite Imams.

²⁰ It should be mentioned that the word "sharī'at" is often used in Persian as meaning "dīn" (religion) and is therefore not necessarily equivalent to the "sharī'ah" as the body of Islamic law. However, what Soroush means by "sharī'at," according to the context of his theory, corresponds to religious knowledge or understanding of religion.

²¹ Abdulkarim Soroush, *Qabḍ wa Baṣṭ-i Tī'ūrīk-i Sharī'at: Nazariyah-i Takāmul-i Ma'rifat-i Dīnī* [The Theoretical Contraction and Expansion of Religion: The Theory of Evolution of Religious Knowledge], 3rd ed. (Tehran: Širāt, 1373/1994).

²² *Ibid.*, p. 439, pp. 501–503.

²³ *Ibid.*, p. 181, p. 203, p. 248, p. 441, p. 504.

²⁴ *Ibid.*, pp. 206–208, p. 442, p. 504.

²⁵ *Ibid.*, p. 245, p. 447, pp. 505–506.

²⁶ *Ibid.*, pp. 486–488.

Religion has a revelatory essence and as such may be true, perfect, comprehensive and immutable. Religious knowledge, on the other hand, though its subject matter is sacred, cannot retain any of these qualities because it, like any other branch of knowledge, develops in and is affected by the complexities of human social and intellectual interaction. Religious understanding and its interpretation always occur in a given context, and are produced by individuals with a distinct understanding of the world, nature, and man. In the process of building up any body of religious knowledge a variety of pre-suppositions and methods are consciously or inadvertently utilized. These assumptions range from the philosophical, theological and historical to more specific ones like the linguistic and sociological. All this implies that the understanding of religion and any knowledge of it are subject to expansion and contraction because they are involved in a constant give and take with other disciplines of human knowledge. Religious knowledge, like other branches of knowledge, is mundane, theory-loaded and thus relative, time-bound and changing.

The Clergy

The upshot of this is that no understanding of religion is ever sacred, absolute or final. Nor can any individual or specific group claim privileges on the basis of holding the true and final interpretation of religion.²⁷ This applies especially to the Shi'ite clergy who, claiming to be the successors of the hidden Imam, consider themselves as the custodians of the true Islam, which allows them to judge the correctness of all other interpretations.²⁸ The political consequences of

²⁷ While there may yet be no final and absolute interpretation of religion, nevertheless this does not mean that any unsystematic, arbitrary or haphazard (*ghayr-i madbūʿī*) reading of the texts should be considered a valid understanding of religion or that there is no difference between correct or incorrect understandings (*Qabḍ wa Baṣṭ*, p. 197, pp. 341–342). The theory of *Qabḍ wa Baṣṭ* however, as an epistemological theory, is not concerned with deciding which understanding is correct. This is the task of the scholarly community to decide and the issue belongs to the realm of first rank knowledge (*maʿrifat-i darajah-i avval*) (*ibid.*, p. 342). As it is the case that in the creation of a religious knowledge the overall body of human knowledge is involved and it is not the outcome of one individual's understanding of the text alone, the correctness or incorrectness of religious knowledge is not to be determined by a single individual or by an isolated criterion ("Lubb-i Lubāb-i Qabḍ wa Baṣṭ-i Tī'ūrīk-i Sharī'at"; "Pāsukh bi Maqālah-i 'Thubāt wa Taghyīr dar Andīshah-i Dīmī.'" two chapters in *ibid.*, pp. 559 and 612, respectively).

²⁸ Soroush has criticized the structure, method of instruction and the curricula

this discussion, particularly in the present-day Iranian context, are that the *'ulamā'* should no longer arrogate for themselves a special and privileged role in the political system. This brings Soroush into a face to face confrontation with the *fuqahā'* and the advocates of *wilāyat-i faqih*.²⁹

of the religious seminaries. The undue centrality given to *fiqh* at the expense of other branches of the religious sciences has been targeted in particular. His criticisms are especially significant in the light of the rivalry going on between the universities and the religious seminaries over the issue of the social sciences and humanities and the state-sponsored program for unification of the two institutions and the Islamization of the universities. While similar, though not fully elaborated, critiques by Ṭaliqānī and Muṭahharī (among others) went unnoticed and did not create controversy, Soroush's critiques, because they are coming from a lay intellectual and an outsider to the clerical establishment, have raised strong responses from high ranking *mujtahids* who consider them threatening and even blasphemous. For the most comprehensive arguments of the two sides see Soroush "Taqlīd wa Tahqīq dar Sulūk-i Dānīshjū'ī" [Analytical Investigation versus Intellectual Imitation in University Student Behaviour], a lecture delivered in 1368/1989, printed in Abdulkarīm Soroush, *Farbihtar az Id'ulūzhi* [More Comprehensive than Ideology], 2nd ed. (Tehran: Širāt, 1373/1994), pp. 1–21; idem, "Intizārāt-i Dānīshgāh az Hawzah" [The University's Expectations of the Seminary], a lecture delivered in 1373/1994, printed in *Farbihtar az Id'ulūzhi*, pp. 21–45; Ayatullah Nāšir Makārim Shirāzī, "Bi 'Aqīdah-i Man Majmū'ah-i in Sukhanrānī 'Awāmzadīgī-i 'Ajīb Ast" [In My Opinion This Talk is Entirely an Exaggerated Vulgarism] in *Salam*, 5, January, 1993, p. 8.

²⁹ Soroush's direct criticism of the social and political role of the clergy, which is the consequence of their monopoly over religious truth and the sole interpretation that they propagate, appeared in "Hurriyat wa Rūhānīyat" [Freedom and the Clerical Establishment], *Kīyan* 4, no. 24 (1995): pp. 2–11. This article discusses the mutual ties between the clerical and political establishments and the unintended but unavoidable restraints that these impose on the scholarly and intellectual freedom of society in general and of seminaries in particular, restraints which hinder the proper growth and evolution of both religious knowledge and the public political consciousness. The article generated an acrimonious debate in Iranian intellectual and political circles. The indirect warnings of Ayatullah Sayyid Ali Khamaneī, the leader of the Islamic Republic (see *Ettela'at*, 10 September, 1995) accelerated the opposition which culminated in disruptions of Soroush's lectures and threats to his life by an organized mob known as the "Anšār-i Hizbullah", a group supported by certain recognized religio-political institutions. A couple of months later, under the pressure of the Wizārāt-i Ittilā'āt wa Amnīyat-i Kishwar, Soroush had to abandon further discussion on this topic. Yet, in an article written in reply to some of his critics entitled "Saqf-i Ma'īshat bar Sutūn-i Sharī'at" [The Ceiling of Livelihood upon the Pillar of Religion], *Kīyan* 4, no. 26 (1995): pp. 25–32, Soroush elaborated his views further; and in the same issue the editorial board of *Kīyan* announced that they would no longer publish any article related to this topic. For an English summary of Soroush's views on the clergy, see Valla Vakili, *Debating Religion and Politics in Iran: The Political Thought of Abdolkarīm Soroush*, Occasional Paper Series no. 2 (New York: Council on Foreign Relations, 1996).

De-ideologization of Religion

Moreover, Soroush's view on the ideologization of religion, which is in turn derived from his epistemological observation regarding the fluctuating nature of religious knowledge, puts him at odds not only with Iranian but also with most contemporary Muslim religious revivalists. Contrary to the prevailing tendency among Muslim modernists, which consists in developing an Islamic ideology, Soroush attempts the reverse, that is to say, he embarks on a de-ideologization of religion. According to him the disadvantages and harmful aspects of an ideology are greater than its benefits,³⁰ particularly in the case of a religious ideology. Soroush states that religion is far too comprehensive and vital to be enclosed within the fixed mould of an ideology. Religion provides man with all that an ideology can give and more.³¹ Ideologies primarily function as a means for fighting against rival ideologies/schools of thought. Therefore, they are created in such a way as to meet that particular purpose, i.e. they are suitable for defeating a specific enemy in a specific society at a specific juncture in time. Therefore, ideologies are ephemeral.³² Religion on the other hand never targets a specific historical or social milieu; it is, on the contrary, everlasting.³³ Since the primary goal of an ideology is mass mobilization, its teachings, which often serve as party constitutions, require precision and straightforwardness.³⁴ Therefore, a

³⁰ What Soroush means by the term "ideology" in this context is "a systematized school of thought with defined principles which prescribe ideals and values, determine people's position regarding social, political and moral issues and direct their actions" (Abdulkarim Soroush, *Farbihtar az Īdī'ulūzhī*, p. 104).

³¹ Soroush, "Farbihtar az Īdī'ulūzhī" in *Farbihtar az Īdī'ulūzhī*, pp. 122–124. This article is a combination of three lectures that Soroush delivered in 1371/1992 on the 15th anniversary of Ali Shari'ati's death. This in addition to some other articles on related themes were published in a book by the same title (see *ibid.*). In his discussion, while crediting Shari'ati as a religious revivalist and praising him for his courageous and effective enterprise, Soroush points out some of the ironies and contradictions in his thought, focusing particularly on the "unintended" but "unavoidable" consequences of his ideologization of Islam. Listing its harmful aspects, Soroush shows, among other things, how Shari'ati ironically and quite inadvertently helped to consolidate and legitimize the mandate of the Shi'ite clergy as a class of official interpreters and ideologues of Islam. For more of Soroush's views on Shari'ati see for instance his other articles, "Shari'ati wa Jāmi'ah Shināsī-i Dīn" [Shari'ati and the Sociology of Religion], *Kīyan* 3, no. 13 (1993), pp. 2–12; "Duktur Shari'ati wa Bāz Sāzi-i Fikr-i Dīnī" [Dr. Shari'ati and the Reconstruction of Religious Thought], in *Qisṣah-i Arbāb-i Ma'rīfat*, pp. 381–440.

³² Soroush, "Farbihtar az Īdī'ulūzhī", pp. 106–107.

³³ *Ibid.*, pp. 146–147.

³⁴ *Ibid.*, p. 106.

religious ideology by definition teaches superficial and inflexible interpretations of God, man, history, etc. It provides an exoteric version of religion which ignores the depth of meaning(s) hidden mysteriously within its doctrines awaiting interpretation. As far as mysticism is concerned, the ideologization of religion never goes beyond *shari'ah* and is incapable of benefiting from the esoteric levels of *ṭariqah* and *haqīqah*.³⁵ Furthermore, in sociological terms, ideologies are useful for launching socio-political movements but are ineffective when revolutions are over and when it is the time for founding stable social institutions.³⁶ Religion, according to Soroush, is functional at both these times for it is capable of yielding itself to different understandings and interpretations.³⁷ By contrast, since ideologies determine goals for movements and direct the people's actions they are in need of official interpreters, i.e. ideologues.³⁸ Religious ideology requires the clergy to act as a class of official interpreters.³⁹ Soroush is against the ideologization of society, for this is likely to give rise to dictators and totalitarian regimes.⁴⁰

In an ideological society there is no room for reason and intellectual inquiry, for everything is pre-determined by the ideology; hence imitation, dogmatism, emotionalism, blind worship of an individual or individuals as well as hatred of whatever and whomever is considered the "other" are promoted. Similarly no intellectual inquiry about the official ruling ideology or criticism of anyone in power is permitted. Nor does an ideological society tolerate the plurality of ideas either.⁴¹ In an ideal religious society, however, no individual or religious opinion stands beyond criticism. No one understanding of religion is the best or the final understanding. There might be a prevailing interpretation of religion but certainly there is no official or absolute one.⁴²

Given all these considerations Soroush clearly articulates the points on which he diverges from his immediate predecessors in the field of religious modernism in contemporary Iran. Whatever else he might

³⁵ Ibid., pp. 126, 129.

