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THE REFORM MOVEMENT AND THE DEBATE
ON MODERNITY AND TRADITION
IN CONTEMPORARY IRAN

- M. BOROUJERDI, *Iranian Intellectuals and the West: The Tormented Triumph of Nativism* (Syracuse, N.Y.: Syracuse University Press, 1996).
- AKBAR GANJI, *Talaqqi-yi fashisti az din va hukumat. Asibshinasi-yi guzar bi-dawlat-i dimuk-ratik-i tawsi'ih-gira* (The Fascist Interpretation of Religion and Government: Pathology of Transition to the Democratic and Development-oriented State) (Tehran: Tarh-i Naw, 2000).
- M. KADIVAR, *Nazariyaha-yi dawlat dar fiqh-i shi'a* (Theses on the State in Shi'i Jurisprudence) (Tehran: Nashr-i Nay, 1997).
- M. KADIVAR, *Hukumat-i vila'i* (Theocratic Government) (Tehran: Nashr-i Nay, 1998).
- M. KHATAMI, *A'in va andisha dar dam-i khudkamagi. Sayri dar andishih-i siyasi-yi musalmanan dar faraz va furud-i tamaddun-i islami* (Creed and Thought in the Trap of Arbitrariness. An Exploration of the Political Thought of the Muslims through the Rise and Decline of Islamic Civilization) (Tehran: Tarh-i Naw, 1999).
- M. MUJTAHID-SHABISTARI, *Hermeneutic, kitab va sunnat* (Hermeneutics: The Book and Tradition) (Tehran: Tarh-i Naw, 1996).
- M. MUJTAHID-SHABISTARI, *Naqdi bar qira'at-i rasmi-yi din* (A Critique of the Official Reading of Religion) (Tehran: Tarh-i Naw, 2000).
- 'A. SURUSH, *Siratha-yi mustaqim* (Straight Paths) (Tehran: Sirat, 1998).
- 'A. SURUSH, *Bast-i tajrubih-i nabavi* (Expansion of the Prophetic Experience) (Tehran: Sirat, 1999).

To appreciate the significance of the reform movement represented by the books selected for this survey, one needs the sharply contrasting background of Islamic thought in Iran from the mid-1960s to the end of 1980s, the period perceptively surveyed by Mehrzad Boroujerdi in *Iranian Intellectuals and the West*. Boroujerdi shows that the moral indignation against Westernization in Iran pre-dated the outburst of revolution

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in 1979 by a few decades, beginning as a series of nativistic protests that gradually cohered in the shape of an Islamic ideology. The mythical construction of the West was not exclusively or primarily a religious affair. It was, rather, a fairly general indigenous or nativistic response to Western cultural domination in which Islam played a varying and fluctuating role before the revolutionary crescendo of the late 1970s and early 1980s. The essence of this nativistic cultural response was what Boroujerdi analyzes as Occidentalism, or, borrowing a phrase from Edward Said's Syrian critic Sadiq al-'Azm, as "Orientalism in reverse."

Although Khomeini's own publicistic career had a modest beginning in the 1940s, the indigenous response to Western domination in the two decades after World War II came from another group: lay intellectuals with a clerical background and upbringing. The most notable members of this group were the neglected Sayyid Fakhr al-Din Shadman (d. 1967) (Boroujerdi 1996: 54–63) and the well-known Sayyid Jalal Al-i Ahmad (d. 1969). The Islamic ideology as a distinct and moderately coherent nativistic response gathered momentum as a result of the confluence of discordant attempts at myth-making that were, however, obsessed with the West and shared the goal of constructing a new collective identity vis-à-vis the West. This Islamic ideology became increasingly revolutionary and culminated in Khomeini's theocratic redefinition of Shi'ism. The modernist writer Al-i Ahmad, who initiated the reception of ideology in Iran, set the direction of its development in two steps: first, by characterizing Iranian cultural malaise as "Westoxification" (*gharbzadigi*), then by turning for a cure (toward the end of his career) to the Islam of his clerical family. His "Westoxification" proved definitive as the diagnosis of the age and constituted what sociologists call "the definition of the situation" for a whole generation. Al-i Ahmad was followed by the Sorbonne-educated sociologist 'Ali Shari'ati (d. 1977), who is the best known of the Islamic ideologues before the revolution. It is interesting to note that Shari'ati, too, came from a clerical family: his father was a former cleric who had become an Islamic publicist. With Shari'ati, the process of ideologization of Islam gathered full momentum. Both Al-i Ahmad and Shari'ati were Marxists for a significant period, which can explain where the notion of ideology came from. Shari'ati in particular adopted what was a Western instrument of protest—namely, ideology—as a weapon for combating the pernicious cultural domination of the West. In the end, the pouring of Islam into an ideological framework borrowed from Marxism amounted to a "colossal redefinition of Islam"¹—a redefinition that was, furthermore, revolutionary. For its authors, "the West" was the projected civilizational other, the point of reference toward which they "painted themselves into a corner of a revolutionary self-definition."² The great irony of Al-i Ahmad's life, as H. Dabashi has noted, was that "the Islamic ideology [is] the deepest, most effective form of Westoxification ever."³

