

*M*

**Social  
Evolution  
& History**

Volume 10, Number 1, 2012

ISSN 1525-1881

DOI: 10.1080/15251881.2012.658282



# **HIERARCHY and POWER**

## **in the History of Civilizations**

### **Political Aspects of Modernity**

**Edited by**

**Leonid E. Grinin,  
Dmitri D. Beliaev,  
and Andrey V. Korotayev**

Downloaded from <http://www.tandfonline.com> by [unreadable] on 08/28/12



RUSSIAN ACADEMY OF SCIENCES  
INSTITUTE FOR AFRICAN STUDIES  
CENTER FOR CIVILIZATIONAL AND REGIONAL STUDIES

RUSSIAN STATE UNIVERSITY FOR THE HUMANITIES  
FACULTY OF HISTORY, POLITICAL SCIENCE, AND LAW

VOLGOGRAD CENTER FOR SOCIAL RESEARCH

---

# Hierarchy and Power in the History of Civilizations

*Political Aspects of Modernity*

Edited by  
Leonid E. Grinin,  
Dmitri D. Beliaev,  
and Andrey V. Korotayev



URSS  
MOSCOW

**Hierarchy and Power in the History of Civilizations: Political Aspects of Modernity** / Ed. by L. E. Grinin, D. D. Beliaev, A. V. Korotayev.  
Moscow: KD "LIBROCOM", 2009. — 256 p.

The human history has evidenced various systems of hierarchy and power in different spheres of social life. The relations of hierarchy and power penetrate the whole of social life but naturally they are most visible in the political sphere. The careful study of each particular case of such relations is of great significance. In the meantime it is very important to see both the general features typical for all or most of the hierarchy and power forms, and their variation. The relations of power and hierarchy in the modern political world system demonstrate a great number of variants, levels and dimensions. In the present edited volume the focus lies on three aspects of this important subject. These are revolutionary transformations (in the broad sense of this notion), violence, and globalization. Each volume section is devoted to one of those themes.

The text and typesetting of this book have been supplied entirely by the authors.


Издательство «Книжный дом «ЛИБРОКОМ»».  
117312, г. Москва, пр-т Шестидесятилетия Октября, д. 9.  
Формат 60×90/16. Печ. л. 16. Зак. № 1821.  
Отпечатано в ООО «ЛЕНАНД».  
117312, г. Москва, пр-т Шестидесятилетия Октября, д. 11А, стр. 11.

ISBN 978-5-397-00169-4

© Книжный дом «ЛИБРОКОМ», 2008

**SCIENTIFIC LITERATURE  
AND TEXTBOOKS**

E-mail: [URSS@URSS.ru](mailto:URSS@URSS.ru)  
Our catalogue on the Internet:  
<http://URSS.ru>  
Phone/fax: 7(499)135-42-16  
Phone/fax: 7(499)135-42-46



URSS



All rights reserved. No part of this book may be used or reproduced in any manner whatsoever without written permission of the publisher.

## Contents

<i>Introduction</i> .....	iii
<i>List of Contributors</i> .....	viii

### **Part I. Hierarchy and Power before and after the Revolutions**

<b>1</b>	<b>The Islamic Revolution in Iran and its Conceptions on Power</b> .....	<b>3</b>
	Majid Bozorgmehri	
<b>2</b>	<b>Iranian Women and Constitutional Revolution</b> .....	<b>15</b>
	Seyed Javad Emamjomehzadeh and Hourii Jahanshahrad	
<b>3</b>	<b>The Foreign Agent Role in the Hierarchy of Revolutions</b> .....	<b>26</b>
	Bahram Navazeni	
<b>4</b>	<b>The Scottish Revolution</b> .....	<b>53</b>
	Julian Goodare	
<b>5</b>	<b>Reviewing the Constitution of Islamic Republic and the Change of Quality of Political Authority in Iran after Revolution</b> .....	<b>63</b>
	Mohsen Khalili	
<b>6</b>	<b>Cosmist Revolution in Organizing the Civilizational Power</b> .....	<b>78</b>
	Konstantin S. Khroutski	
<b>7</b>	<b>Pre-Soviet Russian Concepts of Civil Society and Their Legacy</b> ...	<b>89</b>
	Alan Kimball	
<b>8</b>	<b>Wartime Power Politics between the Nationalist Government and the Guangxi Warlords, 1931–1945</b> .....	<b>101</b>
	Pingchao Zhu	