³⁶ Ibid., p. 121.

³⁷ Ibid., p. 129.

³⁸ Ibid., pp. 116, 130.

³⁹ Ibid., p. 137.

⁴⁰ Ibid., p. 135.

⁴¹ Ibid., pp. 135–139, 148–149.

⁴² Ibid., p. 155.

be called, he is not an Islamic ideologue.⁴³ The latter epithet may be applied to those who, during the 1970s, devoted their every effort towards creating an alternative ideology for the nation in order to counter the state-ideology of the Shah and Marxism, whereas Soroush is trying to undo what they did. This is of course partly due to his first hand experience of the consequences of such efforts under the present ideological regime; mostly however it is due to his personal disposition and intellectual inclinations. Very much influenced by the rationalism of the Mu'tazilah and the openness and tolerance of the great mystics, particularly Jalāluddīn Rūmī, Soroush opposes any intellectual rigidity or religious dogmatism and intolerance. He favours rational argumentation and tolerance for a plurality of understandings of religion.

The Religious Democratic State

Soroush's rejection of Islamic ideology as the legitimizing factor in an Islamic state does not amount to his negating the role of religion in politics. Rather he advocates a religious democratic state (*ḥukūmat-i dimukrātik-i dīnī*) for which he argues the possibilities. A democratic state in his view is not only compatible with religion, but essential to a religious society (*jāmi'ah-i dīnī*). Soroush's notion of a religious democratic state can be better understood in light of the distinction he makes between two different understandings of religion, each one yielding an alternative type of religious society which in turn reflects one of two contrasting notions of a religious state. In one, the *fiqh*-based, the state will be, in the final analysis, of a totalitarian nature, even though it may take on some democratic forms. In the other, the faith-based, the state can be nothing less than a democratic state. These are elaborated through his discussion of a number of related issues which will be examined here.

Depending on which aspect of religion is emphasized (Soroush is concerned in this instance with Islam), i.e., *īmān* (inner faith) or *amal* (outward practice), two different understandings of religion will emerge. If *amal* is given priority over *īmān*, the religious society will be defined

⁴³ In spite of his clear position regarding the ideologization of Islam and ideological dogmatism, Soroush has himself been referred to as an Islamic ideologue. See for instance, Mehrzad Boroujerdi, *Iranian Intellectuals and the West* (Syracuse: Syracuse University Press, 1996), p. 158.

as one wherein the observance of all rituals and practices is given priority. Accordingly the main task of the religious government in this case is to execute religious laws, the *sharī'ah*, and to concern itself with and supervise the people's observation of their religious duties and rituals. In this case *fiqh* is recognized as the core of Islam; the *fuqahā'*, or experts in *sharī'ah*, accordingly serve as custodians and will enjoy a prominent and privileged position in politics too. The state will be obliged in such circumstances, as part of its religious duty, to protect and implement the *sharī'ah* even if it has to appeal to force. This *fiqh*-based state is predicated on the religious duties and religious rights of the ruler and the ruled. Methods of governance are also derived from religion.⁴⁴

Soroush however argues that *fiqh* only constitutes a portion of the Islamic tradition. Describing the relation between *fiqh* and *īmān* (jurisprudence and faith) he uses the image of body and soul. Deriving much of his inspiration from al-Ghazzālī,⁴⁵ he states that a *fiqh*-based state may rule the bodies of the people but certainly not their hearts. According to him, what makes a society and thus its government religious is not the enforcement of the *sharī'ah* which, historically speaking, has often been imposed upon Muslim society. He emphasizes that a religious society, and one which can be said to have a religious government, is one whose members embrace faith quite freely. Faith, not *fiqh*, is its main pillar. A *fiqh*-based society, according to Soroush, is neither religious nor democratic, regardless of whether it enforces the *sharī'ah* or insists upon the observation of its rituals. It clearly remains a *fiqhī* government and not a religious one. It is not religious because *fiqh* and *sharī'ah* are neither the core of Islam nor its totality. It is undemocratic because it imposes the enforcement of *sharī'ah* and thus seeks uniformity in will and in the religious experiences of all members of the society. Absence of a plurality of will and beliefs leads to monopoly over the truth and entails elitism.⁴⁶

⁴⁴ Abdulkarim Soroush, "Taḥlīl-i Maḥmūm-i Ḥukūmat-i Dīnī" [Analysis of the Concept of Religious Government], *Kīyan* 6, no. 32 (1996): pp. 2–3.

⁴⁵ Soroush often quotes al-Ghazzālī's saying that "the heart (*dil*) is beyond the control (*wilāyat*) of the *faqīh*." The reference is to *Iḥyā' 'Ulūm al-dīn* [Revival of Religious Sciences], vol. 1, "Kitāb al-'ilm" [The Book of Knowledge], chapter 2.

⁴⁶ Abdulkarim Soroush, "Mudārā wa Mudīrīyat-i Mu'mīnān: Sukhanī dar Nisbat-i Dīn wa Dimukrāsī" [The Tolerance and Administration of the Faithful: A Remark on the Relation Between Religion and Democracy], *Kīyan* 4, no. 21 (1994): pp. 7–8.

If on the other hand, as Soroush states, in our definition of religion *īmān* is given primacy, since it is by nature something that cannot be forced or imposed upon people and society, then an *īmān*-based society is one in which people choose their faith freely. The task of the state in such circumstances will be restricted merely to providing and facilitating the conditions in which the people can freely pursue the actualization of *īmān*. In such a society, ethics and morality are more important than outward practices, for violating the former is tantamount to violating the religion.⁴⁷ Therefore, the outward face of a society cannot determine whether it is religious or not. For Soroush a religious society is a faith-based society. In that society a government does not rule because of its religious duties and religious rights nor do the people participate in it because of their religious duties.⁴⁸ In a truly religious society with a religious government, law is based on the faith of the people and is subject to and in accordance with the evolving understanding of the people of each era. Thus, the beliefs and will of the majority at the lower end of the scale of power define the ideal Islamic state. It cannot be imposed from the top or by an *élite*.⁴⁹

In answer to the questions: Who has the right to rule? and, Is there any religious right or duty to rule? Soroush states that there are two possible replies, one of them jurisprudential (*fiqhī*) in nature, the other non-jurisprudential.⁵⁰ In the first approach, which considers Islam to be a body of divine laws whose implementation guarantees the happiness and prosperity of the individual and of human society both in this world and the next, the issues of justice, freedom and human rights, which are determining factors for any state, will be considered something secondary, and inconsequential. There is no independent idea of justice or human rights to govern. They are simply expected to come about through the implementation of the *sharī'ah*. Religious justice and the religious rights of man will be emphasized. The people will enjoy the right to participate in politics because they are believers (*dīndār*) and because it is their religious duty and religious right to help in the actualization and execution

⁴⁷ Soroush, "Tahlīl-i Mafhūm-i Hukūmat-i Dīnī", p. 3.

⁴⁸ *Ibid.*, pp. 3–4.

⁴⁹ Soroush, "Mudārā wa Mudīrīyat", pp. 8–9; Abdulkarim Soroush, "Bāwar-i Dīnī, Dāwar-i Dīnī," [Religious Belief, Religious Arbitrator], in *Farbūhtar az Īd'ulūzhī*, p. 56.

⁵⁰ Soroush, "Bāwar-i Dīnī, Dāwar-i Dīnī," p. 49.

of the *shari'ah*. This however will result in a paradox for the *fiqh*-based state, for if the right to govern is entirely a religious right and thus all institutions derive their legitimacy from *fiqh* and the *fuqahā'*, any role of supervision given to the people in the form of a parliament or other devices for controlling and checking state power will still be dependent on the political authority which is of divine origin itself. Moreover, the people's right to dismiss the government is not sufficient to make a government democratic. They should also enjoy the right to choose and decide who can rule, and not merely be given the right to choose someone who has already been granted an *a priori* right to rule.⁵¹

Religious justice and the religious rights of man are, for Soroush, extremely restrictive variations on these extra-religious categories/notions. In order to have a successful religious government, the non-religious rights of a people, i.e. those rights that people are entitled to by virtue of their being human beings and not because of their religious belief, should be given due consideration, indeed primacy.⁵² They enjoy these rights prior to their acceptance of religion because of the fact of their being human beings. It is at this point that theology comes into play. Soroush argues that discussions about the nature of the state and the methods of governance are non-jurisprudential in nature and therefore lie within the domain of political philosophy.⁵³

What determines whether this subject should be tackled from within or from without formal religion, or in other words, whether this is a jurisprudential or theological matter, depends firstly on the nature of the subject matter and secondly on our expectations of religion.⁵⁴ As far as the nature of the matter is concerned, it is evident that the idea of democratic government has its roots in the idea of natural rights, which has enormous implications and encompasses all human rights including the people's right to sovereignty. It is the natural right of human beings to govern their own affairs. No élite can therefore claim that it has an *a priori* right to interpret this sovereignty, whether in the name of God or because of their claimed monopoly over truth. Thus a discussion of democracy is not a jurisprudential (*fiqhī*) issue in any sense. It is rather associated with the rule

⁵¹ Soroush, "Taḥlīl-i Maḥūm-i Ḥukūmat-i Dīnī," pp. 4–6.

⁵² *Ibid.*, p. 5.

⁵³ Soroush, "Bāwar-i Dīnī, Dāwar-i Dīnī," p. 50.

⁵⁴ *Ibid.*

of reason and the rejection of absolutist authority, the latter being characteristic of a dogmatic understanding of Islam.⁵⁵

Related to the question of "how to rule" are the issues of the values that a government embodies and the methods it employs.⁵⁶ There are, Soroush argues, two sets of values: primary and secondary. Primary values are those general, humane, extra-religious values such as justice, honesty, freedom, etc. These values are not derived from religion; rather, it is religion that teaches and endorses them. Indeed these are the yardstick by which religions are judged. The secondary values are those which are directly derived from religious teachings and which may vary from religion to religion. Examples of such values include reliance on God (*tawakkul*), alms-giving (*zakāt*), the indecency of drinking wine, bribery, etc.⁵⁷ A religious government must embody both sets of values. However, Soroush emphasises that the actualization of the secondary set of values, values which are basically personal matters and which are for the most part related to the observation of the *shari'ah*, should not prevent a religious government from pursuing its chief goal, i.e. the realization of the general human values which will consequently foster a corresponding growth of the spirit of religion in the society.

