1 Introduction

In today's Iran, state–religion relations exhibit three key features. An obvious feature is the deep basis of the state in innovative interpretations of Shia jurisprudence. The Islamic Republic is based on the system of the *velayat-e faqih*, generally translated in English as the "guardianship of the jurisconsult." As a concept, the notion of the *velayat-e faqih* had existed in Shia thought for some time before Ayatollah Khomeini elaborated on it in his 1970 book by the same name. Khomeini's contribution lay in his innovative interpretation of the *velayat-e faqih* as a supreme political leader who oversaw not just religious affairs, as previous theologians had theorized, but was in overall charge of all affairs of the entire community, profane and political, as well as religious. Today, Khomeini's conception of *velayat-e faqih* underlies the institutional and political foundations of the Islamic Republic. The Iranian political system is far more ideologically informed, and hence ideological, than may at first meet the eye.

A second characteristic of state–religion relations in Iran is the internal theoretical challenges to the prevailing jurisprudential interpretations that inform the state. The clerical establishment has been highly bureaucratized after the revolution and has been brought under the state's political and organizational control. But the state leaders' jurisprudential interpretations, and their politically modulated theories of the ideal Shia order, have not gone uncontested. In the revolution's second decade, in fact, serious challenges to the way the theory of *velayat-e faqih* had evolved were voiced from within both clerical ranks and non-clerical circles. It took about a decade for the state to effectively sideline these theoretical challenges, some of which came from figures affiliated with it. But these voices of dissent, or at least difference, have not been altogether eliminated. To this day, different interpretations of an ideal Shia order, political and otherwise, rear their head, sometimes more faintly and sometimes more forcefully.

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The state's reassertion of its idealized relationship with religion, evidenced most starkly after 2009, marks the third feature of today's Islamic Republic. Once dissenting views about the nexus between Islam and politics had been effectively quieted, the state found room and opportunity to fully institutionalize its own conception of the ideal order. This "official orthodoxy" has found its expression in what may be called Khameneism. This Khameneism exhibits features that are starkly conservative in its jurisprudential orientations, is authoritarian in its politics, and is paranoid about matters of security and therefore intolerant of any indication of dissent.

In making its arguments, the book traces the journey of Iranian Shi'ism from the success of the 1978–1979 revolution until today. It focuses specifically on Shi'a jurisprudence and the innovations it has undergone, its relationships with and use by the state, and where it stands today. In the prerevolutionary era, starting from the 1960s and lasting into the late 1970s and the first couple of years of the revolution, until about 1981, Iran witnessed something of a golden era of jurisprudential thought and religious intellectual production, with significant innovations being made in the study and application of theology, jurisprudence, Islamic history, and *ijtihad* (independent reasoning). War and revolution, along with parallel and reinforcing processes of state-building and political consolidation, eclipsed Iranian Islam's intellectual dynamism in the 1980s. It wasn't until the mid-1990s when the gates of *ijtihad* were thrown open once again, this time in response to more than a decade of a grand theocratic experiment the world had come to know as the Islamic Republic. The "intellectual revolution" gripping the country at the time crystalized itself in Hojatoleslam Mohammad Khatami's election as president in 1997, and, like all revolutions, in its early years ushered in an exciting period of free thinking and intellectual innovation. But revolutions of this kind seldom live up to their promises, and an Iranian renaissance of intellectual thought, of rethinking and reimagining the role of religion in state and in society, was not to be.

The Green Movement of 2009 was the last gasp of the intellectual revolution, the painful death of which had started some years earlier. Both movements, the earlier one of scholars and academics writing articles and publishing books, and the later one of people in streets decrying the theft of their votes, were mercilessly suppressed by an unbending orthodoxy now firmly in control of the state and all its

repressive, political, cultural, and ideological institutions. States rule not just by repression or by dominance of the public space. They rule also by controlling the narrative, the story, or stories, that govern people's lives from one day to the next. By the late 2000s, the Islamic Republic had outgrown its genesis as an experiment. It was now a reality, a hard, brute reality unwilling to give an inch, to compromise on the ideological universe it had made and on which it relied.