## *Reviewing the Constitution of Islamic Republic and the Change of Quality of Political Authority in Iran after Revolution*

---

**Mohsen Khalili**

*Ferdowsi University of Mashhad*

### **ABSTRACT**

*The Constitution of the Islamic Republic of Iran was passed by the Assembly of Constitution Experts in 1979. It was reviewed by the Council for the Revision of the Constitution in 1989. The article is aimed at answering questions about origins and causes of amendment of the Constitution and reasons for qualitative change of political authority in post-Islamic revolutionary Iran's political-legal system. It appears that contemporary political and social changes in Iran are the result of the contradictions between traditionalism and modernity. On the one hand, the need for economic reconstruction after Iraq's eight year war against Iran required concentration of power in the executive branch and a fast dispute settlement mechanism between the three branches of power. Therefore, a review of Constitution was a reasonable choice. But the dismissal of Ayatollah Montazeri from his position as the successor of the supreme leader, the severe illness of Imam Khomeini, and the end of the Iraq-Iran war accelerated the process of amendment of the Constitution of the Islamic Republic. The departure of Imam Khomeini caused the emergence of a kind of qualitative change in political authority and the legal-political system. Charismatic authority of Imam Khomeini caused reconciliation between the two paradoxical Traditionalist and Modernist discourses; and brought about the collapse of the Pahlavi dynasty. Extra constitutional practices and the bypassing of legal institutions performed by Imam Khomeini, could not be continued by the new leader Ayatollah Khamenei, because he lacked not only the charisma, but also the necessary conditions for being a religious authority. Therefore, there was a change in the structural-functional discourse, and the charismatic authority developed into a traditional-clerical authority, and then to pseudo-rational and legal authority.*

*Khalili / Reviewing the Constitution of Islamic Republic and the Change of Quality of Political Authority in Iran after Revolution, pp. 63-77*

## INTRODUCTION

Constitutions are products of their own times.

The texts of Constitutions reply to concrete needs of political communities and respective circumstances. So, the needs and circumstances change along with the development of a community and constitutions also move in the direction of harmony with modern conditions. Review or revision means the change, which occurs in law declaration, principles of Constitution, and articles of ordinary laws and/or order-creating rules. Those changes are called revision, reform or review. The term 'amend' and its other derived words, namely, 'amender', 'amendment' and 'amendable' are all derivations from the Latin verb *Emmendare* that has a meaning of releasing from mistake and immunizing from wrongness and deviation (Campbell 1983: 42; Garner 1987: 40; Mcfarlane 1984: 13; Maddex 1996: 22–24). The victory of Islamic Revolution in 1979 after the fundamental rejection of monarchy and Constitution of Constitutionalism (*mashrutiyyat*) the need for designing a new Constitutional law became indispensable and decisive. The victorious people of every revolution, and among them the Islamic Revolution of Iran, as a rule, were obliged to pose their claims and demands in a new form and context because of new claims, as compared with the situation of the ancient regime, both in political and legal aspects. The compilation of Constitution of Islamic Republic in 1979 indicated that those claims, to which successful revolutionaries were bound, had been documented and written. For this reason, the parliament, known as experts (*khobregan*) of Constitutional law, began the final examination of the Constitution of Islamic Republic of Iran, on August, 19, 1979, and after numerous discussions and negotiations, put the text on referendum on December, 2–3, 1979, which contained 12 chapters and 175 principles. The approved text of the Constitution of Islamic Republic of Iran in 1979, ten years after drafting, approval and execution was reviewed in 1989. The author's fundamental questions are the following: Why was the Constitution of Islamic Republic of Iran reviewed? And why did the change occur in the quality of political authority in legal-political system of Iran after Islamic Revolution? Yet, in search for his reply to the basic question, the author's hypothesis is that political and social changes of contemporary Iran are the products of conflict between traditionalism and modernism.

Traditionalism means an attempt to return to religious principles and traditions, which in fact, is accompanied with a kind of authoritarianism.

Modernism denotes a viewpoint, which is based on humanism, individualism, liberty, legalism and democracy, the viewpoint, which devel-

oped especially after the victory of Constitutionalism (*mashrutiyyat*) revolution in Iran.