Methods of governance, Soroush argues, are essentially non-religious, for they deal with how to plan and administer different aspects of public life, such as education, economy, health care, etc. This is a rational matter, and it is the task of the qualified administrative bodies of each era to decide and choose appropriate methods for such purposes. In modern times they should benefit from the modern social sciences, like sociology, economics and administration.⁵⁸ Religion, Soroush argues, offers no specific method or plan of how to govern. It is a mistake then to try to find a religious plan for government. Even the *shari'ah* offers little more than a handful of legal codes which cover only a limited range of issues and which are definitely insufficient for administering a modern complex society. *Fiqh* is neither

⁵⁵ Ibid., pp. 50–52; Soroush, "Taḥlīl-i Maḥūm-i Ḥukūmat-i Dīnī," p. 6.

⁵⁶ Soroush, "Bāwar-i Dīnī, Dāwar-i Dīnī," pp. 57–58; idem, "Taḥlīl-i Maḥūm-i Ḥukūmat-i Dīnī," p. 6.

⁵⁷ Soroush, "Taḥlīl-i Maḥūm-i Ḥukūmat-i Dīnī," pp. 6–7. For further details of Soroush's views on ethical values see Abdulkarim Soroush, "Akhlāq-i Khudāyān: Akhlāq-i Bartar Wujūd Nadārad" [The Ethics of the Gods: There Is No Superior Ethics], *Kiyan* 4, no. 18 (1994): pp. 22–33.

⁵⁸ Ibid., p. 6; Soroush, "Bāwar-i Dīnī, Dāwar-i Dīnī," pp. 58–60.

a science of administration nor a government platform.⁵⁹ Whatever religion teaches in this respect, if it teaches anything at all, is minimal and is certainly accidental, not essential.⁶⁰

Soroush's view on religious government and the possibility of its taking on a democratic form may be summarized as follows. The normative aspect of government deals with values of both a religious and a non-religious nature. Its directive aspect, though, is entirely of a non-religious nature. It is rational and scientific. The right to govern originates either from God or from the people. If it is going to be exercised in the form of a democratic government, then this right cannot be entirely divine because the people's right to oversee, supervise, criticize and control the power of the political authority is their *a priori* human right, one that should be exercised without any restraint. Recognition of this right is something that cannot be combined with a jurisprudential approach to the question of government. This is because a jurisprudential government is based on duties and not rights; its main concern is to execute the divine laws.⁶¹ Also, that understanding of religion which assumes man's intellect to be incapable of administering his worldly affairs and thus regards him as being in need of divine guidance, not only compromises the lofty goal of religion but is also certainly incompatible with democracy.⁶² The nature of a true religious government is, in principle, that of a human government, no more no less. Its business is to administer the nation's affairs and nothing else. In this respect it is like any other government. It is religious only because its whole governing machinery is at the service of the society of believers to fulfil their material needs, so that they can pursue their spiritual ends. In other words, a religious state differs from a non-religious only in aim, not in form.⁶³

According to Soroush the discussion about Islam and democracy should take place not from within but from without formal religion. As long as the problem is not solved on a very deep theoretical

⁵⁹ Abdulkarim Soroush, "Khadamāt wa Ḥasanāt-i Dīn" [The Functions and Benefits of Religion], *Kīyan* 5, no. 27 (1995): pp. 12-14.

⁶⁰ Abdulkarim Soroush, "Dīn-i Ḥadd-i Aqallī, Dīn-i Ḥadd-i Aktharī" [Minimal Religion, Maximal Religion], lecture delivered at McGill University, Montreal, January 1997.

⁶¹ Soroush, "Taḥlīl-i Maḥmūm-i Ḥukūmat-i Dīnī," pp. 12-13.

⁶² Soroush, "Mudārā wa Mudrīyat," pp. 11-12.

⁶³ Soroush, "Taḥlīl-i Maḥmūm-i Ḥukūmat-i Dīnī," p. 11.

plane, any demonstration of the compatibility or incompatibility of Islam and democracy on the basis of Islamic legal doctrines or through reworking certain of its older institutions is fatally flawed. Unlike other Muslim scholars, Soroush's arguments do not rely on Qur'anic verses, the *ḥadīth*, legal injunctions or events from early Islamic history. Going beyond the contradictions and ambivalence that the normative legal version of Islam offers in a comparative analytical framework, Soroush argues that although democracy is irreconcilable with this reading of Islam, namely the Islam of *fiqh*, it cannot be incompatible with another understanding of it in which human values such as freedom, justice, rationality and human rights are accorded a position of primacy. For Soroush this is not only descriptive but normative. Freedom and justice are not values derived from religion. Justice, for instance is not religious; rather it is religion itself that must be humane and just. The truth of a religion is examined in the light of these extra-religious values. Any religion which fails to acknowledge the natural rights of human beings jeopardizes its own truthfulness.⁶⁴ Soroush argues that the issue of reconciling religion and democracy belongs to the realm of reconciling reason and revelation, like the discussion of human rights or of free will and pre-destination. These are extra-religious discussions prior to and effective in understanding and accepting a religion.⁶⁵

Any success in reconciling religion and democracy therefore depends on a theoretical success in reconciling religion and reason. The task is an extra-religious attempt and epistemologically multifaceted. Therefore, relying on and confining ourselves to jurisprudential laws within Islam is neither wise nor profound. Issues such as freedom (in its modern sense of the word), human rights and democracy are among the newer ones being faced by religion. Their discussion is a new subject in theology, a discussion which cannot be carried out by old means. They require the theologians to enlarge the horizons of their knowledge and update their means of argument. These are not isolated issues. Rather they are related to other, equally important issues such as how Islam views man and natural rights. In this way a new theology, in its give-and-take with other branches of human knowledge, is born, giving birth in turn to a new understanding of

⁶⁴ Soroush, "Bāwar-i Dīnī, Dāwar-i Dīnī," pp. 50–52.

⁶⁵ Soroush, "Ḥukūmat-i Dimukrātik-i Dīnī" [Religious Democratic State], in his *Farbūhtar az Īdī'ulūzhi*, p. 281; idem, "Mudārā wa Mudīriyat-i Mu'minān", pp. 2–4.

religion.⁶⁶ Yet, Soroush does not mean that these notions are derived from or have to be derived from Islam. He believes that, just as in the past there were many extra-Islamic beliefs and practices which were later adopted by Muslims and were somehow incorporated into the tradition,⁶⁷ democracy, when conceived of as a successful method of governance which minimizes mistakes in socio-political administration, can function in religious societies too,⁶⁸ but only if the necessary theoretical foundations of the two are harmonized. The starting point, Soroush states, lies in reviewing and improving our understanding of man. He sees the roots of the problem in the current views of man; otherwise the compatibility and relations between true religion, freedom and democracy is so evident as to require no rational effort at all.⁶⁹

Reason also plays an important role in making a religious state democratic. The main foundation of the notion of religious democratic government is the idea of harmonizing what lies within and what lies without the religion by employing the ideas issuing from the collective mind or intellect (*'aql-i jam'ī*) of the society.⁷⁰ Soroush argues that a religious government can be democratic or otherwise, first depending on the extent to which it benefits from the collective mind or intellect of man, and second depending on its respect for human rights.⁷¹ A prerequisite for having a democratic religious state is to have a flexible understanding of religion in which reason plays a dominant role, the same reason (*'aql*) which defines justice, humanity and rights. A very telling example of this fluctuating rational understanding of religion is that of the issue of slavery and how its rejection by the collective mind of man has consequently affected later religious understanding.⁷² Democratic religious government, as

⁶⁶ Abdulkarim Soroush, "Fahm-i Dīn wa Kalām Jadīd" [Understanding of Religion and New Theology], in his *Qabḍ wa Bast*, pp. 65–85.

⁶⁷ Abdulkarim Soroush, "Dīn wa Āzādī" [Religion and Freedom], *Kīyan*, 6, no. 33 (1996): p. 50. He offers as evidence similar suggestions made in the past; one by Iqbal (in a poem) regarding the adoption of modern sciences and technology and another by Ibn Rushd regarding the reconciliation of religion and philosophy (his reference for the latter is to *Faṣḥ al-Maḡāl fī mā bayn al-Ḥikmat wa al-Sharī'ah min al-Ittiṣāl*).

⁶⁸ Soroush, "Dīn wa Āzādī," p. 44.

⁶⁹ *Ibid.*, p. 46.

⁷⁰ *Ibid.*, p. 50.

⁷¹ Soroush, "Ḥukūmat-i Dimukrātik-i Dīnī," p. 281.

⁷² *Ibid.*, p. 280.

discussed above, also benefits from the collective mind of society with regard to the methods of governance. Soroush contends that one of the underlying assumptions of the idea of democracy, as a non-*élite* theory, is that the majority of human beings on earth are of average intelligence and are not geniuses. They are nevertheless able to administer their affairs through the use of reason.⁷³

However, this emphasis on the role of reason does not mean that Soroush advocates liberalism. Rather, he insists that in a religious society, whose primary feature is that its members embrace faith freely and without any compulsion, the rule of any non-religious government will be automatically undemocratic.⁷⁴ For in a religious society the goal of the government is not merely that of providing a just, free, and materially prosperous livelihood; rather its ultimate goal, in addition to all these, should be to provide an environment in which its believing members are able to practice their own faith freely and without compulsion and where their religious sentiment is respected. In other words it fulfils the primary needs of the people so that they can pursue their higher, spiritual goals.

Similarly, it would be a mistake to conclude that Soroush underestimates the role of *shari'ah*. What he argues against is ascribing to it primacy, finality and totality. Soroush acknowledges that the contribution of jurisprudence and *shari'ah* in a religious society is a positive one. But this is so only as long as they are understood to be derived from theology, and thus subject to evolution and flux in accordance with changing times and the development of human knowledge. He believes that the presence of *shari'ah* in religious societies will enhance democracy in three different ways, namely, by preserving the identity of the religious society, by expanding the sense of lawfulness and ensuring ethical support for laws, and by invoking sensitivity towards significant issues of right and justice; indeed, a rational approach in dealing with issues is what is needed in a democracy.⁷⁵

All of the issues discussed here constitute the major aspects of the multi-dimensional problematic of Islam and democracy. Yet, for Soroush, the heart of the problem remains that of reconciling the two different world views of Islam and democracy, the one insisting

⁷³ Soroush, "Dīn wa Āzādī," p. 45.

⁷⁴ Soroush, "Mudārā wa Mudīrīyat," pp. 4–5.