The Islamic Republic's political reality has been highly complex and complicated. As the official ideology of the state, the travails and transformations of Iranian Shi'ism have been particularly profound. My goal here is to map out the evolution of key theoretical concepts guiding Iran's Islamic government since the success of the revolution. The book examines several themes that have emerged as key constitutive elements of how Iranian theologians see their ideal world. These areas of scholarly focus encompass related notions and concepts that are central to Iranian Shi'i political cosmology. The first of these areas includes debates and discussions over jurisprudence in general and the extent to which it can be interpreted and adapted – its dynamism – in changing times and contexts. This relates directly to a second area of considerable discussion and theorizing, namely the very nature of legitimate authority and how, and through what sources, legitimacy is bestowed on those with the power to rule. These debates might be academic, but for Iran their social and political impact are real and immediate. Related to legitimacy is the question of rulership, specifically who has the right to rule, and how the ruler ought to behave while in power. Another question, the exploration of which has become especially necessary since the final decades of the twentieth century, is the role and nature of democracy in an ideal Islamic order. Lastly, especially since about 2009–2010, Iranian politics has experienced the steady development of Khameneism, an ideological-political posture of the state that is centered around Ayatollah Ali Khamenei, the country's "leader" (*rahbar*) and *velayat-e faqih* since 1989. Khameneism, the book maintains, forms the backbone of the state's official religious, political, and ideological orthodoxy.

Through this book, I hope to push our collective understanding of the relationship between religion and politics in Iran in several new directions. The book presents a deep dive into the ideological underpinnings of the Islamic Republic. In the pages to come, I delve below the level of discourse, exploring specific concepts and theoretical

constructs that continue to guide – in what is a living, dynamic manner – the relationship between religion and politics in Iran. Through the study of some of the key religious concepts currently being used and operationalized in Iran, one important conclusion the book reaches is that there is far more theoretical substance and depth to the structure, institutions, and functions of the Islamic Republic than we generally assume. Iran's is no run-of-the-mill authoritarian system; there are complex theoretical and ideological constructions undergirding it. I and a number of others have explored these institutional complexities of the Islamic Republican state.[1] Apart from practical power considerations, this institutional complexity is a product of the fact that the early crafters of the Iranian state set out to design and maintain a political system that is at once faithfully both *Islamic* and *republican*. Reconciling these two distinct areas of operation into a cohesive, workable political system has necessitated the design of a highly elaborate, institutionally complex state, one with equally detailed theoretical and ideological underpinnings. These theoretical underpinnings, articulated mostly by senior clerics who move seamlessly between the religious and political establishments and who organically tie the two together, form the main focus of the chapters to come.

Since its establishment, the Islamic Republic has thoroughly politicized Shia jurisprudence. At the same time, the state's elaborate theoretical underpinning is being continuously produced and reproduced. This production and reproduction occur at various levels and in multiple arenas. At the broadest level, there are three sites of ideological reproduction in the Islamic Republic: within the official institutions of the state; in semi-governmental bodies such as state-supported research institutes, media outlets, and the expansive theological establishment; and among clerical and lay theorists, whose affiliation with the state is at best loose and indeterminate. Given the Islamic Republic's modus operandi, its patterns of institutional evolution and consolidation, and its ideological and practical priorities, the boundaries between these different sites are highly blurred, and it is often difficult if not impossible to determine where one ends and the other begins. Where, for example, mosques and Hussainiyas belong in

[1] See, for example, Mehran Kamrava, *Righteous Politics: Power and Resilience in Iran* (Cambridge: Cambridge University Press, 2023).

this spatial triumvirate is unclear, and the same thing could be said about panegyrists, vast religious endowments, and parastatal foundations. Finally, and perhaps most obviously, is the existence of a highly pronounced, almost direct symbiotic relationship between theoretical constructs on the one hand and actual political developments on the other.