On the other hand, political life and deeds in every society are generally determined within the framework of political discourse. Each discourse makes possible a special form of political life and deeds and defines individual identity and self-understanding in a special manner; it fulfils some opportunities of political life, and eliminates some other. Each political discourse contains principles and rules, which determine political deeds, and discourse change is incidental to change in those deeds. Political structures are the realm that is formed under the protection of discourse, and structures are transformed by changing discourses and are determined again. By the victory of Islamic Republic, the charismatic authority called *velayat-e-faqih* (Theocratic guardianship) represented by Imam Khomeini was regarded as the political axis in Iran. He judged among different groups and tendencies in main disputes inside system and his position was dispute-settling and determining for them.

Islamic leader was considered the final decision-maker of the problems concerning war and peace and was the founder of the country's most important political institutions. That is, charismatic authority was above bureaucratic and traditional authority, and leader's speeches were everywhere relied on, and the ruling body was generally composed of leader's followers and progeny. But revolutionaries, during their evolutionary process experienced a gradual development and pass different stages. Each of these stages required a special kind of leaders and a specific form of institutions. The changing form and nature of political authority in Iran after revolution, in the author's hypothesis, is a reflection of two correlated phenomena.

1. The re-building of the Islamic revolution.
2. The re-appearance of government as the basic actor at Iran's political scene.

Imam Khomeini's leadership and the formation of the institution of *velayat-e-faqih* was incidental to the stability of the Islamic Republic.

For this reason, Imam Khomeini's charismatic authority, besides religious jurisprudence and authority caused the real authority to be transmitted from government to revolutionary institutions, and all fates and destinies of the country were ruled by a leader with extraordinary authorities. But after his departure, Islamic Revolution had passed its stability periods and entered moderate periods. The new leadership of Islamic Revolution did not have Imam Khomeini's popularity and charisma, because he was regarded as the exclusive product of historical circumstances and had readily been turned into a unique character in the

history of Iran. Imam Khomeini's authority arose from his wise leadership, the position of religious authority and his indisputable role as the leader of Islamic Revolution, but Ayatollah Khamenei to run the country, had to rely on the authorities arising from the Constitution, and this point exactly implies changing structure and discursive deeds, as well as the transformation of the charismatic authority into spiritual-traditional authority, and then into legal authority.

## HISTORICAL TREND

The problem of revision of Constitution was ambiguous for its legislators who enacted it in 1979, and they devolved finding a decisive method and solution to the events. The silence of the first Constitution in the time of Islamic Republic about the existence or lack of a principle of reviewing the text of Constitution was not unconscious, some factors united to hinder the stipulation of method of revision and completing in Constitution. Moreover, Imam Khomeini's special leadership and excellent authority in resolving crises caused, that everybody instead of relying on legal methods and policies, relied in solving difficulties on the characteristics of the leader of the Islamic Revolution.

Although some inaccuracy and deficiencies present in Constitution of Iran had been recognized, the start of Iraq war with Iran and appearing of an inflamed atmosphere arising from some disturbing events, presented the possibility of occurrence of revision in Constitution as an irrational affair. But after the war ended a calm period started when the revision in Constitution seemed rational and logical. After that, on April, 16 and 18, 1989, a number of Islamic parliament members and members of the Judicial Supreme Council sent a letter to Imam Khomeini where they reminded the deficiencies of Constitution in the fields of leadership, judicial power, and executive power and asked about the reforming of the Constitution. Imam Khomeini on May, 4, 1989 in a letter to the Islamic President of that time, ordered the formation of the Constitution Reviewing Council. 25 member reviewers formed the Council of Constitution – of which 20 members had been selected by leadership and five members by the Islamic Council. During 41 sessions (from April, 27 to July, 11, 1989) they did the general and all-lateral review of the Constitution, which also met the people's approval at the referendum on July 28, 1989.

## THE CONTENT OF THE AMENDMENT

The reviewed eight-fold axes in Constitution of Islamic Republic of Iran are the following:

### 1. Leadership

In principles concerning the leadership in the Constitution of Islamic Republic of Iran three basic changes took place.

#### a) The eliminating of the stipulation of religious authority for undertaking leadership

On the one hand, with the resignation of Ayatollah Montazeri from the future leadership of the Islamic Republic system – while his religious authority (*marja'iyat*) was counted certain and yet among other great religious authorities (*maraje-e-Ezam-e-Taqlid*) was the closest one to Imam Khomeini from the juridical-political aspect; and, on the other hand, juristic-political discords of life and great religious authorities with Imam Khomeini and the theory of *velayat e motlageh-e-faqih* – which naturally prevented them from being chosen as leadership position and *velayat-e-faqih* (Theocratic Guardianship) in conformity with principles of Constitution approved in 1989 and prevailing juristic and general policy of Imam Khomeini – compulsorily and by resorting to a letter from Imam Khomeini, in which the stipulation of religious authority (*marjaiyyat*) was not deemed necessary for *velayat* and leadership – the stipulation of being a religious authority (*marja'iyat-e-Taqlid*) was eliminated from among stipulations and characteristics of leadership contained in principles 107 and 109 of Constitution approved in 1979.

