

Iran: A Caliphate disguised as a republic

Tuesday 17 October 2006, by [SEPEHR Houshang](#) (Date first published: September 2006).

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The Islamic Republic of Iran is a political construction without parallel. For sure, a certain number of states in the Muslim world, for example Pakistan, the Comoros or Mauritania, also employ the label of “Islamic Republic”, but from the viewpoint of the power structures, the nature of the constitutional regime, the specificity of the ruling elites and even the state ideology, these republics have next to nothing in common with the Iranian model. In the Muslim world no country has ever had political structures similar to those which have existed in Iran since 1979.

In fact, the Islamic Republic is a mode of government in which power, supposedly emanating directly from God, is exercised by those invested with religious authority. The theory of velayat-é-faghi (rule by theological jurisprudence), cornerstone of the Iranian system, the concept on which the whole institutional edifice rests, is the sole theocratic theory in the Muslim world. At the same time, and this epitomises the complexity and paradox of the Iranian model, this theocratic nature combines with a republican dimension appealing to popular participation, and an electoral apparatus close to the democratic model. A network of institutions whose members are nominated and controlled by the powerful and conservative Supreme Guide of the Revolution thus coexists with an elected president and parliament.

Religious authority

The Supreme Guide: The real head of state is the Supreme Guide of the Revolution, theoretically elected by an Assembly of Experts of 86 religious members, an assembly itself elected for eight years by direct universal suffrage with a generally very low rate of participation. The Guide is appointed for life and can only be relieved of his functions in exceptional circumstances. The Guide intervenes most often in relation to legislative power; but also dominates the judiciary and designates the head of the judiciary system. The Guide also designates six members (out of twelve) of the powerful Council of Guardians of the Revolution, the commanders of the armed forces, the imams for Friday prayers and the director of the radio and television station. The Guide also validates the election of the president and sets the guidelines for the general policy of the regime.

The Council of Guardians of the Constitution: Under the control of the conservatives, this institution is the body that exercises the most influence in Iran. The Council is made up of twelve members who serve for six years, six theologians appointed by the Supreme Guide, as well as six jurists (generally also clerics) designated by the judges and whose nomination is approved by the parliament. The Council has to approve legislation passed by the parliament. It has the power to use its right of veto, if it considers that the laws passed by parliament are incompatible with the Constitution and Islamic law. The Council can also prevent any candidate from running at the parliamentary and presidential

elections, or being elected to the Assembly of Experts. All initiatives aimed at reducing the discretionary powers of the Council have until now foundered. The Council had barred more than a thousand candidates at the 2005 presidential election, with only five being authorised to run.

The Expediency Discernment Council: This council, created by a decree by Khomeiny in 1988, includes about thirty members, all designated by the Supreme Guide. It is a consultative organ that subjects its conclusions to the Supreme Guide. This institution is at the same time authorized to settle all litigation of a legal nature between the parliament and the Council of Guardians. In certain exceptional circumstances, the Expediency Discernment Council can exercise a legislative function. In October 2005, the Supreme Guide gave the Council the "attributes of surveillance" to follow the activities of the other branches of the government, delegating a part of his powers within the limits of the Constitution.

The Assembly of Experts: The members of the Assembly of Experts nominate the Supreme Guide, closely follow his performance and can remove him if he is deemed incapable of fulfilling his duties. The Assembly holds two ordinary sessions every year. The direct election of 86 members of the Assembly is organised every eight years. The next elections are envisaged for 2007. The members are elected for a term of eight years. Only religious figures are authorised to run for election. The candidacies are examined by the Council of Guardians.

The judicial system: The Iranian judicial system has never been able to shake off the weight of politics. Until the beginning of the 20th century, it was under the control of the clergy. The system was subsequently secularised. But after the revolution, the Supreme Court abrogated all law deemed not to conform to Islam. New laws, inspired by Sharia - the legal code of Islam - were introduced. The judicial system guaranteed that Islamic laws are applied and defined the country's legal environment. The system is also empowered to nominate six members of the Council of Guardians. The head of the judicial system is nominated by the Supreme Guide to whom he personally reports. In the course of recent years, the ultra-conservatives have used the legal system to counter several reforms. To do this, they have imprisoned reformers and journalists, while forbidding the publication of newspapers of the reformist current.

Republican dimension

The president is elected for a term of four years, and is limited to two consecutive terms. The Constitution presents the president as the second personality of the country. As head of the executive wing of the regime; the president is charged with guaranteeing the application of the Constitution. But in practice, the prerogatives of the president are limited by the religious figures and the conservatives, as well as by the authority of the Supreme Guide. It is the latter, and not the president, who controls the armed forces and takes decisions in the area of security, defence and foreign policy. Candidates for the presidency are carefully examined by the Council of Guardians. This institution opposed hundreds of candidacies during the 2005 elections. That year, the conservative mayor of Teheran, Mahmoud Ahmadinejad, acceded to the post of president, after having defeated Hachemi Rafsandjani (who was president from 1989-1997) during the second round of the election. Rafsandjani had denounced "an illegal campaign aimed at discrediting him". Ahmadinejad replaced Mohammad Khatami, elected president in May 1997, who had not succeeded in persuading the Council of Guardians to approve the adoption of important reforms. He encountered numerous obstacles, after the conservatives regained their parliamentary majority in 2004.

The government: the members of the government are appointed by the president. Their nomination

must be approved by parliament. The latter had in 2005 rejected four ministers chosen by president Ahmadinejad. Parliament can also remove ministers. The Supreme Guide is broadly involved in the management of matters linked to defence, security and foreign policy. The Council is placed under the authority of the president or vice-president who are responsible for the activities of ministers. The government of Ahmadinejad includes two religious figure, six pasdaran and no women.

Parliament: The Islamic Republic also has a Parliament, whose 290 members are elected by universal suffrage by the whole of the population aged over 15. Candidates in parliamentary election have to be approved by the minister of the interior, the minister of information and above all the Council of Guardians, or Council of Surveillance. Parliament has the power to introduce and vote on laws, and can summon or dismiss ministers, or the president. However, all laws adopted by the Parliament must be deemed compatible both with the Constitution and above all with Islam, by the very conservative Council of Guardians of the Revolution. So far as parliament is concerned, the Council of Guardians controls entry through deciding on the validity of candidacies, and output through its judgements on the conformity of the laws that the parliamentarians have drawn up. A majority of elected so-called "reformers" entered parliament, in 2000. It would be different four years later, in 2004: A good number of reformist candidates were not authorised to take part in the elections. The current president of the Parliament however has family links with the Supreme Guide, the Ayatollah Khamenei, one of whose sons is married to his daughter.

The armed forces

The armed forces comprise the Guardians of the Revolution (Pasdaran) and the regular forces. The two bodies are placed under a joint general command. The main heads of the army and the Guardians of the Revolution are appointed by the Supreme Guide and only report back to this person. The corps of the Guardians of the Revolution was created after the revolution of 1979, to protect the new leaders and the institutions. They also have the role of fighting those who are opposed to the revolution. The Guardians of the Revolution are powerfully represented in the other institutions. They control the volunteer militias who operate in every town.

This rapid overview of the institutional edifice of the Islamic regime of Iran shows clearly that this system has nothing to do with a Republic or a modern rational state. It is a theocratic regime disguised under a republican mask, in other words a "Caliphate".

P.S.

* Published by International Viewpoint Online magazine : IV n° 382 - October 2006.

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