Shari'ati promoted the notion of Islamic ideology in his search for a reinvigorated collective conscience through the reform of Islam. I have emphasized the collectivist, if not fascist, aspects of his thought,⁴ which laid the epistemic foundations of the dominant mentality of the first decade of the Islamic Revolution.⁵ The clerics, however, did not leave the ideological field to laymen for long. Al-i Ahmad's cousin, Ayatollah Sayyid Mahmud Taliqani (d. 1979), was closest among the emerging clerical ideologues to the Marxist camp and absorbed its terminology into his Islamic economics. Other clerics, too—notably Ayatollahs Murtaza Mutahhari (d. 1979),

Muhammad Husayn Tabataba'i (d. 1981), and last but not least, Ruhullah Khomeini—had turned to publicistic activity to combat Western materialism. It is interesting to note that Tabataba'i shared Khomeini's atypical interest in philosophy, and Mutahhari had studied the subject with him. Mutahhari was to become one of Khomeini's main lieutenants in the revolutionary struggle, alongside Ayatollah Hasan-'Ali Muntaziri, who had also studied philosophy with Khomeini. These clerics-turned-ideologues redefined Shi'ism in a revolutionary direction. This redefinition and revolutionary transformation culminated in Khomeini's construction of an ascetic revolutionary political ethic and, above all, in his new theory of theocratic government. Particularly important for the clericalist modification of Shari'ati's revolutionary Islamic ideology, and for its subordination to Khomeini's theory of theocratic government on the basis of *vilāyat-i faqīh* (mandate of the jurist), was Ayatollah Muhammad Husayni Bihishti (d. 1981), who had been the director of the Islamic Center in Hamburg before the revolution and played a major role in the incorporation of Khomeini's theory into the 1979 constitution of the Islamic Republic of Iran. With the creation of the Islamic revolutionary ideology and its clericalist institutionalization by Bihishti and Muntaziri, Shi'i Jacobinism under Khomeini's charismatic leadership dominated revolutionary Iran without a serious challenge for a full decade.

The obsessive concern of the secular intellectuals with the West, as documented by Boroujerdi and Dabashi, was not necessarily shared by Khomeini and his clerical colleagues who led the revolutionary movement against the Shah to restore and preserve a Shi'i tradition threatened by modernization and Westernization. It should be pointed out that the clerical ideologues were not particularly tormented by ambivalence toward the West and were much more securely grounded in the Shi'i tradition they wanted to save. The Islamic Revolution was undoubtedly a traditionalist revolution. However, the restoration of a tradition in practice always entails its transformation. The traditionalist revolution of 1979 has brought about a revolution in Shi'ism. In fact, the Islamic Revolution in Iran resulted in both the traditionalization of a modernizing nation-state and the modernization of the Shi'i tradition.⁶

The unexpected, eleventh-hour victory of Sayyid Muhammad Khatami on a platform of political reform in the presidential elections of May 1997 opened a new phase in the history of post-revolutionary Iran. From the sociological point of view, President Khatami's landslide victory in 1997 can be regarded as the political edge of a deep cultural movement for the Shi'i reformation that was well under way in the 1990s and received a considerable boost from his election. This movement for the reform of Islam is very much a product of the children of the Islamic Revolution and can be presented as one of its long-term, unintended consequences. The movement's leading figure since the early 1990s, 'Abdul-Karim Surush, is a philosopher of science who was trained in pharmacology in London and was appointed to the Commission for Cultural Revolution by Khomeini after the universities were closed in 1980. The most forceful theorist of the religious-reform movement since the second half of the 1990s, Hujjat al-Islam Muhammad Mujtahid-Shabistari, is a Shi'i cleric who had been Ayatollah Bihishti's colleague at the Islamic Center in Hamburg in the 1970s and was elected to the First Majlis after the revolution in 1980. Muhsin Kadivar was a student of electrical engineering during the revolution and switched to the seminaries of Qom as an enthusiastic Islamic revolutionary. Last but not least, Khatami himself had suc-

ceeded Bihishti at the Islamic Center in Hamburg, been elected to the First Majlis, and served as the revolutionary minister of culture and Islamic guidance. What these clerical reformists shared with the lay intellectual, Surush, was a keen interest in philosophy and rational theology, which they have used as a tool for reconstructing religious thought.

During Khatami's election campaign in May 1997, another child of the Islamic Revolution and a leading figure in the new breed of reformist journalists, Akbar Ganji, published a series of dialogues with Iranian intellectuals titled, *Tradition (sunnat), Modernity (modernité), Post-Modern*.⁷ The "post-modern" has not done well in Iran and tends to be identified with a group of so-called Heideggerian—some would say, fascist—intellectuals led by Riza Davari.⁸ This post-modern trend originated in a group created by Al-i Ahmad's mentor, Ahmad Fardid (d. 1994), which has elaborated the jargon of Islamic authenticity as a remedy for Westoxification (Boroujerdi 1996: 63–76, 159–65). It can properly be called anti-modern.⁹ The most perceptive observer of the current intellectual situation in Iran, D. Ashuri considers the discussion of "modernity, pre-modernity and post-modernity the most important discourse [*gufimān*, a key neologism in Persian] in our intellectual space and among all groups." He also states that the "Heideggerian" post-modern trend "never acquired philosophical and theoretical depth, and is today, in my opinion, spent and dead." This is not true of the dichotomy between tradition and modernity, which superseded the anti-Western, anti-imperialist, and center–periphery discourse, nor of the sustained effort to unite its two poles by the "religious intellectuals" who dominate the reform movement. In the opinion of the same observer, "the future of Iran primarily depends on this movement of religious enlightenment (*rawshanfikri*) which is capable of bringing about a synthesis between tradition and traditional thought and the heritage of the modern world."¹⁰ The same sentiment was echoed in one of President Khatami's campaign speeches in 2001, in which he affirmed that the future of Iran lay with the "new religious thinking," adding that "if we try to impose on a changing society issues which do not belong to our time, we will end up harming religion."¹¹

