

2 | *The Setting*

The broader context within which theocratic rule in Iran takes place may be best explained through developments within and initiatives taken by the clerical establishment. Clerics have historically been one of the most consequential social classes in Iran, with a long tradition of involvement in politics. By the late 1970s, the clergy's uneasy relationship with the Pahlavi monarchy has deteriorated into overt hostility and conflict, thanks largely to the ideas and sermons of Ayatollah Khomeini. Khomeini's exile from Iran in 1965 had done little to dampen his following among a small but local cohort of disciples. It had also further emboldened the Ayatollah to theorize about a theocratic alternative to the monarchy. The advent of the revolutionary movement in the late 1970s propelled Khomeini, and his ideas along with him, to the top of the anti-Shah campaign. Putting those ideas into practice once the revolution succeeded, Khomeini led the clergy to capture the state and its highest offices.

This clerical capture of the state was steady, methodical, and constitutionally codified. The Islamic Republic thus became a theocratic state par excellence, with a clerical monarch at the top and other clergy functioning as gatekeepers and moral enforcers. At the same time, consistent with the impulse of all postrevolutionary states, the Iranian theocracy set its sights on the one politically autonomous institution that the clergy itself had, namely the seminary (*howzeh*). Khomeini was, and Khamenei has been, unrelenting in seeking to ensure the state's control over the *howzeh* and the *howzeh's* jurisprudential conformity with what quickly became official orthodoxy. As a consequence, today the *howzeh's* administrative and financial dependence on the state is near-complete, and whatever infrequent jurisprudential innovations once emanated from it have all but dried up.

This chapter begins by tracing the clergy's march from indifferent compliance with the state up to the 1970s to opposition group

afterward and then controller of the state. It also chronicles the state's capture by the clergy and the codification of its institutional powers. Lastly, it examines how the state, with the clergy at its helm, set out to capture the *howzeh*, and what that means for the *howzeh* today and also for *howzeh*–state relations.

The Clerical Establishment

In 1946, as Iran was reeling from the devastating consequences of the Second World War – the Anglo-Soviet Occupation of 1941–1946, chaos and political instability, and rampant poverty and disease – a new political grouping calling itself the Fadaiyan-e Islam burst onto the scene. For the next several years, the Fadaiyan-e Islam, made up mostly of young, radical traditionalist Islamists, assassinated a number of high-profile individuals, beginning with the famous historian and secularist intellectual Ahmad Kasravi (1890–1946). Some of the others killed by the Fadaiyan-e Islam included Abdolhossein Hazhir, who had once served as prime minister and was the court minister at the time of his assassination in 1949, and, in 1951, Prime Minister Ali Razmara. In 1949, the Fadaiyan-e Islam even tried, unsuccessfully, to assassinate the Shah.

Even though few historians and scholars have drawn so much as a dotted line between the Fadaiyan-e Islam of the early 1940s and the later Islamists of the 1960s and the 1970s, the former were in many ways the ideological forefathers of the latter.¹ For although Khomeini and his band of Islamists were at the time seen as revolutionaries with progressive ideals, the programs of many of those who by the 1980s had elbowed out their former comrades and were the only ones left standing were eerily close to those of the Fadaiyan-e Islam. Blinded by the enthusiasm of the revolutionary moment, in the late 1970s few Iranians could possibly imagine Khomeini as anything other than progressive and revolutionary in the romanticized sense of the word. But the parallels between the thrust of the militant Fadaiyan's ideas and the outcomes of Khomeini's revolutionary project are hard to dismiss. Here therefore I set the scene in the lead-up to the revolution

¹ A valuable, concise examination of the group can be found at Farhad Kazemi, "State and Society in the Ideology of the Devotees of Islam," *State, Culture, and Society*, Vol. 1, No. 3 (Spring 1985), pp. 118–135.

in relation to Iran's revolutionary clergy by starting with a brief discussion of the Fadaïyan-e Islam.