#### b) The eliminating the method of leadership council and choosing a person as a leader or *vali-ye-faqih*

Since the council running method of country diverse affairs could not prove its efficiency in Iran after Islamic Revolution, and, according to rational need to re-build and re-construct the country after the end of the war with Iraq, there was no logical opportunity for posing the theory of leadership council, which had been written in principles 107 and 109 of Constitution approved in 1979. Again, by relying on Imam Khomeini's letter to reviewing council on April, 29, 1989, the method of 3 or 5 members' leadership was eliminated from the religious authority (*maraje-e-Taqlid*) and instead, one *vali-ye-faqih* (Theocratic Guardian) was chosen.

#### c) Developing leadership's authorities in the form of *velayat-e-motlaqeh-ye-faqih*

Imam Khomeini posed the theory of *velayat-e-motlaqeh-ye-Faqih* in 1987, but it had found no legal place in the text of Constitution. Therefore, leadership's duties and authorities expressed explicitly in principles

57 and 110 of the new Constitution of the Islamic Republic caused that the theory of *velayate-e-motlaq-e-ye-faqih* became a lawful form.

## 2. Concentration of the management of executive power

It was decided, that the concentration of the management would be established in executive power by eliminating the Prime Minister from the executive system of country; thus, the executive power would be only under the authority of President and leadership position. By the same reasoning, President's authorities and responsibilities increased very much in comparison with the Constitution approved in 1979 and in fact, Prime minister's powers were totally transferred to the President.

## 3. Concentration in the management of judicial power

The existence of Judicial Supreme Council and the preference of mechanism of consensus in the decision of judicial power (since the group-working based on consultations and democratic decision-making was not yet common in the political culture of the Iranian people) caused that the responsibilities of judicial power are damaged and destroyed. For this reason, the reviewing council of Constitution, eliminated the council method and totally transferred all responsibilities of judicial power to one person, so that the decision-making would be carried out more rapidly, and also would be able to support the executive power and judicial power during the period of rebuilding and reconstruction.

## 4. Adding the institution of Nation's Exigency council to legislative power

The institution of Nation's Exigency Council was established. It was formed in February 1988 to solve the disagreements between the Islamic Parliament and the Guardian Council; however, it had no place in the text of Constitution, therefore, in the course of reforming Constitution the principle 112 was introduced to legitimize this and in fact the authority of the Guardian Council was reduced.

Other reforms were also considered in the process of Reviewing Constitution, which included:

- a) the change of the name of National Consultative Assembly to the Islamic Council Parliament;
- b) the concentration in the management of Radio and Television;
- c) the change of the number of the Islamic Council Parliament members;
- d) the formation of the Supreme Council of National Security;
- e) the formation of the Reviewing Council of the Constitution.

## THE ROOTS AND NECESSITIES OF REVIEWING OF CONSTITUTION OF THE ISLAMIC REPUBLIC OF IRAN

The reviewing of Constitution of Islamic Republic of Iran – public characteristics, principles, justifying characteristics and accelerative factors:

### 1. Public characteristics:

they were arising from the Islamic revolution and attempts to update the Constitution correcting its deficiencies.

### 2. Public principles:

- a) the increase in the guiding duties and authorities of leadership on top of the authority pyramid;
- b) the concentration of authority in execution and concentration of decision-making in the executive power;
- c) the legal and final resolving of agitations arising from the disagreement in the legislative power;
- d) the facilitation of the concentrated and supportive decision-making from two branches of power for judiciary power.

### 3. Justifiable characteristics:

- a) the need for concentration in decision making and execution;
- b) fast and easy resolving of the disagreements of branches of power;
- c) passing law and rules in the interests of system and society.

### 4. Accelerative Factors:

- a) the peaceful resignation of Ayattollah Montazeri from the future leadership of the system of the Islamic Republic of Iran;
- b) Imam Khomeini's severe illness and the fear of his untimely departure;
- c) temporal tranquility arising from the accepting of resolution 598 and the end of war between Iran and Iraq;
- d) working out of the first 5 year development plan in Iran and the need for concentration in executive and managerial organizations for the accomplishment and deepening of the development of the country;
- e) global economic and political conditions arising from the victory of free-market economy over socialistic centralized economy and the overthrow of communism and the Union of Soviet Republics.