Those of us in the Western academic circles who considered the idea of modernization and the dichotomy passé have been surprised by the hot debate on modernity and tradition in Iran in the 1990s. This debate has not been confined to the reformist press and publications. The conservative periodical *Naqd va Nazar*, published in the holy city of Qom since 1995, also published a series of articles on the sociology of modernization by Husayn Bashiriyyih, a professor of sociology at the University of Tehran, and devoted a special double issue to the topic of tradition and modernity in 1999.¹²

Modernization had earlier been contrasted with "backwardness" and "decline." In a series of books published since the late 1980s, Javad Tabataba'i wrote about the irreversible decline of political thought in pre-modern Iran, arguing that epistemically it was incommensurate with modernity.¹³ In *How We Became What We Are: A Search for the Causes of Backwardness in Iran*, first published in 1995, S. Ziba-Kalam ridiculed Islamic revolutionary ideology's attribution of all Iran's ills to Western imperialism. Instead, he says, Iran's "backwardness, or to use a more polite euphemism, underdevelopment," can be traced to a historical trajectory of social formation that sharply diverges from that of the West.¹⁴ In the current debate, however, tradition and modernity are often contrasted dichotomously, and even Tabataba'i, the non-religious mod-

ernist who insists on the irrelevance of the post-modern to the predicament of contemporary Iran in contrast to the centrality of modernity, admits the crucial importance of coming to terms with tradition.¹⁵ However, in traveling from 19th-century European thought and, more immediately, the structural–functionalist sociology of the post-World War II period to post-revolutionary Iran, the first term in the dichotomy, tradition, has lost the rigid fixity attributed to it by classic 18th-century Enlightenment thought,¹⁶ and is seen in a fully dialectical relationship with modernity. Religious intellectuals are the architects of a critical theoretical framework for understanding the dialectic of tradition and modernity. The focus of this critical perspective is the tension between modernity and religion.

In 1992, A. Surush made a radical break with the revolutionary characterization of Islam as an ideology in a critique of Shari‘ati, arguing that Islam as a world religion is “richer than (*farbahtar*) ideology” because it allows for a variety of interpretations.¹⁷ An equally radical break with 20th-century apologetic Islamic modernism came with Surush’s advocacy of religious pluralism at the close of the century. In a 1997 article entitled “Straight Paths” (*sirathā-yi mustaqim*), which significantly pluralizes the key Qur’anic phrase, Surush totally disregarded legalistic Islam and drew heavily on the tradition of gnostic mysticism (*‘irfān*), especially in the poetry of his favorite, Rumi (d. 1273), to establish the principle of religious pluralism. In “The Expansion and Contraction of the Sacred Law,” a celebrated 1990 article which was later expanded as a book,¹⁸ Surush was still relying on philosophy of science to establish the dependence of the normative validity of Islamic legal norms on the changing scientific worldviews of different epochs. His argument, however, was flawed because the rules of Shi‘i jurisprudence have in fact been largely invariant with respect to the changes in the natural sciences. Replacing the philosophy of science with hermeneutics enabled him to shift the discussion of truth from causal and rational arguments to the level of meaning: “[w]e must not integrate truth [of propositions] with either reasons or causes, but must rather attribute it to meanings and interpretation” (Surush 1998: 116). From this new hermeneutic perspective, he could shift the focus of the discussion from the religious sciences to religion itself and write about the “*expansion of Prophetic experience*”: “[t]he prophet is a human being and his experience is human, so are his disciples” (Surush 1999: 21). On this premise, not only the entire corpus of the sacred law, but also the very expression of the Islamic revelation in the Arabic language and the culture that grew around it, could consistently be established as historically “contingent” rather than “essential” features of religion (Surush 1999: 55, 80).

Historically, Surush’s break with 20th-century apologetic Islamic modernism is more fundamental than his break with the political Islam of the 1970 and 1980s through his refutation of the Islamic ideology of Shari‘ati. It can be said generally that the advocates of Islamic modernism throughout the 20th century and the Muslim world maintained that Islam was the most perfect religion and therefore had the best answers to all problems of modern social and political organization, purporting apologetically to deduce democracy, equality of women, and principles of social justice and human rights from its sources. To them, Islam was *the* Straight Path and could generate the perfect modern social and political system by re-examining its fundamentals. The distinctive mark of the Shi‘i reformation of the 1990s, as formulated by Surush

and M. Mujtahid-Shabistari, is a critique explicitly of political Islam but implicitly also of the apologetic Islamic modernism that they, however, do not disown. The movement for the reformation of Islamic thought thus marks the birth of critical theory in modern Shi'ism. It offers a radical critique of contemporary Islamic thought for mistaking the historically contingent forms of Islamic religion for its revealed essence; and for disregarding religious pluralism as the inevitable result of the reading of revealed texts in specific human languages and socio-historical contexts. As more than one reading is inevitable, so there must be more than one straight path to salvation.