The Fadaïyan-e Islam was mostly made up of seminary students in Qom in their twenties, many of whom came from lower- or lower-middle-class backgrounds. The group was led by a young militant named Mojtaba Mirlozhi, who went by the *nom de guerre* Navvab Safavi (1924–1956). Safavi often wore military fatigues under his clerical garb and acted like a soldier, “as if he were ready to go to war.”² The group was popular within seminary circles and, mostly through assassinations and other militant activities, made its presence felt from the mid-1940s to the early 1950s. Once it was disbanded, many of its members became absorbed into the wider clerical establishment.

Agitating for immediate and radical change, the Fadaïyan-e Islam were highly disruptive of, and disrespectful toward, the older Qom-based clerical establishment. Many had stopped listening to sermons by senior clerics, including especially Grand Ayatollah Hossein Boroujerdi, who at the time was the only living *marja'-e taqlid* (source of emulation) and was widely considered to be the country's most prominent religious figure. Boroujerdi was particularly distressed and considered the radicalism of the Fadaïyan-e Islam to be a serious threat to the Qom seminary establishment. He therefore asked a few of the clerics he trusted to intercede and to dissuade the Fadaïyan-e Islam from using the *howzeh* as a launchpad for their revolution. The group eventually left Qom for Tehran, and the Qom clerical establishment, which had been gripped with suspicions surrounding which clerics supported or sympathized with the group, was finally able to breathe more easily.³

The Fadaïyan-e Islam's platform included the establishment of an Islamic government. The group wanted all government ministries to have an “Islamic appearance” by having a mosque on their premises, hoisting the green flag of Islam next to the national flag, and hosting Friday prayers. It should be the responsibility of the Ministry of the Interior, according to the Fadaïyan, to conduct Friday prayers in all cities, to implement Islamic law in society at large, and to ensure that

² Davood Feirahi, *Feqh va Siyasat dar Iran-e Mo'aser* (Jurisprudence and Politics in Contemporary Iran) (Tehran: Nashr-e Ney, 1393/2014), p. 146.

³ Hosseinali Montazeri, *Khaterat* (Memoirs) (Los Angeles, CA: Ketab Corp., 2017), pp. 62–63.

everyone is properly attired according to Islamic values. The group paid particular attention to the relationship between the Ministry of Culture and the country's universities. In all disciplines, the Fadaiyan-e Islam argued, professors and students need to receive training in Islamic perspectives related to their fields. The Fadaiyan also advocated the implementation of Islamic law as the basis of the penal code and the application of the *shari'ah* as the basis of the justice system.⁴

Navvab Safavi also called for the cleansing from the clergy of those who were not worthy of wearing the clerical garb. According to Safavi, the highest Shia clerical authority, the *marja'iyat*, has three key responsibilities. First, the *marja'* has to cleanse from the ranks of the clergy those who are corrupt or who collaborate with the state. Second, he needs to engage in education and proselytizing and to administer compulsory exams in Islamic history, the Hadith, and other Quranic sciences, such as interpretation (*tafsir*). Lastly, there needs to be a more systematic organization of the finances of the religious establishment. This includes owning large factories, the profits of which could be directed toward religious affairs and initiatives.⁵

The Fadaiyan-e Islam did not mind the autocracy of Reza Shah or the authoritarianism of his son, Mohammad Reza. They simply preferred an Islamic system to a secular one.⁶ In most of its objectives, moreover, the group found common cause with many of the politically inclined clerics, including Khomeini. Where they differed from Khomeini was their advocacy of violence and their efforts to assassinate their opponents, especially key figures affiliated with the monarchy.⁷ The ideas they espoused at the time – such as the Islamization of the judiciary and the educational system, to take just one example – turned out to be very similar to the Islamic Republic's campaigns decades later to Islamize Iran's cultures, the judiciary, and the universities.

Following another assassination attempt, this one on the life of Prime Minister Hossein 'Ala, Navvab Safavi and some of his key associates were arrested in November 1955 and executed shortly afterward. By the mid-1950s, as monarchical authoritarianism was becoming fully consolidated, the Fadaiyan-e Islam was all but

⁴ Feirahi, *Feqh va Siyasat dar Iran-e Mo'aser* (Jurisprudence and Politics in Contemporary Iran), pp. 159–160, 165–166.