⁷⁵ *Ibid.*, pp. 9–10.

on the importance of duty, the other placing a premium on rights. Soroush contends that as long as the current perception of humankind's relation with God prevails in the Islamic world view, no solution for reconciling Islam and democracy is likely to be found. All other attempts to redefine certain Islamic terms or to impose Islamic law on institutions that merely have a democratic appearance are only provisional solutions. Only if Muslims begin to work on a new world view and accordingly come up with a different attitude towards humankind can a real solution be achieved. This immense task is unattainable unless they envision an understanding of Islam which, as its integral principle, ascribes primacy to rationality, justice, freedom and human rights.⁷⁶

An Appraisal

Soroush's thought is undoubtedly influenced by and has benefited from both modern non-Islamic and traditional Islamic ideas and sciences. His emphasis on the element of reason in the understanding of religion and consequently in religious democratic government is, on the one hand, consistent with the Shi'ite sources of *ijtihād*, namely, the Qur'an, Sunnah and *'aql*, while on the other, it shows to an equal extent the influence of Western liberal thought; yet it is identical to neither of the two. Likewise, his advocacy of rationalism and his recognition of reason, rather than religion, as the source of values such as justice and freedom, are not without precedent in Islamic tradition. Indeed they are in line with the Mu'tazilite tendency to consider reason as the non-revelatory source for distinguishing between good and evil. Soroush's statement that "it is religion that must be just, for justice can not be religious" echoes the Mu'tazilite axiom that "God must necessarily be just." While Soroush's position regarding *fiqh* is visibly influenced by al-Ghazzālī's views,⁷⁷ his questioning

⁷⁶ Soroush, "Ḥukūmat-i Dimukrātik-i Dīnī," pp. 282–283. See also two other related articles of his in *Farbīhtar az Id'ulūzhi*: "Aql wa Āzādī" [Reason and Freedom] and "Arkān-i Farhang-i Dimukrāsī" [Cultural Pillars of Democracy], pp. 236–268 and pp. 269–283, respectively.

⁷⁷ See for instance, Soroush, "Taḥlīl-i Maḥmūm-i Ḥukūmat-i Dīnī," pp. 8–10; For a background to al-Ghazzālī's influence on Soroush see Soroush's critical evaluation and analytical comparison of Mullā Muḥsin Fayḍ Kāshānī's *al-Maḥajjah al-Bayḍā'* and al-Ghazzālī's *Iḥyā' al-Ulūm al-Dīn* in his article entitled, "Jāmah-i 'Tahdhīb' bar Tan-i 'Iḥyā'" [The Substance of "Iḥyā'" in the form of "Tahdhīb"], in *Qisṣah-i Arbāb-i Ma'rīfat*, pp. 1–135.

of the comprehensiveness of the *sharī'ah* as an all-encompassing system of human life in this and the next world leaves him open to charges of being an advocate of secularism. The priority and emphasis he gives to the element of *īmān* (inner faith) over *'amal* (outward practice) in his definition of religion and religious society undoubtedly has its roots in the Islamic mystical tradition, in which Soroush is well grounded. However, he has been viewed by some of his critics as too concerned with pushing religion out of public life and confining it to the private spiritual life of individuals, as is increasingly the case in Western societies. Soroush's major departure from the thought of his religious modernist predecessors like, Muṭahharī and Shari'ati, lies in the fact that he has an equally profound knowledge of and acquaintance with both traditional Islamic sciences and modern Western philosophical and social sciences. For instance, while Shari'ati was attacked by his opponents and even some of his colleagues for his inadequate training in Islamic sciences, Soroush has been so far immune from a similar charge, even in the criticism levelled by the clergy and some high-ranking *mujtahids*. He has been charged with positivism, liberalism, and historicism (insofar as his opponents understand these terms), but not with ignorance or misunderstanding of Islamic teachings and sources.⁷⁸ Soroush makes

⁷⁸ Soroush has often rejected these charges by trying to show how superficially these terms have been manipulated by his opponents in their politically charged discourse. As a matter of fact Muḥammad Mujtahid Shabistari, an open-minded member of the clergy who is also acquainted with modern Western philosophy and theology, has often presented similar ideas on some of the controversial themes addressed by Soroush. Shabistari however has encountered only mild criticism, and this simply because he is a cleric and not a lay intellectual. For Shabistari's views see his book *Hirminyūtik, Kitāb wa Sunnat* [Hermeneutics, the Book (Qur'an) and the Sunnah] (Tehran: Tarḥ-i Naw, 1375/1996) which is mainly a collection of his articles previously published in *Kayhan-i Farhangī* and *Kiyan*, etc. Some of the main works critical of Soroush's ideas are as follows: Husayn Ghaffari, *Naqd-i Nazariyah-i Shari'at-i Šāmit* [Critique of the Theory of a Silent Shari'ah] (Tehran: Hikmat, 1368/1989); 'Atā'ullah Karīmī, *Faqr-i Tārkhūnigari: Barrasi-i Intiqādi-i Maqālāt-i Qabḍ wa Bast-i Shari'at az Duktur Surūsh* [The Poverty of Historicism: A Critical Review of Dr. Soroush's Articles on the Contraction and Expansion of Religion] (Tehran: 'Allamah Tabāṭaba'i, 1369/1990); Šādiq Larijani, *Ma'rifa-ti Dini* [Religious Knowledge] (Tehran: Ṭulū'i-Āzādi, 1370/1991); Ayatullah 'Abdullah Jawādi Āmulī, *Shari'at dar Āyina-hi Ma'rifa-ti* [Religion in the Mirror of Knowledge] (Tehran: Rajā', 1373/1994). Soroush's responses to these critics, in which he has elaborated further on some of his ideas are now reprinted in the third edition of *Qabḍ wa Bast* (1994); see pp. 37–41, pp. 528–674 of the latter work. See also *Šubḥ*, 7 November, 1995. This is a special issue of the *Šubḥ* weekly magazine on politics, culture and economics which is totally devoted to criticism of Soroush's ideas. This issue includes a number of articles which are more politically than intellectually motivated.

masterful use of Qur'anic verses and *hadīth*, and constantly refers to different classical and modern *tafsīrs* and other sources of Islamic philosophy and theology. Nor can his eloquent interpretation of the *Nahj al-Balāghah*⁷⁹ and the *Mathmawī* be easily dismissed. Even Muṭahharī, perhaps the most prolific and outstanding contemporary Shī'ite theologian, who has also differed with other *mujtahids* over the extent of his open-mindedness and eagerness to study and learn from Western thought, was unfortunately unable to have direct access to much of the latter due to the language barrier. His knowledge of Western philosophy was limited to certain translations available in Iran. In fact, dialectical materialism and Marxist ideology, which were the primary targets of his criticism, were first introduced to him through a Persianized source produced by Taqī Arānī, the first and best-known ideologue of Iranian communism. Soroush however has received a Western philosophical education and has direct access to the sources and academic circles in the West. He has also taught and translated Western philosophical materials. His references to Western thinkers cover a wide range from René Descartes, John Stuart Mill, Immanuel Kant and David Hume to Martin Heidegger, Karl Popper, John Rawls and many others; the impact of some of the latter are traceable in his works.

Soroush's discourse, unlike the ideologically charged discourse of the pre- and some post-revolutionary writers, does not portray the West as a unified, absolute "other" in reaction to which an Islamic identity should be reconstructed.⁸⁰ For Soroush the ideas of returning

For a summary discussion of the philosophical polemics between Soroush and Reza Davari, a university professor of philosophy, in which one attacks the philosophical postulates and hence political positions of Heidegger, Hegel and Nietzsche and another those of Karl Popper as each other's source of inspiration, see Mehrzad Boroujerdi, *The Iranian Intellectuals and the West: The Tormented Triumph of Nativism* (Syracuse: Syracuse University Press, 1996), pp. 156–175.

⁷⁹ See Abdulkarim Soroush, *Hikmat wa Mā'ishat: Sharḥ Nāmah-i Imām 'Alī bi Imām Ḥasan* [Wisdom and Livelihood: A Commentary on Imam Ali's Letter to Imam Ḥasan] (Tehran: Širāt, 2nd print, 1373/1994); *Awsāf-i Pārsāyan: Sharḥ-i Khutbah-i Imām 'Alī dar Bārah-i Muttaqīn* [The Characteristics of the Pious: A Commentary on Imam Ali's Lecture About the Pious], 4th print. (Tehran: Širāt, 1375/1996).

⁸⁰ For Soroush's view on the West see for instance his "Gharbīyān wa Ḥusn wa Qubḥ-i Shu'ūn wa Atwār-i Ānān" [The Westerners and the Goodness and Baseness of their Conduct] in *Tafarruj-i Šun'*, pp. 228–239; idem, "Wujūd wa Māhiyat-i Gharb," [The Existence and Essence of the West] in *ibid.*, pp. 240–253; idem, "Sharī'ati wa Gharb" [Shari'ati and the West] a lecture delivered in Tehran (June, 1995) available on audio cassette.

to an Islamic self-identity and the reconstruction of thought are not as exclusive as they were envisioned, for instance, by Ali Shari'ati, Ayatullah Khomeini or Jalāl Āl Aḥmad.⁸¹ From a historical perspective, Soroush argues that present Iranian culture is a composite of three cultures: pre-Islamic Persian, Islamic, and Western. Iranians should not prefer one of these to the others but rather should try to reconcile and harmonize all three.⁸² His suggestion though is not made out of historical or political expediency; rather, he starts from the theoretical basis that since truth exists to a varying degree in all three of these cultures, there is the possibility of harmonizing them. Strongly believing in cultural exchange, Soroush argues against those who either accept fully or reject fully the West and whatever comes from it. While emphasizing that this is not an advocacy of submission to the West but rather a critical and objective encounter for the purpose of intellectual nourishment,⁸³ Soroush maintains that the geographical birthplace of ideas does not necessarily make them good or bad. The selecting and borrowing of thoughts, politics and technology is a natural exchange process among human societies of which one should not be frightened but rather prepared to engage in.⁸⁴

Soroush's ideas regarding the democratic religious state have drawn fire from both the religious establishment and the secular-minded. According to the first group, democracy is inseparable from secularism and liberalism; they therefore express the concern that, were Soroush's definition of religious society and the role that he assigns to religion in politics to be implemented, Islam would gradually recede from the public life of the *ummah*. The second group's criticism, which is mostly Marxist in inspiration, is founded upon the fear that Soroush's proposals will perpetuate or prolong what they

⁸¹ See for instance Ali Shari'ati, "Bāzgasht-i bi Khīshān" [Return to Self] in his *Majmū'ah-i Athār*, vol. 4; Jalāl Āl Aḥmad, *Gharbzadagī* [Westoxication], (Tehran: Rawāq, 1962) For an English translation of the latter see R. Campbell, *Occidentosis: A Plague From the West* (Berkeley: Mizan Press, 1984).

⁸² Abdulkarīm Soroush, "Siḥ Farhang" [Three Cultures], in his *Rāzdānī wa Rawshanfikrī wa Dīndārī* [Sagaciousness, Intellectualism and Pietism] (Tehran: Šīrā, 1370/1991), pp. 105–132.

⁸³ Soroush, "Gharbīyān wa Ḥusn," p. 239.