Surush has not been shy in making the political implications of his religious hermeneutics explicit. He began his "Straight Paths" essay by noting that accepting religious and cultural pluralism necessitates the acceptance of "social pluralism," and ended it by affirming that "a pluralistic society is a non-ideological society—that is, [a society] without an official interpretation and [official] interpreters—and founded on pluralist reason" (Surush 1998: 1, 49). He proceeded to characterize the view of the ruling clerical elite as "the fascist reading of religion,"¹⁹ and spoke of them as the "bearers of religious despotism," affirming that "the new generation that has now arisen in Iran does *not* see the jewel of religion in jurisprudence and ideology."²⁰ Finally, in a major departure from his earlier, purely instrumental, "managerial" view of democracy as "a successful and scientific method of management (*tadbīr*) in the social arena,"²¹ Surush now offers a normative definition of democracy as resting on three pillars: rationality, pluralism, and human rights.²²

An equally radical break with the apologetic modernism of the earlier generation and a more rigorous critique of the foundations of theocratic government in legalistic Islam was made by M. Mujtahid-Shabistari with the publication of *Hermeneutics: The Book and Tradition* in 1996.²³ Mujtahid-Shabistari draws on the mastery of modern hermeneutics he had acquired in his years in Germany to delineate a critical theory for rethinking Islam in the contemporary world. Noting that many observers insist that "the concept of tradition (*sunnat*) and its derivatives have primarily a religious-doctrinal sense for the Muslims," Mujtahid-Shabistari considers this idea the cause of "many difficulties and errors in the study of the problems of tradition, modernity and development in Islamic countries." He argues, by contrast, that the confrontation between tradition and modernity is easier in Islam than in Christianity, where "tradition" is tied up with the idea of the church as the vehicle of sacred history. The confrontation of tradition and modernity in Islam can therefore be confined to the "anthropological viewpoint" and need not assume the form of confrontation between religion and atheism.²⁴ This may well be wishful thinking, but Mujtahid-Shabistari proceeds to specify the conditions for speaking of faith in the contemporary world and within the limits of modern rationality as set by natural and historical sciences.²⁵

In "A Critique of the Official Reading of Religion,"²⁶ Mujtahid-Shabistari adopts the historical perspective on modernization, a process that began about 150 years ago with the resolution of the Muslims to overcome backwardness by adopting a new style of life. At first, this was called "the adoption of modern civilization" and "progress"; today, it is referred to as "development" (*tawsi'ih*) (Mujtahid-Shabistari 2000: 13–15). He puts the Islamic Revolution in this perspective, writing, "When Iran's Islamic revolution attained victory in 1357 (1979), over a century had passed since the entry of our country into modern life, development and progress." (Mujtahid-

Shabistari 2000: 21). The process of modernization radically changes the character of Muslim societies and consequently the social functions of Islamic jurisprudence (Mujtahid-Shabistari 2000: chap. 1). Not wanting to dissociate himself and the reform movement from the Islamic Revolution, he argues, somewhat tenuously, that because the constitution of 1979 was the product of rational law-making rather than traditional jurisprudence, and included values that were the “fruits of modernity (*modernité*),” the Islamic Revolution was accompanied by a “rational-humanistic” reading of Islam (Mujtahid-Shabistari 2000: chap. 2). The “official reading of religion” originated in a phenomenon called “jurisprudential Islam (*islām-i fiqāhati*),” which justified totalitarian control of culture by theocratic government and gradually gained the upper hand after the revolution. The official reading of Islam is now undermined by a crisis of legitimacy for three reasons. This is a reading that advocates non-participation, theorizes violence, and lacks scientific validity (Mujtahid-Shabistari 2000: 30–34). The last reason, the loss of plausibility and scientific validity of the official reading of religion, is due in part to hermeneutic challenge (Mujtahid-Shabistari 2000: 37–46). The use of modern hermeneutics as a critical theoretical tool by the reformists has shaken the belief that there is only one correct interpretation of “the Book and tradition,” and consequently the “absolute theoretical authority” of the religious jurists that prevailed before the revolution and under Khomeini (Mujtahid-Shabistari 2000: 194). Further, the official reading of Islam had legitimacy during Khomeini’s lifetime because the majority of the Iranian people accepted his charismatic leadership as a form of “political following (*taqlīd-i siyāsi*)” of the religious jurist. Now that the majority who accepted the “political following” of religious jurists has dwindled to a small minority, one sees a crisis of legitimacy, as modern political regimes derive their legitimacy solely “from political rationality and popular vote” (Mujtahid-Shabistari 2000: 34–36).