⁵ *Ibid.*, pp. 154–156. ⁶ *Ibid.*, p. 166. ⁷ *Ibid.*, p. 147.

destroyed.⁸ Despite the group's noisy activities even when it existed, the dominant atmosphere of the city of Qom and the larger clerical establishment had generally remained nonpolitical. This was largely a result of Ayatollah Boroujerdi's preference for avoiding politics and instead trying to maintain some sort of *modus vivendi* with the monarchy. Khomeini, by contrast, had made his political preferences known as early as 1941 with the publication of his book *Kash al-Asrar* (Discovery of Secrets). This made the relationship between the two men at times tense, though always polite. The much younger Khomeini is said to have adopted a wait-and-see policy, as the Shah had done, until Boroujerdi's death.⁹ Once the eighty-five-year-old cleric died in 1961, Khomeini respected Boroujerdi's preference rather than risk an open rift within the clerical establishment.

It did not take long for Khomeini to start his oppositional activities. When in October 1962 newspapers reported that women and religious minorities could vote and become candidates in local and provincial elections, Khomeini openly launched his anti-Shah campaign, thus once again making the clergy political.¹⁰ A short while later, in January 1963, the state announced the start of what it called the White Revolution, many of the main principles of which, such as land reform and women's rights, Khomeini bitterly opposed. Following a series of incendiary sermons against the reforms and the government, in June Khomeini was arrested. The following year he was exiled to Turkey, and found his way to Najaf in 1965. There, he resumed his teaching and writing, and, slowly, laid the theoretical groundwork for an Islamic system meant to replace the monarchy.

Khomeini was one of the first and only clerics to adopt a revolutionary stance in the 1960s, viewing the very institution of monarchy as illegitimate and reactionary. He set two tasks for himself, namely, proposing an alternative to the monarchy, and a means – a revolution – for its overthrow. Of course, not all clergymen agreed

⁸ Similar fates were suffered by the National Front and the Tudeh Party, and, later on, by the two active guerrilla groups: the People's Mojahedin Organization and the People's Fadaïyan Organization.

⁹ Vanessa Martin, *Creating an Islamic State: Khomeini and the Making of a New Iran* (London: I. B. Tauris, 2000), p. 73.

¹⁰ Emadeddin Baqi, *Rouhaniyat va Qodrat: Jame'eh Shenasi-e Nahad-haye Dini* (The Clergy and Power: Sociology of Religious Institutions) (Tehran: Saraee, 1383/2004), pp. 160–161.

with him, and for a whole host of reasons, both theological and practical, many continued to prefer staying clear of politics.¹¹ Regardless of where they stood, nevertheless, Khomeini's activities and jurisprudential arguments made the clergy inherently political.

The Clergy and the Revolution

Entering the revolution, the clerical establishment had a clear functional hierarchy. At the top were senior grand ayatollahs charged with interpreting texts. Engaged in teaching and scholarship for decades, most were also known and respected for having published their own treatise. These grand ayatollahs, many of whom were "sources of emulation" (*marja'-e taqlid*), were followed by "ordinary" ayatollahs, who studied the canons and the texts produced by their seniors. The ayatollahs interpreted the ideas of senior clerics and were often active in local mosques. After the revolution, many became involved in local government. The third tier were younger, junior clerics and seminary students who would make up future recruits.¹²

By the late 1970s, as the foundations of the Pahlavi monarchy were crumbling, Grand Ayatollah Khomeini's position of prominence inspired many of those lower in the clerical hierarchy to also advocate the monarchy's replacement with an Islamic government. Khomeini's ideas about rule by *velayat-e faqih* (guardianship of the jurisconsult) may not have been widely shared by the other prominent ulama. But they were enthusiastically endorsed by an overwhelming majority of lower-ranking clerics.