## CHANGE IN THE POLITICAL AUTHORITY OF REVOLUTIONARY IRAN

The political legitimacy of the Islamic Republic of Iran was based on at least three essentially different, but organizationally correlated categories:

- 1) secular ideologies;

- 2) Islamic ideologies;
- 3) the theory of *velayat-e-faqih*.

Basically, the collection of discourses, which are struggling with a ruling discourse from their identities, is based on difference with the dominant discourse. What is called Pahlavism discourse and was based on the speech and deed of political system, arising from the behaviors of Reza and Mohammad Reza Pahlavi, the kings of the Pahlavi Dynasty, was uncommon among all traditional and modernist conversations and was counted as the source of their identifications. But, as soon as the dominant discourse is rejected and overcome and rival discourse finds the possibility of being harmonic, these sub-discourses for identification begin to diverge among themselves. Among them, the strongest discourses (which have more availability, legitimacy and credibility for meaning making) eliminate and reject the weaker discourses. Conceptual building, proceeding and institutional publicity of Islamic ideology in the process leading to the victory of Islamic Revolution through making and presenting 'joint language between Islamic and ideology' (Amir Ahmadi and Parvin 2002: 37), and also by organizational-institutional preparation, such as religious monthly associations *Hosseiniyyeh-e-Ershad*, Faculty of Theology in the Tehran University, religious school of Feiziyyeh in Ghom, organization of *Mojahedin-e-khalgh* Liberty Movement and Islamic Nations Party, – all these led to the appearance of a modern and Revolutionary interpretation of Islamic religion against Pahlavi's system, but among them, whatever was important, was the characteristics of Imam Khomeini's leadership, who could bring all rival discourses and sub-discourses under his dominance.

Imam Khomeini during the previous years of revolution, under the protection of presenting a new interpretation of Islam – political Islam – could set up an umbrella, where he gathered a collection of concepts, taken from Islamic tradition and modernism, which until then, maybe, had no relationship in the discourse of the Islamic Revolution in 1978. The discourse of Islamic Revolution could create a metaphorical atmosphere by which these concepts are so joined, that many active political groups in the scene of revolution sought for all their wishes and desires in that atmosphere. The voting of 98.2 percent of Iranian people for the system of the Islamic Republic on April, 1, 1979 itself showed the profundity of unity and agreement, resulting from this metaphorical atmosphere (Soltani 2005: 139).

The discourse of Revolutionary Islam, as Mansoor Moaddel has written, was turned to the dominant discourse of opposition, the discourse, in which the retardation was assigned to the West. Religion and

politics were conceived as inseparable, Islam was identified as a revolutionary and anti-Imperialistic ideology, the dynasty institution was naturally regarded as anti-Islamic and both West and East were rejected (Moaddel 2003: 179).

A discourse with such extent could find mass acceptable characteristic of the public, only if faced a kind of charismatic (and acceptable by all) leadership. The discourse of Islamic Revolution, which appeared in the form of political system of the Islamic Republic, was the product of articulation of two important signs of 'Republicanism', and 'Islam' itself was a central signifier of clericalism, jurisprudence and *velayat* together in a discourse. On the other hand, the signs of people, law and liberty had been jointed in liberalist and secular modernist discourse around the central signifier of republic.

Islam, clericalism, jurisprudence and *velayat-e-faqih* have roots in traditionalism and republic, people, law and liberty have roots in modernism. Although, these two groups of signs had intrinsic disagreement and contradiction, under the protection of metaphorical atmosphere of the discourse of Islamic Revolution, all of them together were joined around the character of Imam Khomeini. Imam Khomeini as the leader of Islamic Revolution and founder of the Islamic Republic, during his lifetime until 1989, was the only signifier of discourse of the Islamic Revolution and the most ultimate authority in resolving disagreements. In this situation, Islam is not ignored, but Islamic Revolution and its leader are unified, and all are manifested in Imam Khomeini's behavior and speech. In fact, his charisma led to the point that he was considered the unique commentator and the only sense-giver of ambiguous terms and speeches of the discourse of Islamic Revolution. The characteristics distinguishing the leadership of the Iran Revolution from other revolutions and granting it an exclusive nature, are so outstanding and notable, that many analysts know Islamic Revolution through its leadership. Imam Khomeini undertook the political leadership and religion authority together; moreover, his strong striving and resistance against Pahlavi's political system along with his profound political insight and understanding showed that he deserved the leadership of the Iran Revolution. According to Shojaeezand's interpretation, Imam Khomeini's well-ordered plan along with his wide and comprehensive 'guiding umbrella' over all groups of people without any discrimination could create a kind of unity and agreement against the second Pahlavi's regime (Shojaeezand 2003: 107).

