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The Project on Middle East Political Science

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The Ayatollahs and the Republic:

The religious establishment in Iran and its interaction with the Islamic Republic

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The Islamic Republic of Iran is usually referred to as a theocracy, and this is a correct description in different senses. According to the constitution, a Shi'a cleric must fill the office of the leader, the highest *de facto* and *de jure* position in the country; a Shi'a jurist should also fill the head of judiciary; and Islam should be the main source of law-making in the country. On the other hand, if calling Iran a theocracy means that the Shi'a clergy as an institution rules the country, then this is not an accurate description. The clerical establishment, even after the revolution, has been separate from the regime, even though the relationship between these two entities has changed drastically after the revolution. While the Shi'a establishment in Qom claims authority over interpretation of the sacred text, the formation of a Shi'a government in Tehran with similar claims about Islamic authority and legitimacy in Tehran has created tensions and sometimes conflicts between these two. In this essay, I will look at patterns of conflict and cooperation between the Islamic Republic mainly the institution of Velayat-e Faqih (guardianship of jurist)¹ and the clerical establishment in Qom, specifically grand ayatollahs² or sources of emulation at the highest levels of the Shi'a clerical hierarchy.

Ayatollah Khomeini and his clerical followers were only one faction within the clerical establishment before the revolution that, nonetheless, succeeded in mobilizing many other clerics and segments of Iranian society against the monarchy, then established the Islamic Republic of

Iran. Disagreements that existed before and during the revolution about forms of opposition to the monarchy continued after the revolution, this time about legitimate forms of rule in Islam. While Khomeini and his followers promoted the idea of Velayat-e Faqih, there were other prominent clergy such as Ayatollah Shariatmadari in Qom, or Ayatollah Mahallati in Shiraz who either believed in ideas of the Constitutional revolution, or believed in the clergy's quietism and lack of any interference in politics. Such disagreements and disputes resulted in the Islamic Republic's crackdown on the highest echelon of the clerical establishment to an extent unprecedented even during the monarchy. The Islamic Republic established the Special Court of Clergy outside the regular system of the Judiciary to deal with the clerical opposition. Dissident grand ayatollahs such as Shariatmadari, Qomi, and Rouhani were put under house arrest, and were denied medical care. In the case of Shariatmadari, the court even stripped his right to wear clerical clothes, and the most prominent revolutionary clerical organization in Qom denounced his rank as a source of emulation.

The remaining high ranking clergy in Qom, such as Ayatollah Golpayegani and Mar'ashi, supported the idea of a Shi'a government that would enforce rules of Shari'a, commemorate Shi'a rituals, and promote Shi'ism in the country. However, as the revolutionary regime started to implement policies, the regime's policies occasionally differed from orthodox interpretations of Shari'a. Such

¹ According to this jurisprudential theory, the guardian jurist has the ultimate authority to make any decisions relating to the public affairs of the Islamic society, and his decisions would override any other sources of authority including the popular will. This theory has been subject of debate and juristic disagreement among Shi'a clergy in 19th and 20th century. Ayatollah Khomeini was among several jurists who promoted this theory in his juristic argumentations, and certainly the only jurist who put the theory in practice after the Islamic Revolution of 1979.

² For a Shi'a cleric to advance to the rank of grand ayatollah, three conditions should be at least met. First, he needs to write two treatises, one a religious guidebook or "Resale-ye amaliye" that gives devote Muslims instruction for living a pious life, and second a book in argumentative jurisprudence, which presents the grand ayatollah's rationale for giving his different religious rulings. Second, the ayatollah needs to make a reputation in the seminary and among other clerics as an erudite cleric, demonstrated by the number of clerics attending his classes in the seminary. Sometimes, other grand ayatollahs also endorse their peers as a source of emulation. Third, the grand ayatollah needs to acquire the trust of ordinary people to receive their religious taxes [Khums & Zakat], which in turn would enable the ayatollah to pay a stipend to his students and also to expand his office and related religious activities.