⁸⁴ *Ibid.*, p. 237. For an overview of contemporary Iranian intellectuals' perception of the West, see M. Boroujerdi, *Iranian Intellectuals and the West*; Yann Richard, "Clercs et intellectuels dans la République islamique d'Iran," in *Intellectuels et militants de l'Islam contemporain*, ed. Gill Kepel et Yann Richard (Paris: Éditions du Seuil, 1990), pp. 29–70.

see as the main problem, i.e. the role of religion in politics. Some critics have questioned the importance that Soroush assigns to the social consciousness of the general public, and how its understanding of Islam can ensure the religiousness of the society and the state.⁸⁵ At first glance it seems justified to ask whether what Soroush proposes is anything different, besides the fact that it bears the label “religious” rather than “secular” government. Yet, a closer examination of his writings reveals that what he suggests is more profound than the mere imitation or transplantation of certain ideas. His conviction that the religiousness of society, under the religious democratic state as he defines it, will persist, has firm theoretical and philosophical roots in Islamic tradition. His optimism with respect to the collective consciousness of society and his confidence that religion, in its true sense, will never be abandoned by human beings, seems to be somehow in accordance with the doctrine of *fitrah*, the inborn capacity of a human being to understand the truth, a topic which has been discussed extensively in classical Islamic literature and especially by Soroush’s “teacher,” al-Ghazzālī.⁸⁶

As a matter of fact, in his article entitled “Rīshah dar Āb Ast: Niġāhī bi Kārnamah-i Kāmyāb-i Payāambarān,”⁸⁷ Soroush substantiates his optimism in a lengthy discussion where he argues that, contrary to the prevalent opinion that humankind has become increasingly corrupt over the centuries and has gone astray from the right path

⁸⁵ Muḥammad Jawād Ghulāmriḏā Kāshī, “Chand Pursish wa Yik Naẓar Pīrāmūn-i Nazariyah-i Hukūmat-i Dimukrātīk-i Dīnī” [A Few Questions and an Opinion on the Theory of Religious Democratic Government], *Kīyan* 3, no. 14 (1993): pp. 26–31; Maqṣūd Farāsatkhāh, “Rābiṭah-i Dīn wa Siyāsāt dar Jāmi‘ah-i Dīnī” [The Relationship Between Religion and Politics in a Religious Society], *Kīyan* 4, no. 18 (1994): pp. 33–35; Ḥamīd Pāydār, “Pārāduks-i Islam wa Dimukrāsī” [The Paradox of Islam and Democracy], *Kīyan* 4, no. 19 (1994): pp. 20–27; Bizhan Ḥikmat, “Mardum Sālārī wa Dīn Sālārī” [Authority of the People and Authority of Religion], *Kīyan* 4, no. 21 (1994): pp. 16–23; Majīd Muḥammadi, “Ghusl-i Ta‘mīd-i Sikulārism yā Nijāt-i Dīn?” [The Baptism of Secularism or the Rescue of Religion?], *Kīyan* 4, no. 21 (1994): pp. 30–34.

⁸⁶ Al-Ghazzālī, *Ihyā’ ‘Ulūm al-Dīn*, pp.; *Kīmīyā-i Sa‘ādāt*, ed. Ḥusayn Khadīv Jam 6th printing, vol. 1 (Tehran: Intishārāt-i ‘ilmī wa Farhangī, 1374/1995), pp. 31–32. For a discussion of al-Ghazzālī’s concern regarding *fitrah* as the source of knowing the “true realities” also as a background for Ibn Ṭufayl’s (d. 581/1185) idea of the *philosophus autodidactus* see Hermann Landolt, “Ghazzālī and ‘Religionswissenschaft’” in *Asiatische Studien* 45, no. 1 (1991): pp. 19–72.

⁸⁷ Abdulkarim Soroush, “Rīshah dar Āb Ast: Niġāhī be Kārnamah-i Kāmyāb-i Payāambarān” [The Roots Are Still Watered: A Glance at Prophets’ Record of Success] *Kīyan* 5, no. 29, (1996), pp. 2–17.

shown by the prophets, it is rather more the case that throughout history humanity has on the whole followed the right path and has chosen virtue over vice and good deeds over wickedness. Considering the latter to be the original and authentic view taught in Islamic tradition, he undertakes the task of proving it by presenting proofs on the four different levels of theology, philosophy, history, and meta-history.⁸⁸ Soroush's theological proofs in support of this view (i.e., that humankind generally is on the path of right guidance, otherwise it would be contrary to Divine Wisdom), are based on four arguments:⁸⁹ first, the argument on the basis of the attributes of *Allāh*, particularly His name *al-Hādī* (The Guide), which presupposes that He would never allow man to go astray; second, the argument on the basis of the doctrine of the finality of prophethood; third, the argument on the basis of the doctrine of Islamic messianism (*mahdawīyah*); and lastly, the argument on the basis of *fitrah*, according to which God-worshipping and truth-seeking are inborn capacities in man. This means that God has created man of a good nature and has given him the ability to choose between what is right and what is evil. Thus, the belief that humanity has turned away from all this contradicts the wisdom (*hikmah*) of the Creator. For his philosophical proofs, Soroush resorts to the views of Ibn Sīnā and Mullā Ṣadrā and quotes passages from these two Muslim philosophers where they confirm that, generally speaking, in the system of the universe and human conduct, goodness outweighs evil.⁹⁰ He also takes the opportunity to dismiss the charge that he is a liberal by drawing his opponents' attention to the fact that these kinds of charges cannot be levelled against Muslim philosophers of the period between the fourth and tenth centuries *Hijra*.⁹¹ Rather, he states that not only does the charge not have a rational or religious basis, it is a politically motivated opinion. It is politically motivated in that it tries to cast suspicion on those identified as "the others." After presenting his historical evidence, Soroush turns to meta-historical Qur'anic statements which

⁸⁸ *Ibid.*, p. 3.

⁸⁹ *Ibid.*, pp. 3–5.

⁹⁰ *Ibid.*, pp. 5–8. the reference is to Ṣadr al-Dīn Shīrāzī, *Al-Hikmah al-Muta'āliyah fi al-Asfār al-'Aqliyah al-'Arba'ah* [Transcendental Theosophy] (Beirut: Dār al-ihyā' al-Turāth al-'Arabī, 1981) vol. 7, pp. 78–82. The quoted passage includes Ibn Sīnā's view too.

⁹¹ *Ibid.*, pp. 6–7.

assure the survival and continuity of the true faith (what Soroush calls *gawhar-i dīn*) in spite of all the plots and strategies of infidels against the prophetic missions. Finally, he concludes that these missions, throughout human history, have developed into an irreversible process, meaning that the truth of their essential teachings (*gawhar-i ta'ālīm*)—some of which may be conceived by speculative reasoning as well—and not their peripheral ones, are by now so deeply rooted in human consciousness that their removal is impossible. Humanity may seemingly have shown self-sufficiency (*istighnā*⁹²) with respect to the prophets and disregarded them, but in reality humankind has essentially been nourished by their teachings.⁹² In other words the fear of the religiousness of society disappearing is baseless. This of course will be difficult to understand for those who equate religiousness with outward practices.

Soroush's resort to the traditional Islamic view regarding the nature of faith is very significant, and this for two reasons. First, it represents a reforming attempt to put aright a baseless belief promoted in society. He is reviving this traditional view of faith in a context where a *fiqh*-based religious government and a prevailing religious ideology have gone far beyond their political goals and motivations in condemning whatever individual or society they consider as the "other" and labelling him/it erroneous (*fiḍālā*). Second, this classical view emphasizes the core of the religion as the defining factor of a religious society, teaches tolerance towards apparent differences and dismisses any arbitrary judgement regarding another's faith. This is indeed one of the principles of a democratic society, and also one of the reasons for his optimism respecting the collective religious consciousness of mankind.

In a counter argument against those who state that emphasizing inner faith and reducing the role of formal religion in public and political affairs will pave the way for secularism, Soroush argues that on the contrary, secularism and anti-religious intellectual movements came into being as a reaction to the excessive domination of formal religion and the arrogation of privileges by the religious class.⁹³ A similar process in Islamic tradition was the development of sufism as a reaction to *dīnī shudan-i saltānat* ("religionizing" the temporal)

⁹² Ibid., p. 15.

⁹³ Ibid., pp. 14–15.

and *salṭanatī shudan-i dīn* ("temporalizing" the religion).⁹⁴ What happened in the West was a revolt against the institution of the "church," not Christianity itself.⁹⁵ In other words Soroush argues that these movements might be anti-religious in appearance, but in reality and in the long term they have ironically served the cause of religion in its true sense. He also points out that, with regard to the two different arguments given for secularism, two views have emerged. One view presupposes that religion is false (*bāṭil*) and suggest that it should therefore be separate from politics. The second view suggests the same thing but for a totally different reason, i.e., that religion should stay aloof from politics because it is truth and because its sublime truthfulness will be compromised in the mundane world of politics. Soroush seems to prefer the second argument which he considers also to be the prevalent view among Western scholars, without necessarily accepting its logic as being correct.⁹⁶

Soroush has insisted that he is not advocating liberalism and that in his theory of democratic government the role of religion, which defines society and whose preservation is the ultimate goal of the state, is a significant one. He asserts that liberalism in politics, defined as the decentralization of power and knowledge and the rejection of totalitarianism, is something likely to occur in a faith-based religious society and is not necessarily associated with liberalism in its philosophical sense.⁹⁷

In any event, Soroush's definition of a religious society, i.e., a society in which people can embrace their faith freely and where the element of *īmān* is given preference over *ʿamal*, is perhaps at the very least far-fetched under the present situation. Besides, in his theory of the religious democratic state, the religiousness of the state depends on that of the society. In other words, the state is religious by virtue of being the government of a religious society wherein the general public understanding of religion will function as an arbitrator (*dāwar*).⁹⁸

⁹⁴ Ibid., p. 15.

⁹⁵ Ibid.

⁹⁶ Ibid.; for a detailed discussion of the issue see Soroush, "Ma'nā wa Mabnā-i Sikulārīsm" [The Meaning and the Basis of Secularism] *Kīyan* 5, No. 26 (1374/1995), pp. 4-14.

⁹⁷ Abdulkarim Soroush, "Mabānī-i Tī'ūrīk-i Libirālīsm" [Theoretical Foundations of Liberalism] in his *Rāzdānī wa Rawshanfikrī wa Dīndārī*, p. 153.

⁹⁸ Abdulkarim Soroush, "Two Meanings of Religious State," lecture delivered at the Université du Québec à Montréal, July 1996.