Imam Khomeini who was called 'the leader of nation', was very well-known and famous among religious elites, because of his knowl-



edge and virtue, ideas and opinion about the necessity of the interference of the clergy in politics and restoration of Islamic thinking (Farsoun 2000: 91). On the one hand, he tried to coordinate the religious disagreement, and, on the other hand, he attempted to attract the indirect support of unreligious. Therefore, he was also in search of attracting reformer religionists and religious pioneers, which had communication with young generation in the country and abroad and tried to keep a comfortable relation with the most conservative and most apolitical forces of religious schools. In fact, Imam Khomeini had undertaken the four-fold special tasks of leadership, which were counted as the connection between ideology and organization:

1) theoretic analysis and ideological explanation of the present situations;

2) mobilization of forces and possibilities;

3) leading and organizing dispersed efforts;

4) the management and engineering of affairs in the period of combat and establishment (Shojaeezand 2004: 52). Rasool Jafarian has well shown, that whatever religious and political combatant groups with any aims and thoughts joined the process of religious reformist view, yet, these religious reformist viewpoints were able to help Imam Khomeini's movement in the cause of achieving the change of political view from religion (Jafarian 2004: 16). Therefore, the indisputable leadership caused the Constitution and its mechanisms to be flexible towards Imam Khomeini's charismatic character and him to be counted as the axis of all changes. Perhaps, that is why in his lifetime and leadership, in spite of the fact that running country was counted a very difficult and critical affair, it appeared easy and simple, because all institutions arising from the Constitution and even the mechanisms of the Constitution itself were under dominance towards the characteristics of his distinguished character, as far as all affairs and phenomena were regarded meaningless without his presence.

But, according to Faramarz Rafipoor, after the departure of Imam Khomeini and the change of Constitution, the place, which he had achieved due to his old age and background activity as religious authority and influence among different groups of people, and also international authority and influence, had been so unheard-of during the history, that this vacancy was not possible to be filled by someone else (Rafipoor 1998: 151). This was due to several reasons, where each reason was right in its own place, but the final was that the existing unity during Imam Khomeini lifetime was turned to plurality and put the new leadership in the straits of replying to all different demands, which had

been turned to basic difficulty in the absence of Imam Khomeini's charisma and popularity. On the other hand, the signs of the withdrawal of the Soviet Republics, the dominance of liberalist ideology and the rising new wave of nationalism intensely influenced the rebuilding atmosphere of religious thought.

Iran, according to Fardin Ghoreishi, has always been influenced by global dominant discourses (Ghoreishi 2005: 259). In the newly-found process of globalization, which includes the realms of technical, political and cultural, both structure-breaking and decline of charisma occur, which both caused that the Revolution of Iran was placed in a new situation and kinds of rival discourses struggled with each other. On the other hand, economical radicalism, excessive statism and idealistic foreign policy, which in looking for the necessity of paying attention to new circumstances of global system, were denied, and an atmosphere was provided that modernist discourses were turned to dominant discourses by keeping all of traditionalist discourses. Realistic innovation of both new leadership, new president and kinds of opening policies, which had been taken specially after the departure of Imam Khomeini (Amjad 2001: 249) showed that traditionalist and modernist discourses, in the absence of charismatic situation, were being separated from each other, the situation which both created the plurality of discourse and made difficult for the new leader in moving between two discourses. As Hossein Bashiriyeh said, the Islamic Republic system was based on authority and legitimacy, because, on the one hand, it was based on traditional dominance, and also, on the other hand – on legal and charismatic dominance (Bashiriyeh 2002: 88). But Imam Khomeini's charisma could not in long term be a confident basis for providing the legitimacy for a modern government which increasingly had to do complicated and new special tasks.

Immediately after Imam Khomeini's departure, the Islamic Republic faced a challenge, which arose from the decline of charismatic situation and lack of conditions equal to religious authority (Milani 2002: 396).

On the one hand, the ending of war had two important consequences:

1) the necessity for economic rebuilding;

2) the entrance of new forces to the scene of politics, culture and society.