violations of the orthodox interpretation were not endorsed by the grand ayatollahs in Qom at the time. Policies regarding land reform or the new labor code were occasions for such disagreements. To address these issues, Ayatollah Khomeini took at least two measures to appease his clerical allies in Qom. First, he appointed clerics in line with grand ayatollahs to the Guardian Council. The Guardian Council is the institution that supervises the elections and legislating by the parliament, and has the power to veto laws when the Council deems them un-Islamic. With this measure, Khomeini provided an institutional venue for conservative clergy, such as Ayatollah Golpayegani, to press for his concerns over policy-making within the regime. Second, Khomeini mostly left the administration of the Qom seminary to Golpayegani. Khomeini recognized Golpayegani's authority over the clerical establishment in Qom, and Golpayegani also recognized Khomeini's political authority. Khomeini also left the announcement of religious holidays to Golpayegani. Nonetheless, this relationship was still not without tension. For example, once the parliament passed a law about land reform, Golpayegani raised concerns about violation of sacred laws of Shari'a. When Ayatollah Shari'atmadari died, Golpayegani expressed his dissatisfaction with the disrespectful way the funeral was conducted in 1986.

The death of Ayatollah Khomeini was a turning point in the relationship between the Islamic Republic and the clerical establishment. While Khomeini himself was a source of emulation and so had the highest religious credentials, his successor Ali Khamenei was just a middle rank cleric that before his ascension to leadership was not even called ayatollah, let alone grand ayatollah. This situation was indeed a source of insecurity for Khamenei, because the main ideology of the regime, Velayat-e Faqih, stated that religious authority should be the base for political authority, while there were people in the country at the time with higher religious credentials than Khamenei. As also detailed in the essay by [Elvire Corboz](#), Khamenei then mobilized different resources at his disposal such as state media, patronage networks,

and the security apparatus to position himself as a grand ayatollah and source of emulation. The state security apparatus was used to intimidate and pressure other grand ayatollahs to recognize Khamenei's new clerical rank, and state propaganda in national TV and radio was used to call Khamenei with new titles and promote him as a source of emulation. This was indeed the first time that state institutions were deployed to promote a cleric as a source of emulation.

Khamenei's campaign was met with some resistance in Qom. Ayatollah Montazeri, at the time the highest grand ayatollah in Qom, denounced Khamenei's effort to become a grand ayatollah, and called such efforts the trivialization of Shi'a clergy. Montazeri also questioned Khamenei's legitimacy in taking the office of leader and Vali-ye Faqih. In reaction to Montazeri's speech, government thugs and militias in plain clothes attacked his house and he was put under house arrest for five years.

Khamenei also tried to assert his dominance over the Qom seminary. After Ayatollah Golpayegani passed away, Khamenei appointed the managing council of the Qom Seminary directly, without consultation with other Grand Ayatollahs in Qom. This new move was accompanied by directing much government money into the Qom seminary, especially the institutions of ally clerics such as Ayatollah Mesbah Yazdi's Imam Khomeini Institute. With such attempts, Khamenei was trying to make Qom seminary a more modernized yet state dependent institution, and also to bolster more loyal clergy within the Qom establishment. Even though these attempts did not lead to any overt confrontations, at different occasions some grand ayatollahs emphasized the importance of the seminary's autonomy and its history as an institution independent from the state.

As factional politics were consolidated and even intensified through the 1990s and onward, different factions also tried to mobilize and benefit from the grand ayatollahs' legitimacy and support in factional rivalries. While both conservative and reformist factions benefitted from the

ayatollahs' support, some of the ayatollahs also profited from the popularity gained from factional alignments. Such relationships to an extent were conditional on the ayatollahs' religious credentials. For instance, most prominent ayatollahs were less in need of these political exchanges, and could stay silent in moments of political controversy. This has been, for example, the case for ayatollahs Vahid, Shobeiri Zanjani, and Mirza Javad Aqa Tabrizi, who because of their religious prominence and popularity among the seminary and constituency have stayed completely out of factional politics of the regime. On the other hand, less prominent ayatollahs could gain popularity from exchanging support with factions. For instance, Ayatollah Noori Hamedani has been a usual supporter of the hardline faction and has indeed received more attention and airtime on the national TV and conservative papers. Similarly, Ayatollah Bayat has been a supporter of the reformist faction, and has in turn received more attention from reformists in newspapers and over social media.