The clergy's successful ascent to the top of the revolutionary movement has been studied extensively in the literature on the Iranian Revolution.¹³ Paradoxically, Khomeini and many of the other

¹¹ Abdolvahab Forati, *Rouhaniyat va Siyasat: Ma'el va Payamad-ha* (The Clergy and Politics: Issues and Consequences) (Tehran: Sazman-e Entesharat-e Pazhooheshgah-e Farhang va Andisheh-e Eslami, 1395/2016), pp. 16–17.

¹² Nikola Schahgaldian, *The Clerical Establishment in Iran* (Santa Monica, CA: Rand, 1988), p. x.

¹³ The excellent literature on the topic is far too extensive to cite. Two examples include Ahmad Ashraf and Ali Banuazizi, "The State, Classes and Modes of Mobilization in the Iranian Revolution," *State, Culture, and Society*, Vol. 1, No. 3 (Spring 1985), pp. 3–40; and Saïd Amir Arjomand, "Iran's Islamic Revolution in Comparative Perspective," *World Politics*, Vol. 38, No. 3 (April 1986), pp. 383–414. My own take on the subject can be found at Mehran

“revolutionary” clergy continued to remain deeply conservative throughout the revolution and especially afterward. The clergy who were commonly perceived as politically progressive before the revolution overwhelmingly became politically conservative once the revolution succeeded. Not only did they seek to conserve the new political order, they sought to infuse it with highly traditionalist social and cultural mores. Before the revolution, only a minority of the clergy were considered “revolutionary.” The same pattern was repeated two decades after the revolution succeeded, when only a minority of the clergy were seen as “reformist.”¹⁴

Emadeddin Baqi, once a revolutionary radical and later a reformist activist and author, identifies a number of reasons for the clerical establishment’s continued, innate institutional and ideological conservatism both before and after the revolution.¹⁵ First, official efforts and actual state policies notwithstanding, there continues to be a large gap between traditional clerical and secular, ostensibly modern, institutions of learning and research, especially in relation to methodologies, perspectives, and functions. Second, Baqi maintains, while there is a minority of clerics who welcome change and would like to upgrade the production of knowledge in the seminary, their efforts lack organizational backing and supportive institutions. Along similar lines, those advocating new perspectives – what is commonly referred to in Iran as “new thinking” (*no-andishi*) – have become voices in the wilderness, at best politically and institutionally marginalized and at worst legally prosecuted by the Special Court for the Clergy.¹⁶

Equally important, as we shall see shortly, has been the state’s steady, near-complete institutional dominance of the clerical establishment. Mosques, seminaries, research centers, publishing houses, and nearly every other similar institution once available to the clergy for the articulation and expression of religious views are now controlled by the state, a state that only allows certain, narrow interpretations of

Kamrava, *Revolution in Iran: The Roots of Turmoil* (London: Routledge, 1990).

¹⁴ Baqi, *Rouhaniyat va Qodrat* (The Clergy and Power), p. 169.

¹⁵ Baqi’s steady transformation from a radical revolutionary in the early 1980s to an ardent reformist typifies a larger trend among many notable figures of his generation. For the causes and consequences of this metamorphosis, see Mehran Kamrava, *Triumph and Despair: In Search of Iran’s Islamic Republic* (New York: Oxford University Press, 2022), pp. 94–101.

¹⁶ Baqi, *Rouhaniyat va Qodrat* (The Clergy and Power), p. 169.

religion it deems appropriate. One of the historical characteristics of the clergy has been its self-reproduction through and especially inside the seminary, whether by resort to text and the Hadith or through deductive logic or philosophy and ethics. Each of these arenas has served as the main avenue through which great religious figures have emerged and have inspired others.¹⁷ But the Islamic Republic has effectively put a stop to this process, or at least has severely curtailed it, through its extensive control over the clerical establishment and its production of knowledge.