The question however remains as to how this general public understanding will work in practice as a system of checks and balances. Some may argue that this constitutes an imitation of or a sign of creeping liberalism. While this may be the case, one point nevertheless seems worth mentioning: i.e., that recognizing the collective authority of the community in the ascertainment of religious truth is not without precedent in Islamic tradition. What Soroush suggests can perhaps be compared to the doctrine of *ijmāʿ* (consensus), provided that one insists not on its legal sense but rather on its sense as a method which confers the ultimate control over the business of government upon the general body of believers and their religious conscience as a whole. Or as Fazlur Rahman puts it, in the sense that "*ijmāʿ* has a strong practical bent and there is no talk of absolute truth-value of its content, but only of a practical rectitude-value."⁹⁹ Also the fluctuating nature of general public consciousness, which does not permit it to take a static form or develop a concrete apparatus, resembles that of *ijmāʿ* which "is 'final' but at the same moment it creates, assimilates, modifies and rejects. This is why its formation could not be vested in any institution."¹⁰⁰ However, the fluctuating nature of the collective consciousness of the society, like that of *ijmāʿ*, "is by no means a liberal principle; on the contrary, it is a principle of authority."¹⁰¹ After all, at least once in Islamic history, though not in the Shīʿite tradition, the

Vox populi, the expressed will of the community—not as measured by the counting of votes or the decisions of councils at any given moment, but as demonstrated by the slowly accumulating pressure of opinion over a long period of time—[was] recognized in orthodox Islam next after *Vox Dei* and *Vox Prophetarum* as a third infallible source of religious truth.¹⁰²

Under the present situation, the realization of a democratic Islamic state according to Soroush's theory has a long way to go. It requires on the one hand a different understanding of religion, starting with a shift of emphasis from *fiqh* to *kalām* and then a drastic change in Islamic theology entailing a new definition of man and his relation

⁹⁹ Fazlur Rahman, *Islam*, 2nd ed. (Chicago: University of Chicago Press, 1979), p. 75.

¹⁰⁰ *Ibid.*

¹⁰¹ H.A.R. Gibb, *Modern Trends in Islam*, p. 11.

¹⁰² *Ibid.*

to God; each in itself a formidable task and a long term project which in turn requires a democratic and tolerant society in which to grow. Given all these factors it should be acknowledged that the chapter that Soroush has opened in the history of Islamic reformism is still in its early stages. So many things remain to be said and so much ground needs to be prepared in order to make it possible. Any decisive judgement about his ideas would be premature at this stage; whether he is to be considered the Luther of Islam or the Afghani of the new century. What can be said with certainty, however, is that the potential of Soroush's ideas for bringing about fundamental changes in the Muslim way of thought and life is undeniable. By virtue of their dynamism these ideas have already, within a very short span of time, had a significant impact upon the Iranian intellectual, religious and socio-political milieus. In Muslim intellectual circles outside Iran, his ideas have often been enthusiastically received, for besides lecturing and giving interviews with the Muslim media, Soroush has seen many of his works translated into Arabic, Turkish, Indonesian and English. One can only wait for history to judge the outcome of what has been set in motion.

EPILOGUE

The reappearance of religion in Iranian politics during the second half of the twentieth century differs in many ways from the interaction of the two in the late nineteenth and early twentieth centuries. One major difference is the emergence of trends of religious modernism in which lay religious intellectuals have played a leading role. Although the 1979 Revolution was a turning point for the Shī'ite clergy, with the theory of *wilāyat-i faqīh* bestowing upon them an unprecedented political authority, it was not exactly the goal for which all pre-revolutionary religio-political thinkers—whether lay or activist '*ulamā*'—had taught or worked. Our close examination of the ideas put forward by these men reveals that a form of democracy developed within Islamic political ideology, that was largely their creation, was achieved mainly through re-inventing certain Islamic tenets and institutions. This was in line with what the constitutionalist '*ulamā*' at the turn of the century had accomplished. The anti-dictatorial discourse that they adopted in reaction to the arbitrary rule of the shah demanded first and foremost the rule of law. What they envisioned as the ideal democratic Islamic government was, to their minds, perfectly in keeping with the traditional concept of the government of a just ruler. Of the six religious thinkers whose treatment of democracy was examined in chapter four, two of them, Ṭāliqānī and Bāzargān, were more explicit in demonstrating the common grounds of Islam and democracy. Inasmuch as he was pre-occupied with the dynamics of revolution, Shari'ati had less to say about the type of government needed in a period of social and political stability. Nevertheless, the theory of leadership that he suggested for Muslim countries was that of a directed democracy modelled after his understanding of the Shī'ite theory of *imāmat*. Ayatullah Ṭabāṭabā'ī was the only one who clearly and strongly rejected the idea of any compatibility of Islam with democracy on the basis of fundamental differences existing between the two, such as divine versus popular sovereignty. Ayatullah Muṭahharī made direct reference to democracy only in his post-revolutionary speeches where he hastily and without much deliberation equated it with Islamic government. His discussion of leadership and authority is actually more in line with Ayatullah Khomeini's theory of *wilāyat-i faqīh*, for, in spite of

the fact that the latter's anti-dictatorial position was one of the most outspoken, what constituted his main concern was the rule of Islamic law and the supervisory role of the *'ulamā'* in the state, not democracy.

Despite the variety and extent of interest that the pre-revolutionary religious thinkers showed in democracy, the fact remains that their understanding of it did not go much beyond a familiarity with certain democratic elements, such as freedom, equality and representative rule. In their discussion of freedom and equality they often failed to connect the metaphysical level with its societal counterpart. Political freedom was, at best, regarded as synonymous with liberation from internal despotism and the elimination of foreign intervention. Freedom of speech, or more specifically freedom to criticize the monarch, was the freedom that they emphasized the most, usually equating it with democracy. Equality was also more often associated with social justice through an appeal to the egalitarian spirit of Islam. The participatory role of people in politics versus dictatorial rule was also emphasized. But the underlying assumptions of representative rule were not discussed. Furthermore, all these concepts had to be religiously defined. A comparative framework was set up and the conformity of Islam and democracy demonstrated through establishing equivalences in conceptual terms. Within this comparative framework, the field of meaning which defines democracy was to have its counterpart in Islamic terminology. Thus, resort to the doctrines of *shūrā*, *bay'ah*, *amr-i bi ma'rūf wa nahy-i az munkar* became the prevalent method. In their attempt at reconciling Islam and democracy, the pre-revolutionary thinkers confined themselves to religious justifications. Their methodology was entirely traditional, including the ample evidence they presented from the Qur'an, *Hadīth* and early Islamic history, as well as the assumptions underlying their argument. In their comparison of democratic principles with Islamic ideas they focussed on those aspects which sounded similar in an abstract sense, while at the same time remaining silent about dissimilarities or contradictions. For instance, the idea of *shūrā* or consultation constituted the major part of their comparison but little or nothing was said about what was meant by the stipulation that the participatory role of the people should be limited to executing the divine law. The people's participation in politics is by this definition derived first and foremost from their religious duty and not from their natural right. The limits of freedom, equality and justice are thus determined by religion as defined. In their defence of freedom they demonstrated their understanding of it to be equivalent to the traditional Islamic sense of the

notion, i.e., as the opposite of slavery, which in political terms meant being under tyrannical rule. Servitude to a tyrant was equated with violating *tawḥīd*, which demands servitude to God alone. But this is not what the concept of freedom in the modern democratic sense is all about, for, absent from this comparative approach, which focuses on legal injunctions, institutions and processes, is the acknowledgement of theoretical constraints and differences that the sets of notions under comparison have as their underlying foundations. Those pre-revolutionary thinkers who argued for a democratic Islamic government also violated in their argument the principle of equality by claiming extraordinary rights for a special group, the '*ulamā*'. Ṭāliqānī and Bāzargān, in their plea for democratic institutions and the democratic rights of the nation, demanded full implementation of the 1906–1911 constitution of Iran in which the '*ulamā*' were given the prerogative of vetoing the laws passed by the parliament. Shari'ati's model of *démocratie engagée* and its committed revolutionary leader was very much suited to empowering the '*ulamā*' and inadvertently made younger Iranians more willing to accept the imposition of *wilāyat-i faqīh*.

In their attempt at reconciling Islam and democracy, the pre-revolutionary theorists were strongly and clearly influenced by Nā'īnī's ideas. As discussed in chapter four, the latter's work *Tanbīh al-Ummah wa Tanzīh al-Millah* was their source of information and inspiration on the issue. Indeed Nā'īnī's book did for Ṭāliqānī and Bāzargān what al-Kawākibī's book, *Ṭabāyī' al-Istibdād*, did for Nā'īnī at the beginning of the century. Thus, in comparison, these modern Iranian scholars were not very different in their understanding of democracy nor in their assumptions and methods of argument. This seems to have been partly due to the fact that they believed in and were satisfied with the constitution of 1906 as being both democratic and Islamic; therefore, they did not venture to develop a different model or engage in a debate over the problems of the incompatibility of the two. This is perhaps indicative of their understanding of both Islam and democracy. Nor were they in a position to do otherwise, due to the limitations imposed by their intellectual training and their schemes of discourse. Bāzargān and Shari'ati had certain linguistic advantages which allowed them direct access to European sources. Nevertheless, neither of them explored the modern sources of Western political philosophy with a view to improving their respective understandings of democracy. As Bāzargān's writings reveal, he did not benefit from any source of this kind, while Shari'ati's primary preoccupation was

with revolutionary discourse. Although he borrowed from or made passing references to some modern Western thinkers and schools of thought, he never engaged himself in any deep philosophical study of the issues, including democracy. He was a revolutionary preacher, not a philosopher-scholar. Ṭāliqānī and Bāzargān were political activists demanding the rule of law. Muṭahharī was a modern theologian whose main concern was to defend the faith by redefining its principles in modern, simple language. Political issues did not constitute his primary concern. Khomeini on the other hand was a legal scholar whose political theory and discourse were juridical in nature.

Having inherited the shortcomings of the Islamic ideology that allowed the previous generation of Shī'ite modernists to shape and to rule Iran for about two decades, post-revolutionary religious intellectualism has taken on the challenge of, among other things, re-examining the theoretical foundations of the present Islamic government and laying those of a democratic religious government in its place. In so doing the leading figure of the movement, Abdulkarim Soroush, has resorted to a totally different approach for bridging the gap between democracy and the prevalent understanding of Islam. What Soroush suggests is primarily a reform movement featuring an Islamic way of thinking, which has political consequences as well. His epistemological theory of contraction and expansion of religious knowledge provides the grounds for a plurality of understandings of religion. Epistemological pluralism becomes for him the very foundation of democracy and any perception of it.

In his discussion of the religious democratic state, Soroush, unlike his predecessors, does not appeal to religious argument or a comparative framework to show the conformity of Islam and democracy. Rather, believing that the issue of reconciling immutability and change in general and Islam and democracy in particular is an extra-religious matter like the combination of reason and revelation, he embarks on a rational approach to the subject. He argues that on the basis of two different understandings of Islam, two different types of religious society and accordingly two different types of religious state are conceivable. Taking *amal* (outward practice) as the core of Islamic faith, priority will be given to the *sharīah* and a legalistic understanding of Islam will prevail. Hence, a religious society will be defined as one wherein the divine law is practised. It will be a *fiqh*-based. The main function and aim of the religious government in such a society will be the implementation of the *sharīah*. With *sharīah* being given such

a central role, this requires a distinct position and rights for its official interpreters, the clergy. Moreover, in such a *fiqh*-based society the rights and duties of the people, including those of a political nature, are defined religiously and are confined to the limitations set forth by the *shari'ah*. The people's participation in politics is their religious right and duty rather than a natural right. Yet if, on the other hand, *imān* (inner faith) is taken as the core of Islam, then the definition of a religious society is one wherein people embrace their faith freely, given that faith is not a coercive matter. The role and function of the religious state in this society are first and foremost, as in any other state, to govern the affairs of that society. It does not impose and is not obliged to implement one official version of the faith. It is religious only in the sense that it is the government of a society of believers and as such it prepares and facilitates the conditions which enable the people to preserve and practice their faith freely. No single official understanding of religion will prevail. In such a religious society the non-religious rights of people are respected and enjoy a prominent position. No one individual or group has an *a priori* right to political participation. Rationality and reason have a prominent place and the people's role in politics is defined in terms of their natural rights to freedom, justice, equality and so forth. Soroush argues that if democracy is irreconcilable with the *fiqh*-based version of Islam—basically due to the way in which humankind and his relation to God is viewed in each—it can still be compatible with other understandings of Islam in which human rights are accorded a position of primacy.