At the broadest level, the postrevolutionary theological dispositions in Iran fall into two categories. On the one side, there is conservative clerical traditionalism, which may alternatively also be seen as clericalism, Khomeinism, and Khameneism. At the opposite extreme of the spectrum is a hermeneutically centered discourse that defines itself in reaction to this clerical traditionalism, called reformist, modernist, or by some other similarly "new" designation. In the first decade of the revolution, within a political context that saw the institutionalization of a nascent Islamic Republic and then its consolidation under conditions of war and repression, Khomeinist clericalism reigned supreme. By the middle of the revolution's second decade, in the 1990s, with war having given way to reconstruction and repression easing up slightly, a discourse of reformism, of "new thinking," began to be articulated by devout intellectuals deeply committed to the project of the Islamic Republic but eager to make it adapt to the abstract ideals of a forward-looking, progressive Islamic democracy.

Despite the excitement their ideas generated in learned circles and among many ordinary Iranians in the middle classes, the inability of the "new thinkers" to translate their abstractions into concrete political outcomes – especially in the form of resilient institutions – robbed them of meaningful, long-term staying power. What came to be known as the "reform movement" lasted barely a decade. Ascendant in its place was Khomeinism 2.0, this time under the auspices of a newly assertive *velayat-e faqih* in the person of Ali Khamenei. What for the sake of convenience I call here Khameneism has Khamenei at its center, but he is hardly its sole intellectual architect. Khamenei is, of course, quite prolific in articulating his ideal version of Islamic rule in frequent speeches and in ensuring the political salience of these ideas through an array of powerful supporting institutions that see to their enforcement and resilience. But his version of conservative, clerical traditionalism is supported by a host of scholars and jurists whose theoretical expositions provide the necessary jurisprudential justification for the political state of things.

As the official orthodoxy, Khameneism has dominated the country's post-2000s intellectual atmosphere. No one admits that the gates of *ijtihad* are now shut, much less claim credit for it. But the intellectual vibrance of Iranian Islam is now a thing of the past, for the time being at least, and little scholarly innovation is emanating from the universities and seminaries of Tehran and Qom, once Iran's intellectual nerve centers, or from any of the country's other corners. Intellectual waves and currents have their own ebb and flow, of course. No doubt this is not the end of the story, and the fact that Iranian politics is what it is today, an Islamic Republic nearing the half-century mark, is itself reason to believe that much thinking and theorizing is yet to follow. For now, however, the snapshot that this book captures, starting with the theoretical foundations of the theocracy and ending with its institutional and ideological consolidation, concludes with Iran's Shia jurisprudence and *ijtihad* at standstill, forced by the weight of circumstances and the political dictates of the day to thread not new paths but often to rehash old insights and to decipher what religious elders have said.

The Book's Plan

The arrangement of the chapters corresponds roughly with the ebbs and flows of the politics of Iran's theocracy and corresponding intellectual trends in theological and jurisprudential thinking. Chapter 2 focuses on the larger context within which Iran's theocracy is situated and its impact on ongoing intellectual discussions concerning religion and politics. More specifically, the chapter offers a brief sketch of the country's political setting, followed by more focused discussions of the clerical establishment and, specifically, the epicenter of clerical scholarship, the seminary in Qom, the *Howzeh Elmiyeh-e*.

Chapter 3 turns the focus on Shia jurisprudence (*fiqh*). The chapter examines some of the supporting pillars of the foundational jurisprudential thinking that originally informed the Islamic Republic on the eve of its inception. Focusing on jurisprudential debates, the chapter starts with a broader discussion of the relationship between *fiqh* and politics, examining *fiqh*'s historic categorization into one tendency that has favored traditionalism and conservatism, another cluster that has been more dynamic and progressive, and a somewhat in-between tendency straddling a middle path. Briefly situating these debates

within a historic context, the chapter divides contemporary Shia *fiqh* into the version that dominated the country's first postrevolutionary decade, as articulated by Khomeini, and its fragmentation once more after Khomeini into dynamic-progressive, conservative-traditional, and pragmatic-moderate clusters.