The political implications of Mujtahid-Shabistari’s religious hermeneutics are spelled out further. According to him, “a major element in modernization is the rationalization of the political order.” In fact, “the most important source of tension between modernity and religion in Iran today is the political order” (Mujtahid-Shabistari 2000: 184). Mujtahid-Shabistari uses the hermeneutic principle as a generally accepted and key element of modern epistemology to refute the fundamental claim that it is possible to base a form of government—or, for that matter, any social institution—on religious jurisprudence. Only a “small minority” of Muslim thinkers consider “the political instructions of the Book and (the Prophetic) tradition to include even the form of government.”²⁷ In fact, no political regime of the past was founded on the basis of the science of jurisprudence; nor can one be so founded in the future. Rather, the science of jurisprudence can only offer answers to certain questions that arise within the institutional framework of existing political regimes (Mujtahid-Shabistari 1996: 46–66). Mujtahid-Shabistari explicitly refutes the two cardinal tenets of the official clericalist reading of Islam—namely that “Islam as a religion has political, economic and legal regimes based on the science of jurisprudence” suitable for all ages, and that “the function of government among the Muslims is the execution of the commandments of Islam” (Mujtahid-Shabistari 2000: 12).

The reform movement became a force in Iranian constitutional politics with Khatami’s election in 1997 and reopened the question of the fundamental principles of order in the Islamic Republic for the first time since 1979. Khatami’s platform of civil

society and “the rule of law (*hukūmat-i qānūn*)” evoked an implicit contrast with “*hukūmat-i islāmī* (Islamic government),” the slogan of the revolution. Atā’ullah Muḥajirani, Khatami’s first reformist minister of culture and Islamic guidance, removed many of the restrictions on the press, and a popular pro-Khatami press immediately flourished. Before long, a number of these newspapers were closed down by the clerical judges *seriatim*, and their editorial staffs were given licences by the Ministry of Culture to start new ones. This press spread Khatami’s new political discourse, which owes much to the reform movement. Neologisms such as “civil society (*jāmi‘a-i madanī*),” “legality (*qānūn-mandī*),” “citizens (*shahrvandān*),”²⁸ and “law-orientedness (*qānūn-girā‘i*),” many of them coined by Khatami himself, circulated, as did Khatami’s other favorite term, “political development.” Two key neologisms came from the reformist hermeneutics: pluralism (*plūrālizm, kathrat-girā‘i*) and “reading (*qirā‘at*) [of Islam].”

In a major speech in April 1999, Khatami elaborated on his favorite theme of political development, which required the recognition of the right of opposition within the framework of law. He then announced that “the first step in political development is participation, and the most evident channel for participation was the election of the Councils.”²⁹ The councils to which he referred were the local and municipal councils provided for in the constitution of 1979 but never elected. The elections for the councils took place in February 1999, as Khatami promised, and gave his supporters another landslide victory, with more than four-fifths of the popular vote. On the second anniversary of his presidential victory, Khatami addressed a gathering of some 107,000 elected members of the village and town councils in Tehran, again emphasizing the importance of political development and the need to struggle for “the consolidation of Islamic democracy and popular government (*mardum-sālārī*).” He noted that sacred terms such as “revolution,” “freedom,” “Islam” and “*leadership*” are “not the monopoly of any group.”³⁰ The coalition that was formed for the parliamentary elections in the following year, and that won the great majority of the Majlis seats in 2000, called itself the Participation Front and started a newspaper, *Participation (mushārikat)*.

Khatami also published a book on political philosophy in 1999. The ground he covers is the same as that covered by Tabataba‘i: the Platonizing adaptation of Greek political philosophy by Farabi (d. 950), its synthesis of the “eternal wisdom” of Persian statecraft by Abu’l-Hasan ‘Amiri (d. 991) and Mushkuya (Miskawayh) Razi (d. 1030), the juristic theories of al-Mawardi and Ghazali, and Nizam al-Mulk’s treatise on statecraft. He ends with a discussion of the revival of political philosophy in Safavid Isfahan in the second half of the 17th century.³¹ Further, Khatami shares with Tabataba‘i the curious idea of the “decline” of Muslim political thought beginning at the very outset, after Farabi (Khatami 1999: 111). I have mentioned Surush’s early managerial conception of democracy. Mujtahid-Shabistari (2000: 18) shares this conception and appears to view democracy as required by “the scientific management and long-term planning” typical of modern life, and derives from the view of medieval Muslim philosophers as “management of the polity.” *Politics* is the only major work by Aristotle not translated into Arabic, and I am inclined to attribute this non-normative conception of democracy to the unavailability of the Aristotelian conception of politics and his idea of constitutional government and the rule of law as autonomous

normative principles.³² Aristotle's *Politics* became available in Persian to Khatami's generation only in a translation by the late Hamid Enayat (d. 1982). Like Tabataba'i, Khatami (1999: 183–213) brings in the sharply contrasting Aristotelian view of politics to highlight the shortcomings of Muslim political thought. Khatami's explanations of the decline in Muslim political thought in terms of "the transition from political philosophy to royal policy (*siyāsat-i shāhī*)" (the title of Chapter 2) and its imputation to the prevalence of "forceful domination" (*taghallub*) in Islamic history carries little conviction.³³ Nevertheless, his acknowledgment of the tension between rationalism and legalism or "Shari'a-orientation" (*sharī'at-girā'i*) (Khatami 1999: 73–80) with a view to helping the revivalists and reformists, who are lost in the mayhem of "the struggle between tradition and modernity" (Khatami 1999: 13), as well as his investigation of non-juristic elements in Muslim historical heritage to guide the transition to modernity, is fully in line with the reformist search for modernity in dialectical relation to tradition, albeit a neglected aspect of it.