Soroush's ideas are significant for many reasons and are different from those of other contemporary Islamic modernists in many respects. As far as his attempt at reconciling Islam and democracy is concerned, it should be said that it represents the second serious effort of any consequence that Shi'ite religious thinkers have exerted in this respect over the last century. However, the main significance of Soroush's religious modernist program in general and his discussion of religious democratic government in particular lies in the fact that he has transferred the whole issue of reform from the plane of *fiqh* to that of *kalām* where more profound issues can be explored and where any fundamental change in the Muslim way of thinking might be expected to originate. However innovative and promising Soroush's approach may sound, the actualization of his theory of religious democratic government is contingent upon the realization of a very formidable yet inescapable prerequisite: a major shift in the Muslim understanding of religion entailing a new view of humankind and

its relation to God. The path to this goal is a long one, however, and there are many challenges to be overcome along the way.

Moreover, any undertaking of this sort would require a democratic society which can provide the freedom and security religious thinkers will need to develop and promote a new understanding of Islam, i.e., one that would be compatible with the norms of modern democracy. In other words there is an interrelated relationship between the two. On the one hand, a tolerant and democratic system has to exist as the seedbed for the growth of free-thinking and development of new understandings of religion. On the other hand, in a religious society it is only through plurality of understandings of religion that a democratic system may be sustained. No matter how costly it has been so far, the religious intellectual movement that Soroush has put in motion has already produced its fruit. A new generation of junior intellectuals, lay or clergy, intelligentsia and political activists who have been directly or indirectly intellectually fed by his ideas and discourse are proving to be the key figures of the ongoing reform movement in Iran. This reform movement towards reconciling Islamic government with democracy is undoubtedly multifaceted. There are a number of factors that should be taken into consideration in its analysis. However, as far as laying the foundations of the theoretical and intellectual components of this irreversible movement are concerned, there is no doubt that it is the person of Soroush who has to be credited more than any other individual. For two decades through his prolific intellectual activities, Soroush has constructed a non-ideological understanding of Islam that promotes rationality, pluralism, democracy, tolerance and recognition of human rights. New view points, concepts, perceptions, and terminology that his works disseminate have nourished and enriched the intellectual and political discourse of present day Iran. What follows is not to analyze the current political events in Iran; rather to show the vitality of the role of religious intellectualism and to provide a token of the effectiveness of Soroush's ideas at the practical level.

The presidential election of 1997 and the victory of Sayyed Muhammad Khatami marked a turning point in the modern history of Iran, for with it the Iranian Revolution entered a new phase. Indeed, the event was significant for a variety of reasons. On the one hand it was an indication that Iranians wanted a change in the way they had been governed over the past twenty years. More importantly though, it demonstrated their willingness to bring about this change through a peaceful and democratic, rather than revolutionary, manner. Perhaps

the most valuable lesson for the nation was the realization that, just as in the time of the Revolution, the power to effect such changes rests in their hands. More than ever in the past two decades, they have been determined, whenever they have been given the chance, to exercise their rights, stay active on the political scene, demonstrate their power and safeguard their achievements. Since the presidential election of 1997 there have been two other significant occasions when the nation-wide, enthusiastic participation of people brought about the overwhelming victory of moderate and reformist candidates. These occasions have demonstrated more than ever their determination to reject the status quo imposed from above. The first of these was the city council elections of 1998. The more recent and important of the two, however, was the elections for the Sixth Parliament held in February 2000. The overwhelming victory of the reformists in this vote—an event that won world-wide attention—represented a final blow to the rule of the conservative clergy. It also provided a very necessary and complimentary component to the efforts of Khatami. For, in addition to the other problems and insufficiencies that Khatami's government has been suffering from, lack of parliamentary support was one of the major impediments standing in the way of any effort at reform. With this endorsement the people have so far succeeded in removing or at least reducing the power of the conservatives in the legislative and executive branches. Although Khatami has not yet been able to introduce any significant change in the social and economic spheres—where perhaps the most immediate need of reform is felt—his unprecedented popularity has secured for him the legitimacy that he required to face down his opponents. This can be seen in relation to Khatami's commitment to giving priority to political reforms as well as other decisions which make it clear that his understanding of Islam differs from that of other clerics in power. Long before becoming president, i.e., during the period of 1982–1992 when he served (intermittently) as the minister of Islamic Culture and Guidance, he had supported those cultural activities and forces (writers, artists and journalists) that promoted a tolerant, peaceful and democratic form of Islam. It was on account of this policy that he was forced to resign his post in 1992, though he is now harvesting its fruits. Thanks to his open-mindedness, many books and journals to which his ministry would otherwise have refused to grant a publication licence ultimately saw the light of day.

Here is not the place to evaluate Iran's political situation. Yet the fact remains that, since Khatami's election, a new political discourse

has gained currency whose main themes are: the rule of law, tolerance versus violence, inclusivism versus exclusivism and the need to move towards a civil society through establishing democratic institutions. The holding of the city council elections in 1998, the first of their kind since the founding of the Islamic Republic (which in fact recognizes such institutions in its constitution), and the relative freedom that has been accorded to the press in this interval, represent the first practical steps towards fulfilling these ideals.

The most striking sign of progress in this area, however, has been the recent increase in the number of independent newspapers and periodicals, the majority of which have promulgated the new political discourse and defended Khatami's position on a number of critical occasions. In the absence of political parties and given the prevailing lack of academic freedom these newly published papers and periodicals are playing a double role. On the one hand they function as political parties or trends by virtue of providing a voice that can openly criticize and call into question the policies of the ruling political establishment as well as promote certain new ideas. On the other, they function as forums for intellectuals. As such no exposition of the development of democratic thought and its relation to Islam in present-day Iran is complete without reference to the role played by these newspapers and journals with which the religious intellectuals are closely associated. An idea of their contribution can be gained from the following survey of some of the high (and low) points that the Iranian democratic movement has experienced in the last few years, and of some of the prospects and challenges facing it in the years to come.

During the last three years, i.e., since Khatami's election to the office of president, the gap between the hard-line/conservative and moderate/reformist factions in the Iranian power structure has increasingly widened. Having lost much of its credibility, the former group has tried to generate a variety of crises for the new popular government in an effort to regain control. Among their activities in this direction: a series of murders, known in Iran as *qatlhāyi zanjīrih*² (chain-murders) targeting notable political opponents, writers and journalists; the trial and conviction on fraud charges of the popular mayor of Tehran, Ghulāmusayn Karbāschī who had played a significant role during the presidential election in support of Khatami; the attack on the senior *marja'-i taqlīd*, Ayatullah Munṭazirī, who has been living under house arrest since 1988 for criticising Ayatullah Khomeini's policies on the absolute guardianship of the jurists and

the government's conduct of the Iran-Iraq war; physical attacks on two ministers in Khatami's cabinet; threats on the lives and interference in the lectures of various intellectuals, including Abdolkarim Soroush; a police raid on the students' residence in Tehran following a peaceful demonstration, which led to a week of violence and turmoil in the capital; and periodic closures of some of the reformist papers and the jailing of their editors and directors. In all these (and other) events, the reformist papers played an unparalleled role in enlightening the public and launching a kind of counter-attack against the conservatives. During the February 2000 elections for the Sixth Parliament, a group of notable reformist editors and journalists, in coalition with certain key religious intellectuals, issued their own independent list of candidates, many of whom were as a result successful in winning seats in the Parliament. The price paid by these independent journals for assuming a role that, in a normal democracy, would have been played by functioning political parties, was the collective shutting down of about twenty of them in May 2000, followed by criminal charges, fines, prison sentences and, in some cases, even solitary confinement imposed on their editors and directors. Just prior to these events, i.e., in March 2000, there was an attempt on the life of Saeed Hajjarian, a top member of Tehran's city council and a member of the editorial board of one of the most widely-read dailies. Known to be a key strategist among the reformers and a close friend of Khatami, the attack on Hajjarian, though unsuccessful, created a nation-wide crisis.

In its function as an intellectual forum for religious intellectuals, the independent press has played a critical role in promoting the political discourse of democracy, a discourse that is highly influenced by Soroush's ideas and terminology. His influence is either directly or indirectly acknowledged by the majority of popular authors and directors/editors-in-chief of reformist newspapers and magazines, some of whom are also closely tied to Khatami. Although there are no official links between the latter and Soroush, many of them belong to the Kīyan circle. The journal *Kīyan*, whose history and significance was discussed in the previous chapter, can be credited for its seminal role in fostering the growth of the religious intellectual discourse of post-revolutionary Iran. Since its inception in 1991, it has provided a forum for Soroush's ideas, junior religious intellectuals and other members of the intelligentsia to exchange ideas. But *Kīyan* has become more than a mere cultural journal. It has developed into a

fully-fledged institution with many publishing activities to its credit. Perhaps the most effective, and yet unknown, contribution of the Kiyān circle to the new political movement has been its Wednesday meetings series. Led by Soroush, the Wednesday meetings have brought together several prominent and influential figures in the religious intellectual movement, among them, Sa'īd Hajjarian, Akbar Ganji, Mahmoud Shamsolvaezin, Reza Tehrani, Sayyed Mostafa Rokhsefat, Alireza Alavitabar, Muhsin Kadivar, Arash Naraqī, Ebrahim K. Soltani, Mohsen Sazgara and some others like Mostafa Tajzadeh who is now deputy minister in Khatami's cabinet. These private meetings were one of the few, if not the only, places wherein the intellectual component of what is now known as the reformist movement got its start and was enriched. The range of topics addressed has included: religion and secularism, reason and revelation, religion and modernity, pluralism, civil society, religious democratic government, religion and ideology, freedom, tolerance, civil liberties, human rights, hermeneutics, and the epistemology of religion—all of them subjects that for a decade have graced *Kiyan's* pages and gradually made their way into a number of other publications. Most participants in the Wednesday meetings continue to contribute important articles to *Kiyan*; Naraqī, Alavitabar, Soltani, Ganji, Kadivar and Hajjarian (who uses the pen-name Jahangir Salihpoor), have all written pieces responding to Soroush or delineating one or more of the themes mentioned above. With Khatami's rise to power and the relative freedom given to the press, many of them have joined the reformist political faction and become engaged in politics through establishing new independent papers and journals.