The fraudulent election of 2009 and the subsequent uprising known as the Green Movement demonstrated this contestation over grand ayatollahs' political position. Ayatollah Khamenei made two trips to Qom, during which he organized a number of private and public visit with various ayatollahs. The Green Movement's challenge to Khamenei's authority was so great that he personally led the campaign to rally grand ayatollahs behind him. However, leaders of the Green Movement such as Mir Hosein Musavi called on ulama not to stay silent over the crackdown on protestors and also about the fraud in the election. Families of prisoners also went to Qom to ask for ayatollahs' support and mediation for release of the prisoners. In their demonstrations, Green protestors hailed ayatollahs such as Montazeri and Sane'i who had supported the movement. Green activists also organized online campaigns to mobilize telephone calls to the office of ayatollahs, asking them to take a position against the fraudulent election and subsequent crackdown.

The Ayatollahs' reaction to the election outcome was, to an extent, disappointing for the Islamic Republic. Usually after the president's election, ayatollahs congratulate him on the election, informally providing religious approval for the election process. In the wake of Ahmadinejad's 2009 fraudulent reelection, almost all ayatollahs but one stayed silent. Beyond congratulating Ahmadinejad, four sorts of responses might be distinguished between grand ayatollahs. First, as mentioned above, only ayatollah Noori Hamedani publicly denounced Green protestors, despite all efforts by Ayatollah Khamenei and hardliners. Second, a group of ayatollahs such as Ayatollahs Montazeri, Sanei, and Bayat Zanjani openly sided with the Green Movement and condemned the suppression of peaceful protestors. Among them, Ayatollah Montazeri was again a pioneer. In a historic statement he questioned the legitimacy of the government and called it unjust. A few months after the start of the Green Movement, Ayatollah Montazeri passed away, and his funeral became one of the main events of the movement, as thousands of protestors showed up for the funeral in Qom. A third group did not take a public position, but used private channels to express their dissatisfaction with the government's heavy hand in repressing protestors. Opposition websites, for instance, revealed that Ayatollah Vahid Khorasani, an often politically silent ayatollah reproached his son-in-law Sadeq Larijani, the appointed head of judiciary for brutal treatment of prisoners and activists. Ayatollah Musavi Ardebili also privately met with Khamenei to demand the release of reformist political prisoners and ask for more leniency on the side of the regime and its treatment of the opposition. Also, when Khamenei visited Qom, these Ayatollahs declined to meet him, which in itself was a sign in the symbolic politics between Qom and Tehran. Finally, another group stayed completely silent and did not take any position to the favor of the regime and the opposition in private or public.

Even though the interactions and interdependence between the regime and the clerical establishment has intensified after the revolution, the ayatollahs and the

republic still stand as separate entities.³ The presence of two institutions, both with rival claims over Islamic authority, has been a potential source of tension between these two entities and has shaped different episodes of conflict as well as cooperation. As different political actors in Iran contemplate Ali Khamene'i's succession because of his old age and alleged illness, another important episode may emerge in the series of interactions between the grand ayatollahs and the republic. It is less likely that the grand ayatollahs will play a significant role in choosing the next leader, but the ascendance of the new leader would again highlight questions about his religious authority and relationship with Qom.

³ As these different episodes demonstrate, the Islamic Republic has not completely merged and subdued grand ayatollahs, in contrast to for instance Nasser's success in controlling and coopting Al-Azhar. However, even though grand ayatollahs have retained their autonomy to an important degree, they have suffered both campaigns of repression and parallel institution building by the Islamic Republic. The Shi'a clergy in Iran has suffered repression before the revolution as well. Similarly, grand ayatollahs in Iraq were also violently suppressed under Saddam Hussein's Ba'thist regime. However, it seems that Islamic Republic's repression has been most damaging to the Shi'a clergy so far. This is partially because the post-revolutionary government, with its theocratic claims, has enjoyed more legitimacy to crackdown on grand ayatollahs. Indeed, the Islamic republic has suppressed the clergy in the name of Islam rather than values such as modernization, progress, and nationalism. Additionally, in contrast to monarchies and the Ba'thist regime, the Islamic Republic has engaged in parallel institution buildings in tandem with its measures of surveillance and repression over the clergy. The institution of "Guardianship of the Jurist" and its claim over the political and religious leadership over all Muslims with reliance on state resources has been a serious source of rivalry for Iran's grand ayatollahs.