As Chapter 3 demonstrates, Khomeini's contributions to and innovations in jurisprudence, enthusiastically supported by a host of eager deputies, informed the theoretical and institutional foundations of the Islamic Republic. What cumulatively became "Khomeinism" is discussed in Chapter 4. This chapter explores Khomeini's jurisprudential innovations, and adjustments, as he sought to adapt his theoretical conceptions of the Islamic Republic with the actual complexities of running a modern state. These include the notions of political guardianship of the jurisconsult, or *velayat-e faqih*, state or governmental injunctions (*ahkam-e hokumati*), and expedience (*maslahat*). The chapter also explores the contributions of some of Khomeini's chief lieutenants and disciples in the early years of the revolution. These include the comrades-in-arms Ayatollahs Mohammad Beheshti and Mahmoud Taleghani, and Khomeini's chosen successor, until his resignation once his position became untenable, Ayatollah Hosseinali Montazeri. I have chosen to highlight the contributions of these three individuals to the early establishment of the Islamic Republic.

At the center of the Islamic Republic's theocratic experiment stands the notion and position of *velayat-e faqih*. Chapter 4 offers an in-depth examination of the concept as originally employed and then put into practice by Khomeini. Chapter 5 then explores *velayat-e faqih* beyond, and largely since, the innovative deployment of the concept by Khomeini as a supreme political office. The notion of the *velayat-e faqih* is based on a simple assumption: societies, all societies, need guidance and protection. For Shii Muslim societies, guidance takes the form of having a "source of emulation," a *marja'-e taqlid*, whose learned status in law and jurisprudence allows members of the community to avail themselves of his advice. Protection, *velayat*, is also provided by a learned scholar of jurisprudence, a *faqih*. Ever since Khomeini resurrected the notion, one of the key questions of Shia theology – not a new question, but one that has come back into theological circles – revolves around the scope of protection: by whom, for whom, from what, for how long, and in what forms. For the time

being, the question has been settled politically. The scope of the *velayat-e faqih*'s responsibilities is unending, goes the underlying logic of the Islamic Republic system, and his ascension to the position is divinely ordained. His judgments are final. He is, in one word, absolute (*mutlaq*).

An important dimension of Islamic and especially Shia jurisprudence has been the invitation to engage in independent reasoning, or *ijtihad*. In Shii communities, the so-called gates of *ijtihad* have been open or shut at different times in history depending on the preferences of theologians and the larger circumstances within which they have found themselves. Khomeini's theological and jurisprudential innovations, and the political system to which they gave rise, threw the gates of *ijtihad* wide open in Iran beginning in the late 1980s and the 1990s, though perhaps not in ways he would have necessarily approved. In the Iran of the 1990s, a number of theologians and intellectuals – collectively known as "new thinkers" (*no-andishan*) – found the political space and opportunity to present a new hermeneutic of Islam by deconstructing received Shia wisdom, engaging in *ijtihad*, and offering ideas about the fundamental compatibility of Islam and democracy. Chapters 6 and 7 respectively discuss the Shia hermeneutics of the 1990s and some of the key intellectuals whose ideas caused both excitement and consternation in scholarly and clerical circles. Chapter 8 extends the discussion to competing notions of legitimacy, namely questions revolving around its genesis as divine or popular or some combination of the two.

More specifically, Chapter 6 starts by focusing on the slow but steady change of heart by some of the revolution's earliest erstwhile ideological foot-soldiers from diehard radicals in the early 1980s to committed reformists in the mid-1990s. As the radicals of yesteryears became reformists of the day, they undertook a noisy, very public, unpicking of Iranian Shia thought as it had been handed down from generation to generation. These reformist public intellectuals, many having quickly become household names, came from both lay and clerical backgrounds, called for continuous dynamism in *ijtihad*, and sought to deconstruct the Islamic hermeneutics that had been handed down through the generations, or at least from 1978 to 1979 downwards.