Critical to the spread of the hermeneutically centered reformist notion of modernity was the new breed of post-revolutionary journalists, notably Akbar Ganji, who flourished with brilliance in the period of opening (*glasnost*) following Khatami's 1997 victory. In a lecture at the University of Shiraz in June 1997, Ganji who had been working in Surush's publishing house and transcribing some of his lectures, branded the conservative proponents of totalitarian Islam as fascists (Ganji 2000: 186, 199). He supported his categorization with a somewhat dated analysis of inter-war European fascism as "the revolt against modernity and modernism," without, however, having the time to turn to "the fascist reading of religion" as promised at the onset. (Surush, as we have seen, published a brief characterization of the fascist reading of religion around this time.) The lecture was published shortly afterward and resulted in Ganji's detention before the end of the year. In his defense, which was not delivered during the closed trial but was published in early 1998, Ganji documented "different readings of religion," even among the jurists themselves, and reaffirmed his definition of fascism as "opposition to modernity under the banner of pre-modern values" (Ganji 2000: 238, 253). In a subsequent series of articles in 1998 and 1999, Ganji maintained that Imam Khomeini himself had offered two different readings of religious government, the last (Absolute Mandate of the Jurist) being "a completely new reading of religion" (Ganji 2000: 76, 158), and he put "the ideology of violence and the legitimacy crisis" in the context of the greatest rift in contemporary Iranian society caused by the "contradiction between tradition and modernity" (Ganji 2000: 261). These and earlier articles were published in January 2000 under the significant title, *The Fascist Interpretation of Religion and Government: Pathology of Transition to the Democratic and Development-oriented State*, with a preface that juxtaposed rationalist and mystical reading of Islam to "the reduction of religion to its husk and to dry customs, and the violent imposition of the jurisprudential reading on humankind" (Ganji 2000: 7). The book was reprinted several times during Ganji's second imprisonment and two subsequent trials.

In the long run, the serious undermining of the legitimacy of theocratic government by this new hermeneutic pluralism cannot be doubted. At any rate, it has predictably touched a raw nerve and provoked the shrill reaction of the conservative ayatollahs from the pulpit. One ayatollah told his congregation, "Whoever says I have a new

reading of Islam should be slapped in the mouth,” and another blamed Khatami and his reform program, saying, “This gentleman [President Khatami] says there are different readings of the foundations of Islam and religious beliefs. . . . The source of this danger is the slogan of civil society on whose side different readings of the foundations of religion take place” (Ganji 2000: 116, 153).³⁴

Although Khatami has never disputed the principle of clerical supremacy as inscribed in the constitution, the invidious contrast between the popular mandate of the president and the Mandate of the Jurist (*vilāyat-i faqīh*) soon became evident. Once a legal matter becomes a contested issue in constitutional politics, the gates open wide for debate over the fundamental principles of order. In November 1997, Khomeini’s successor-designate, Ayatollah Hasan-‘Ali Muntaziri, spoke out against theocratic government. Muntaziri had developed his constitutional ideas after his constitution-making experience in 1979 and put forward a somewhat modified interpretation of the theory of the Mandate of the Jurist that made the Supreme Jurist into an indirectly elected office.³⁵ Around this time, he published a booklet, *Hukumat-i mardumi va qanun-i asasi* (Popular Government and the Constitution), in which he refuted the idea of the Absolute Mandate of the Jurist and the authority of the jurists of the Council of Guardians to reject candidates for elected office. This open expression of dissent within the clerical elite enabled lay groups opposed to the principle of clerical rule to voice their opposition. Various organizations issued proclamations in support of Ayatollah Muntaziri, and the idea that the office of the Supreme Leader be made elective and for a limited term was publicly discussed. The taboo on the discussion and questioning of the principle of theocratic government in the press was thus broken for good. Terms such as “supervision of the jurist (*nizārat-i faqīh*)” began to appear as a watered-down version of the *vilāyat*. A critical trend within Shi‘i jurisprudence was born. Two other influential former members of the clerical ruling elite who had retreated to Qom to teach and assumed the rank of grand Ayatollah, ‘Abdul-Karim Musavi Ardabili and Yusuf Sani‘i, became ensconced in consistently reformist positions. One of Muntaziri’s students, Hujjat al-Islam Muhsen Kadivar, who also belonged to the reform movement and was completing a doctoral thesis in philosophy, wrote a book about different approaches to government in Shi‘i jurisprudence, followed by another treatise that offered the most thoroughly detailed critique of every aspect of Khomeini’s theory of theocratic government from within the tradition of Shi‘i jurisprudence.