For economic rebuilding the theories of economical liberalism, privatization and the reduction of governmental ownership were used.

Simultaneously, Iran entered the global economy and this matter paved the way for the interference of international organizations into internal sociopolitical problems. The pressure of international organiza-

tion and the entrance of internal and external private enterprise to the scene of society beside facilitating legal and cultural factors, paved the way for the expansion of civil liberties. Therefore, society gradually moved from the closed situation of war period to a society based on civil liberties. In this atmosphere, opportunity was provided for posing the theoretic bases of some terms such as political liberties, democracy, pluralism, legalism and political development, which showed the expansion of modernist discourse of Islamic Revolution and the weakening of the traditionalist discourse. From then on, intelligentsia, doubted the dogmatic connection between religion and politics as the central core of modernist political force, and provided an opportunity for destructive criticisms from equating and inseparability of religion and politics. Therefore, passing from charismatic authority to legal authority a kind of oligarchic traditional-clerical authority, in the high level of legal-political structure appeared where in the level of society, the modernist and enlightened discourse separated its way from traditionalist discourse and caused that the unified atmosphere arising from axial and charismatic presence of Imam Khomeini's faced failure and a deep gap. The new leadership no longer could play the role of Imam Khomeini in joining the two discourses of traditionalist and modernist. Therefore, a kind of qualitative change had occurred in the political authority in Iran after revolution, during which, leadership position just could suffice the external appearance of leading and judging among the rival discourses.

Imam Khomeini was superior to Constitution and resolved the crises arising from multiple interpretations of the principles of Constitution, he brought all the structure and seal-work of the system of the Constitution of Islamic Republic under his dominance. But the decline of charisma and coming of the new leadership caused the developing modernist discourse that presented uncommon and informal interpretation for the terms, concepts and structures, such as republicanism, elections, Islamic council parliament, Assembly of leadership experts, presidency, Nation's Exigency council, individual liberties, reviewing Constitution. Since then the structure of legal-political system of the Islamic republic entered the period of passing from the traditional authority to legal-rational authority.

## REFERENCES

Amir Ahmadi, H.; Parvin, M.  
2002. *Post Revolutionary Iran*. Tehran: Baz.

Amjad, M.  
2001. *Iran: From Royal Dictatorship to Theocracy*. Tehran: Baz.

- Bashiriyeh, H.  
2002. *Introduction to Iran's Political Sociology of Islamic Republic*. Tehran: Negahemoaser.
- Campbell, H.  
1983. *Black's Law Dictionary*. Minnesota: West publishing company.
- Farsoun, Samih, Mashayekhi, Mehrdad  
2000. *The Political Culture in the Islamic Republic of Iran*. Tehran: Baz.
- Garner, B.  
1987. *A Dictionary of Modern Legal Usage*. Oxford: Oxford University Press.
- Ghoreishi, F.  
2005. *The Reconstruction of Religious Thought in Iran*. Tehran: Ghasidehsara.
- Jafarian, R.  
2004. *Religio-political Currents and Organizations in Iran: 1947-1979*. Tehran: Center for Islamic Revolution Documents.
- McFarlane, G.  
1984. *The Layman's Dictionary of English Law*. London: Waterlow publishers.
- Maddex, R.  
1996. *The Illustrated Dictionary of Constitutional Concepts*. London: Routledge.
- Milani, M.  
2002. *The Making of Iran's Islamic Revolution: From Monarchy to Islamic Republic*. Tehran: Ghame now.
- Moaddel, M.  
2003. *Class, Politics and Ideology in the Iranian Revolution*. Tehran: Baz.
- Rafipoor, F.  
1998. *Modernization and Conflict: An Attempt toward the Analysis of the Islamic Revolution and Social Problems of Iran*. Tehran: Enteshar publication co.
- Shojaeezand, A.  
2003. *Revolutionary Era in Iran*. Tehran: Orooj.  
2004. *Efforts of Political Religion*. Tehran: Baz.
- Soltani, S. A. Asghar  
2005. *Power, Discourses, and Language: Mechanisms of Currency of Power in Islamic Republic of Iran*. Tehran: New Publication.