The daily *Jamé'eh* (Society), the first of this new breed of newspapers, was founded in 1998 by Mahmoud Shamsolvaezin (who until then had served as the editor-in-chief of *Kiyan*) and a few other individuals close to Soroush like Mohsen Sazgara. *Jamé'eh*, which billed itself as the newspaper of civil society, was very successful in launching new political ideas, and particularly in popularizing the concepts of civil society and civil liberties. Nevertheless it was short-lived—shut down within a year by the conservatives who still have control over the justice system. Since then it has been republished under three other names: *Tūs*, *Neshat* and *Asre Azadegan*. Each one was consecutively closed while Mahmoud Shamsolvaezin and his colleagues were thrown into prison.

Akbar Ganji, furthermore, now in solitary confinement, was until 1997 the director of the Širāṭ Cultural Institute, the institute responsible

for preserving, publishing and distributing Soroush's works. In 1998 Ganji began publishing a new weekly, *Rahe Naw* (New Path). This controversial paper was more than a just a weekly newsletter. The themes and subjects of its interviews with influential secular and religious figures were an echo of the concerns addressed in the Kiyān circle, to which Ganji himself belonged, and amongst reformist politicians. In a very daring act *Rahe Naw* published for the first time a series of critical articles about *wilāyat-i faqīh*, written by Ayatullah Khu'ī¹ (the late *marja'-i taqlīd* who did not approve of Ayatullah Khomeini's theory), Ayatullah Munṭazirī² and Muhsin Kadivar.³ These articles and other critical coverage of the day-to-day political actions of leading figures in the Islamic Republic like Hashemi Rafsanjani, the former President, gave a pretext to the conservatives to close it down before it had even seen its first anniversary.

Among other controversial newspapers that may be mentioned here is the *Khordad* daily published by the reformist cleric Abdullah Nouri. Nouri, though influenced by certain views of the Kiyān circle, has never belonged to it. He has long been a high-ranking politician in the Islamic Republic, originally appointed by Ayatullah Khomeini to several important positions, and had served the Islamic government as minister during the last decade, or at least until the Fifth Parliament, the majority of whose seats were filled by conservatives, rejected Nouri's credentials as a potential minister in Khatami's cabinet. In fall 1998, when he began publishing the daily *Khordad*, he at last had the opportunity to publicize his criticism of the conservatives with whom he had worked for two decades and of whose points of view and policies he had first-hand information. Needless to say, this could not be tolerated and *Khordad* was shut down and Nouri called to trial in the special Clerical Tribunal, where he was convicted on several charges and sentenced to a number of years' imprisonment. Nouri's popularity, which had increased after Khatami was forced to deny him a seat in his cabinet, brought him the majority of votes in Tehran's city council elections. Yet he became the top newsmaker in the fall of 1999 when he turned his defence in court into a trial of the successors of Ayatullah Khomeini, holding

¹ Sayyid Abūlqāsim Khu'ī, "Wilāyat-i Muṭlaqih-i Faqīh" [Absolute Guardianship of Jurists], *Rahe Naw*, no. 21 (1377/1998): pp. 16–17.

² Ḥusayn'alī Munṭazirī, "Nizārat-i Faqīh" [Supervision of Jurists], *Rahe Naw*, nos. 18 and 19 (1377/1998): pp. 12–13 and pp. 10–11 respectively.

³ Muhsin Kadivar, "Fiqh-i Shi'āsi: Hukūmat-i Wilā'ī" [Political Jurisprudence: Government of Guardians], *Rahe Naw*, nos. 3–20 (1377/1998).

them responsible for what he called a deviation from the objectives of the Revolution and the leadership example set by Ayatullah Khomeini. The text of his defence, which appeared in a book entitled *Shawkarān-i Iṣlāḥ* (Hemlock for the Advocates of Reform) was reprinted at least seven times in the space of a few months.⁴ The text that reveals a clear influence of Soroush's discourse and includes many of his terminology is said was prepared, for the most parts, by Akbar Ganji and Imadudin Baqi a journalist related to the reformist press. The critiques that Nouri launched against the regime were comprehensive and fundamental, questioning the policies of the regime in relation to foreign affairs,⁵ economics⁶ and social and cultural matters.⁷ Nouri's critiques were daring, yet he carefully managed to remain within the framework of the Constitution of the Islamic Republic and in compliance with *wilāyat-i faqīh*. Although he renounced total concentration of power in the hands of a supreme leader, and defended public sovereignty,⁸ he argued for the *wilāyat-i faqīh* type of Islamic government as long as the scope of rights and responsibilities of the leader does not violate the Constitution.⁹ In other words, one can say that the thrust of his criticism targeted Ayatullah Khomeini's successor, Ali Khamenei, and the right wing conservative faction. Nouri's popularity and significance lies in the fact that it was the first time in the history of the Islamic Republic that a high ranking politician had criticized the regime so extensively, and that—perhaps more importantly—his views had been published and reached the masses thanks to the relative freedom that the press enjoyed for a while.

One of the charges that brought about the closure of both *Rahe Naw* and *Khordad* was that they had published articles by a young reformist cleric, Muhsin Kadivar, who, like Akbar Ganji and Abdullah Nouri, was to end up in prison. What was so unforgivable about his articles, which bore the collective title "Ḥukūmat-i Wilā'ī" and which first appeared in *Rahe Naw*¹⁰ (to be later published in book form), was his critical, analytical re-evaluation of the theory of *wilāyat-i faqīh*.

⁴ Abdullah Nouri, *Shawkarān-i Iṣlāḥ: Dijā'iyāt-i Abdullah Nouri dar Dādāgah-i Viṣṭah-i Rūhānīyat* [Hemlock for the Advocates of Reform: Abdullah Nouri's Defence at the Special Clerical Tribunal] (Tehran: Tarḥ-i Naw, 1378/1999).

⁵ *Ibid.*, pp. 124–133, 143–151.

⁶ *Ibid.*, pp. 133–139.

⁷ *Ibid.*, pp. 60–69.

⁸ *Ibid.*, pp. 251–265.

⁹ *Ibid.*, pp. 42–52.

¹⁰ See footnote no. 3.

In an admirably precise and well-documented jurisprudential discussion, Kadivar examines the notion of *wilāyat* (guardianship) in all primary and secondary Islamic and Shīʿī sources, ranging from the Qurʾan and *hadīth* to juristic texts written by classical and contemporary Shīʿī *ʿulamāʾ*. He concludes that the concept is purely *fiqhī* (jurisprudential) in nature and a construct¹¹ of the jurists in relation to the issue of the legal guardianship of minors and the insane, who have no natural guardians. He argues that in regard to general public affairs, such as government, what can be derived from the sources is, at most, *Niẓārat-i faqīh* (supervision of jurists) and nothing more. *Niẓārat-i faqīh*, with which Kadivar seems to be in complete agreement, ensures a role for the *ʿulamāʾ* in politics that very much resembles what they were granted in the Constitution of 1906–1911. The distinction is that, while *wilāyat-i faqīh* leads inevitably to the inequality of human beings and recognizes special rights and privileges for the jurists—to the extent that the people, who are considered incapable of judgement, have no right to participate in making decisions about their own affairs¹²—*Niẓārat-i faqīh* recognises the sovereignty of the people and demands their participation in government.¹³ Also, while *wilāyat-i faqīh* necessitates the combination/unification of the two institutions of religion and politics, *Niẓārat-i faqīh* advocates the separation and independence of the two from each other. Before Kadivar’s there were a few other similar critiques that appeared in Iran. For instance, about a decade ago and still in the time of Ayatullah Khomeini, the Nahḍat-i Āzādī-i Iran (the Freedom Movement of Iran) under the leadership of Bāzargān had published a book underground entitled *Wilāyat-i Muṭlaqih-i Faqīh*¹⁴ (Absolute Guardianship of Jurists). One can also point to another such work, entitled *Hikmat wa Hukūmat* (Wisdom and Government), written by the philosopher-cleric Mahdī Haʿiri Yazdī.¹⁵ But the circulation of these works remained limited. What was in fact most dangerous in the eyes of the ruling conservatives about these initiatives by Kadivar and Ganji was that they brought the discussion before what their opponents

¹¹ Muhsin Kadivar, “Fiqh-i Sīyāsī: Hukūmat-i Wilāʾī”, *Rahe Naw*, no. 9 (1377/1998), p. 16.

¹² *Ibid.*, no. 7, pp. 14–16.

¹³ *Ibid.*, no. 11, pp. 9–17; no. 12, pp. 16–17.

¹⁴ Nihdat-i Azadi-i Iran, *Wilāyat-i Muṭlaqih-i Faqīh* [Absolute Guardianship of Jurists], (Tehran: Nahḍat-i Āzādī-i Iran, 1367/1988).

¹⁵ Mahdī Haʿiri Yazdī, *Hikmat wa Hukūmat* [Wisdom and Government] (N.P., Intishārāt-i Shādī, 1374/1995).

called non-expert circles, i.e. the masses. Even more politically incorrect was the fact that in his series of articles Kadivar had analytically surveyed the development of Ayatullah Khomeini's theory of *wilāyat-i faqīh* through the different stages of the latter's scholarly and political life—an approach that until then had been taboo. Kadivar argues that Ayatullah Khomeini's juridical writings, which are in his opinion a more genuine indicator of his thought than his public/political speeches, reveal that it was clear to him from the very beginning what he meant by the role of the 'ulamā' in politics: this was *wilāyat* (guardianship) with its all technical connotations and denotations. As such he embarked on trying to actualize this in the Islamic Republic, even though he sometimes neglected to clarify this intention to his followers for reasons of political expediency.¹⁶

Our survey of the events of recent years indicates that, in spite of very limited political openings that has been possible under the current situation, the stated aim of all participants in the reform movement is to move towards a civil society wherein civil liberties and the rights of citizens are recognized and respected by a democratic state. Yet, the coalition of forces who have supported this idea known as the *Jibha-i Duwwum-i Khurdād* (The May 24th Front), is far from being a monolithic front. It includes a vast number of individuals and groups from different political and intellectual backgrounds. Their differences naturally affect their motivation for participating in the reform movement, their understanding of what it is they are all demanding, and their readiness to carry out the task and pay the costs that go with it. More important from the perspective of this work is the question of how and to what extent the meaning and implications of key concepts of democracy and civil society are understood. The current situation in Iran is so politically charged that it allows certain concepts easily to gain wide currency merely because of the attraction of their political overtones. Thus, they might be used by some to further their own immediate interests without having any intellectual commitment to them. In other words, religious intellectualism has been particularly effective in mobilizing Iranian society. Nevertheless, this burden must continue to be carried by Iran's intellectual élite, at least until concepts such as freedom, tolerance, right, democracy, etc., are fully absorbed into the culture. It is only then that these concepts will become sustained values.

¹⁶ Muhsin Kadivar, "Fiqh-i Siyāsī: Ḥukūmat-i Wilā'ī", *Rahe Naw*, no. 11, pp. 16-17; no. 13, pp. 14-17; no. 14, pp. 14-17.

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