The legal hermeneutics of the reform movement is intellectually less daring but, arguably, politically more courageous and socially more consequential. The young jurist who followed Muntaziri’s hint and developed a full-fledged critique of Khomeini’s theory of *vilāyat-i faqīh*—which, despite the wishful remonstrance of the reformists, informs the Constitution of Islamic Republic of Iran—was Kadivar. This critique unfolded in two stages. The first was implicit, and consisted of the relativization of Khomeini’s theory by presenting it as one among many recognized Shi‘i views of the state. Kadivar’s *Theses on the State in Shi‘i Jurisprudence* takes this step and is valuable for its departure from the official position that Khomeini’s thesis was *the* Shi‘i view of government. While dutifully tracing the genealogy, Kadivar separates Khomeini’s earlier and later views on theocratic government into two theses and puts

them alongside seven other theses that are presented as equally plausible. Khomeini's earlier view, incorporated into the Fundamental Law of 1979, is characterized as "the general appointive authority of the collectivity of jurists," and the later view, acknowledged in the Amended Fundamental Law of 1989, is characterized as the "absolute appointive authority of the jurists (*vilāyat-i mutlaqih-i faqīhān*)." Kadivar points out that the difference between the two positions is relatively minor and consists of the extent of governmental authority (Kadivar 1997: 80). The latter thesis gives the Supreme Jurist "absolute authority" by making his ordinances, which are called "governmental ordinances" (sing., *hukm-i hukūmatī*), superior to those of the shari'a. The orders of the Supreme Jurists, according to this thesis, must not only be obeyed as a religious duty; they must also prevail, in cases of contradiction, over the state law and the sacred law alike (Kadivar 1997: 108–109).

Kadivar intermittently points out that the idea of theocratic government was rejected by some prominent jurists, from Shaykh Murtaza Ansari (d. 1864) to the present (Kadivar 1997: 18, 36–37, 78–79). More systematically, both the weaker and the stronger version of Khomeini's *vilāyat-i faqīh* are relativized by being placed alongside seven alternative theses. Historically, the most significant of these is the legitimization of monarchy in what I have called the theory of the two powers. Kadivar presents this view as the first Shi'i thesis on government and supports it using citations from the late Safavid, early Qajar, and early constitutional periods. The second historically significant thesis is Na'ini's well-known justification of constitutional government from the viewpoint of Shi'i jurisprudence in 1909.

The remaining theses belong to the era of the Islamic Republic. The later view of Sayyid Muhammad Baqir al-Sadr (d. 1980) is typified as "Caliphate of the people with the supervision of the 'sources of imitation' (*khilāfat-i mardum ba nizārat-i marja'iyat*)," while his earlier views, alongside those of the Lebanese jurists Shaykh Muhammad Javad Mughnia and Shaykh Muhammad Mahdi Shams al-Din are presented as the thesis on "elective Islamic government." Coming close to this view is the theory of Mahdi Ha'iri-Yazdi,³⁶ which constitutes Kadivar's thesis on representation through the power of attorney (*vilāyat-i mālikān-i shakhsī-yi mushāf*). Finally, there is the thesis on the "elective and conditional authority of the jurists," which represents the views of Ayatollah Muntaziri and Shaykh Ni'matullah Salih-Najafabadi.³⁷ All of these are modernist attempts to create various legal fictions, drawn from Shi'i jurisprudence, to justify a modern Islamic constitutional state. They are, however, modernist in the old-fashioned sense, and none of them comes anywhere near meeting the test of hermeneutic interpretation as set by Surush and Mujtahid-Shabistari.

Kadivar took the second and final step a year later with the publication of *Hukumat-i vilā'i*, or government based on the "absolute appointive authority of the jurists." In that work, he offered an explicit critique of Khomeini's theory and a refutation of the legal arguments for the validity of official doctrine of theocratic government (Kadivar 1998: 13). The book consists of two roughly equal parts. The first traces the progressive extension of the authority of the jurists from judiciary competence to the right to rule and from authority over special categories of persons such as the insane and orphans, as specified by the *hisba* rules of the sacred law, to authority over the people in general (Kadivar 1998: 102–103, 124, 132–33). This is followed by an interesting account of the politics of the incorporation of the theory into the Fundamental Law

of 1979. The second part of the book is a painstaking, and often abstruse, refutation of the “traditional” and “rational” bases of the official doctrine in terms of traditional Shi‘i jurisprudence. Kadivar’s theory remains strictly within the bounds of Shi‘i jurisprudence and offers no hermeneutic questioning of Shi‘i jurisprudence itself as a historically contingent discipline. The fact that his critique does not meet the higher critical standards of Surush and Shari‘ati, however, should not blind us to its serious impact on the foundations of the legitimacy of theocratic government. The clerical establishment felt threatened enough to arrest Kadivar in the following year, and he was sentenced to eighteen months in prison by the Special Court for Clerics in April 1999.

To conclude, I will provide an overview of the new life of the tradition–modernity dichotomy as it emerges from the books surveyed in this article. Through Shari‘ati’s sojourn in Paris of the 1960s and Bihishti’s in Hamburg of the 1970s, the “Jacobin dimension of modernity”—to use S. N. Eisenstadt’s felicitous phrase³⁸—entered the process of Iranian modernization and powerfully shaped moral indignation against the centralizing state into political Islam. Yet the force of dominant political Islam seemed largely spent in Iran by the 1990s, although it continued to thrive under repression in countries such as Algeria and Egypt. In London and Hamburg in the decade preceding the Iranian Revolution, however, the influences fostering the non-Jacobin dimensions of modernity in the form of Karl Popper’s philosophy and Karl Rahner’s theological hermeneutics left an imprint on the intellects of Surush and Mujtahid-Sabistari. The coming to fruition of these influences in the Iranian reformism of the 1990s has freed Islamic modernism not only from its Jacobin political dimension, but also from the apologetic dogmatism that branded it for most of the 20th century.