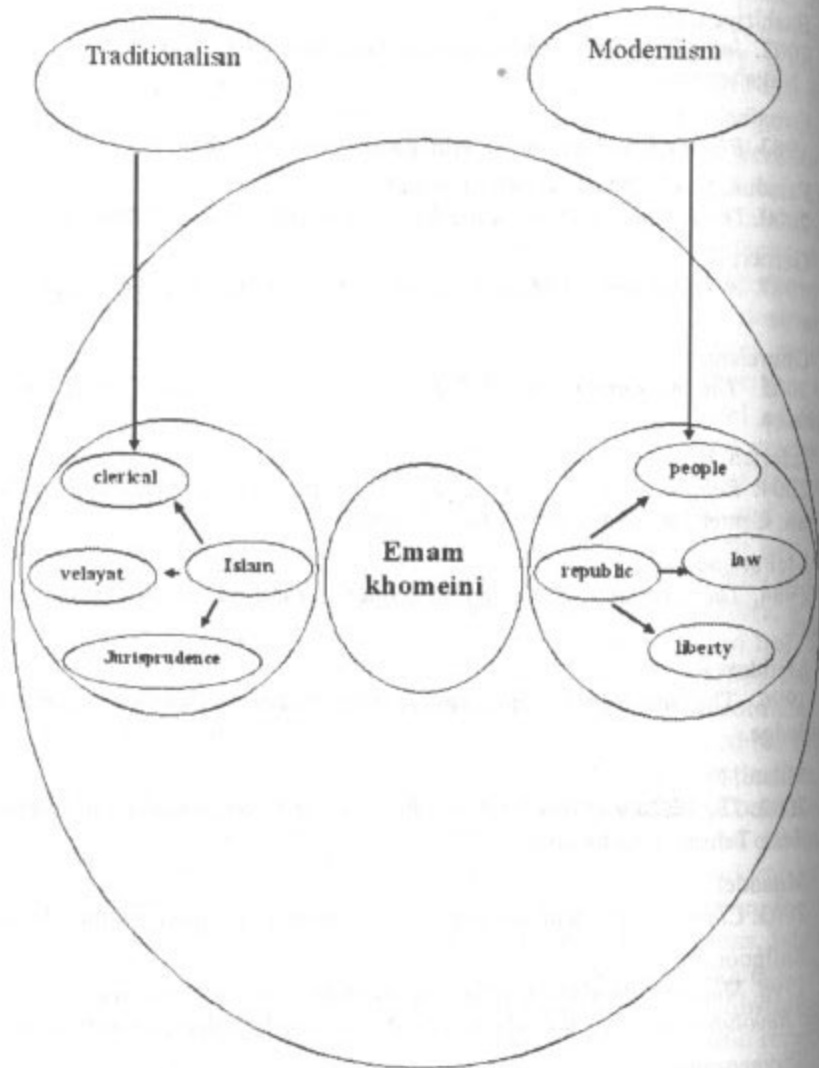


Fig. 1. Jointed traditionalist and modernist discourses in metaphorical atmosphere of Islamic revolution in 1979

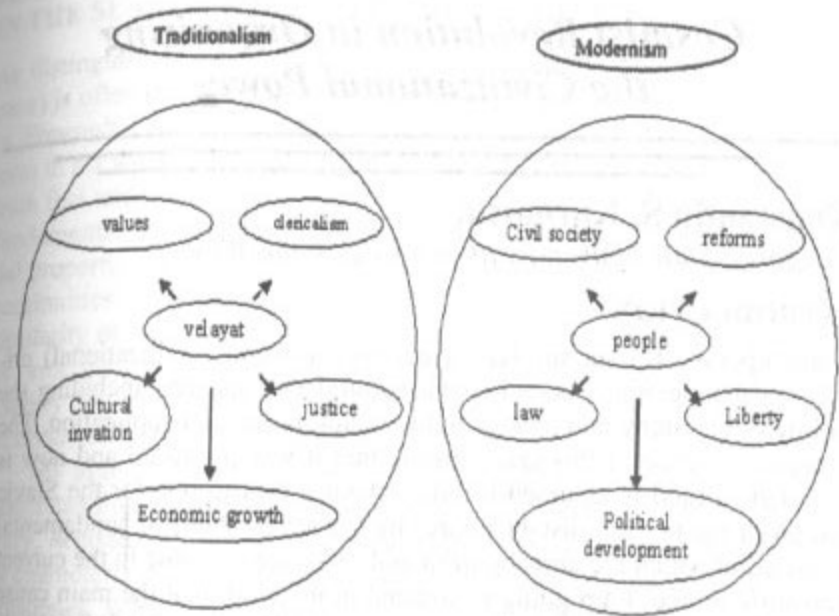


Fig. 2. Soltani 2005: 140