Several of these intellectuals, whose ideas are studied in some depth in Chapter 7, theorized a democratic Islam as a potentially feasible form of government for Iran. I zero in on the ideas of four specific

individuals, all of them current or former clerics: Mohsen Kadivar (b. 1959), Hasan Yousefi Eshkevari (b. 1950), Mohammad Mojtahed Shabestari (b. 1936), and Abolfazl Mousavian. The first three became household names in the 1990s and the early 2000s and went on to pay heavy personal and professional prices as a result. Kadivar's writings landed him before the Special Court for the Clergy in 1999, and he was sentenced to prison for eighteen months. Teaching philosophy at various Tehran universities, in 2007 he was fired from all his posts and subsequently left the country. He is currently a philosophy professor in the United States. Eshkevari was also tried by the Special Court for the Clergy in 2000 after he declared in one of his speeches that "the historical time of despotism in Iran has come to an end." He was sentenced to prison for four years and defrocked. In 2009, in the midst of the crackdown on the Green Movement, he left for Germany and sought asylum there. Mojtahed Shabestari was never tried or imprisoned, but in 2006 he was forcibly retired from his position as Professor of Philosophy at the University of Tehran. He subsequently abandoned the clerical garb in protest and now lives in retirement. The last scholar studied in the chapter, Abolfazl Mousavian, is different in several respects. Born in 1955, he represents a younger generation of democratically inclined Shia thinkers. He is also the least well-known of those studied here, which probably accounts for the fact that he is still gainfully employed – as Professor of Divinity at Qom's Mofid University. I have deliberately chosen to highlight his arguments here in order to demonstrate the ongoing impulse to devise a democratic theory of Islam despite the pervasive authoritarianism in which Mousavian and others like him find themselves.

One of the central planks of democracy is legitimacy, and questions revolving around the divine versus popular genesis of legitimacy permeated much of the hermeneutics discussion of the 1990s and the first decade of the 2000s. To this day, even the steady ascendance of hardline religious traditionalism, complemented by steady doses of repression and a growing tilt toward authoritarianism, has failed to definitively settle the issue. State theorists continually amplify the constitution's rather unconvincing argument that *legitimacy* comes from God while it is *acceptance* that comes from the people, and the state needs both in order to function properly. This argument, some central and others challenging or supporting it, and its institutional consequences for the ruling theocracy, are discussed in Chapter 8.

Dynamic *ijtihad*'s moment in the sun did not last long. The gates of *ijtihad*, made slightly ajar by the Khatami presidency, did not remain open for very long. As the "reform era" petered out and stalled by the end of the new millennium's first decade, clerical traditionalism (re)-asserted itself both politically and intellectually, seeing to it that the voices of jurisprudential reformism were silenced one after another, often by force and coercion. This ascendant "Khameneism" that won the day, which has steadily ruled Iran politically and discursively since the early 2010s, is the subject of Chapter 9. Pushing the boundaries of the "absolute" *velayat-e faqih* into greater levels of political involvement and control, Khameneism has proven itself to be highly intolerant of dissent of any kind, whether political or intellectual.

The Appendix presents brief biographies of some of the main figures whose ideas and works are discussed in the book. This is not by any means meant to be an exhaustive list of the key figures of the Islamic Republic. Instead, it is designed to serve as a quick reference guide for some of the individuals named here. By way of conclusion, Chapter 9 wonders out loud what the future is likely to hold for the Islamic Republic. More specifically, the chapter explores most likely scenarios for the evolving, ever-changing nature of Islam and politics in Iran. How long, and in what shape and form, will Khameneism outlast Khamenei? Even supreme leaders, after all, die one day. Iran's future trajectory is far from certain. What is certain is a continuation of change and transformation in Iranian jurisprudence, politics, and society.