NOTES

¹H. Dabashi, *Theology of Discontent* (New York: New York University Press, 1993), 406.

²*Ibid.*, 395.

³*Ibid.*, 75.

⁴S. A. Arjomand, “A la recherche de la conscience collective: The Ideological Impact of Durkheim in Turkey and Iran,” *American Sociologist* 17 (1982): 94–102.

⁵F. Vahdat, “Metaphysical Foundations of Islamic Revolutionary Discourse in Iran: Vacillations on Human Subjectivity,” *Critique* 14 (1999): 49–73.

⁶S. A. Arjomand, “History, Structure and Revolution in Shi‘te Tradition in Contemporary Iran,” *International Political Science Review* 10 (1989): 109–17.

⁷Published in Tehran in April–May 1997.

⁸R. Davari, “Din va tajaddud,” *Naqd va Nazar* 5 (1999): 58–71.

⁹J. Tabataba‘i, *Daramadi falsafi bar andishih-i siyasi-yi iran* (Tehran: International Political Science Institute, 1988).

¹⁰D. Ashuri, “Guft manha-yi rawshanfikri: gharbzadighi, rawshanfikri-yi dini,” interview, *Rah-i Naw* 1, 9 (1998): 20–21.

¹¹*New York Times* (26 May 2001).

¹²*Naqd va Nazar* 5, 1–2 (1999): *Sunnat va tajaddud*.

¹³Tabataba‘i, *Daramadi falsafi*.

¹⁴S. Ziba-Kalam, *Ma chiguna ma shudim* (Tehran: Rawzanah, 1999), 19. The bulk of the book consists of a simplified sketch of the socio-political history of medieval Iran, where three factors—“Oriental despotism,” the tribal social structure, and the “extinction of the light of science”—are presented as the major obstacles to development.

¹⁵Tabataba'i, *Daramadi falsafi*.

¹⁶M. Oakshott, *Rationalism in Politics and Other Essays* (Indianapolis: Liberty Fund, 1991), 36.

¹⁷A. Matin-Asghari, "Abdolkarim Soroush and the Secularization of Islamic Thought in Iran," *Iranian Studies* 30, 1–2 (1997): 104.

¹⁸A. Soroush, *Qabz va bast-i teorik-i shari'at* (Tehran: Sirat, 1991).

¹⁹Idem, *Siyasat-namih, I* (Tehran: Sirat, 2000), 215.

²⁰Ibid., 220; emphasis added.

²¹As cited in Matin-Asghari, "Abdolkarim Soroush," 111.

²²Soroush, *Siyasat-namih*, 376–77.

²³The subject was broached in a lecture to the Philosophical Society of Tehran in 1993/1372, if not earlier.

²⁴M. Mujtahid-Shabistari, *Imam va Azadi* (Tehran: Tarh-i Naw, 1997), 100.

²⁵Ibid., chap. 8.

²⁶The title first appeared in an interview with the literary magazine *Rah-i Naw*, in August 1998/Shahriyar 1377.

²⁷When this view is accepted, however, the crucial issue that arises is whether the determination of the compatibility of the political regime with Islamic values is the exclusive prerogative of religious jurists and the ordinary people are bound to follow them in political matters: see Mujtahid-Shabistari, *Imam va Azadi*, 73, 75–76.

²⁸These terms are taken from Katami's inaugural speech of 4 August 1997: see *Ittilâat* (5 August 1997), 3.

²⁹As quoted in *Ittilâat* (19 April 1999).

³⁰*Ittilâat* (24 May 1999); emphasis added.

³¹See Tabataba'i, *Daramadi falsafi*.

³²S. A. Arjomand, "Perso-Indian Statecraft, Greek Political Science and the Muslim Idea of Government," *International Sociology* 16 (2001): 461–80.

³³This facile imputation of decline to "forceful domination" is similar to Ziba Kalam's resorting to "Oriental despotism." In both cases, however, the antipathy to absolute power is significant and contrasts sharply with the hegemonic attitude of the proponents of theocratic government, one of whom is cited by Kadivar (1997: 111) as saying, "According to our monotheistic (*tawhidi*) belief, it is not correct to say the concentration of power is corrupting. On the contrary, we maintain that power does not produce corruption."

³⁴Both of these statements were made in September 1999.

³⁵H.-'A. Muntaziri, *Dirasat fi vilayat al-faqih*, 2 vols. (Qom, 1988).

³⁶Mahdi Ha'iri-Yazdi, *Hikmat va hukumat* (London, 1995).

³⁷*Hukumat-i salihan* (Tehran, 1984). For a summary, see A. Kazemi Moussavi, "A New Interpretation of the Theory of *Vilāyat-i Faqih*," *Middle Eastern Studies* 28 (1992): 101–107.

³⁸S. N. Eisenstadt, *Fundamentalisms, Sectarianisms and Revolution. The Jacobin Dimensions of Modernity* (Cambridge University Press, 1999).