This control over and penetration of the clerical establishment has not necessarily required too many clerical foot soldiers. The state does not release statistics on the precise number of the country's clergy, an omission that is most likely deliberate. One estimate puts the total size of Iran's clerical establishment anywhere between 350,000 to 500,000.¹⁸ A better-sourced report claims that Iran has 130,000 clergymen, of whom approximately 80,000 live in Qom.¹⁹ Of these, approximately 1,000 are thought to be Ayatollahs, of whom about 30 are Grand Ayatollahs.²⁰ Of the country's total clerical population, less than 5,000 are estimated to be involved in different state agencies, many of them concentrated in the judiciary, the political-ideological offices of the armed forces, or as representatives of the *velayat-e faqih* in foundations (*bonyads*), universities, provinces, and elsewhere.²¹

State Capture

The capture of the state by the clergy since the revolution has been near-complete. An important section of the clergy has been active in several key institutions of the state from their very inception, such as

¹⁷ Soleiman Khakban, *Jame'h Shenasi-e Rouhaniyat-e Iran-e Mo'aser* (Sociology of Contemporary Iranian Clerics) (Tehran: Sazman-e Entesharat-e Pazhoeshgah-e Farhang va Andisheh-e Eslami, 1397/2018), p. 86.

¹⁸ Saeid Golkar, "Clerical Militia and Securitization of Seminary Schools in Iran," *Contemporary Islam*, Vol. 11 (2017), p. 221.

¹⁹ "200 Hezar Talabeh va Rouhani-e Khahar va Baradar-e Irani va Khareji dar Keshvar Vpjod Darad" (200,000 Iranian and Foreign Seminary Students and Cleric Brothers and Sisters Exist in the Country), Pegah News (20 Khordad 1400/June 10, 2021), <https://bit.ly/3cP1jRq>.

²⁰ Golkar, "Clerical Militia and Securitization of Seminary Schools in Iran," p. 221.

²¹ "Te'dad-e Tollab va Rouhaniyou-e Iran" (Number of Seminarians and Clergy in Iran), <https://bit.ly/3zKSRvM>.

the Construction Jihad, the Revolutionary Guards, the police force, the various intelligence agencies, and the Ministries of Higher Education and Culture and Islamic Guidance. With the passage of time, the clergy's leadership in these and similar institutions has given way to various "cultural activities and influences," and now it often takes the form of serving in them as "representatives of the leader." Whatever shape or form the clergy's involvement in the state takes, it affords them various opportunities to interact with members of the public on multiple fronts. In the armed forces, through the ideological education of the rank and file, the clergy have been quite instrumental in shaping the army's belief system. Additionally, the armed forces frequently ask noted theologians to take part in special events and ceremonies. When young students enter universities, they are also likely to come into contact with the leader's representatives. In most universities, a majority of professors of philosophy (*ma'aref*) are clerics, and, more importantly, many of the textbooks written in these and other similar disciplines are authored by clergymen. Even those youths who enter the workforce instead of the university system will experience clerical ideological indoctrination when they enter national service and come into contact with the leader's representatives.²² Importantly, these clergy-public interactions occur under the auspices of the state, whereby the clergy is seen more as state functionaries rather than as spiritual leaders. How much of the state's religious content translates to popular religious belief – religious beliefs as interpreted by the state – is open to question.²³

Prior to the revolution, the clergy saw many of its functions steadily taken over by the state – from the management of the *awqaf* (religious endowment) to judicial functions, running schools, acting as trustees, and the like. The spread of universities especially challenged the clergy's ability to provide specialized education, and new forms of socialization and entertainment greatly undermined traditional religious propagandists and panegyrists.²⁴ The revolution reversed all this,

²² Alireza Pirouzmand, *Tahavol-e Howzeh-e 'Elmiyeh va Rouhaniyat dar Gozashteh va Hal* (Transformation of the *Howzeh* in the Past and Present) (Qom: Ketab-e Farda, 1391/2012), pp. 390–391.

²³ I have explored this question in, Kamrava, *Triumph and Despair*, pp. 280–289.

²⁴ Mehdi Soleimanieh, *Pol ta Jazireh: Ta'amoli Jame'h Shenakhti dar Moqe'iyat-e Pasa-Enqelabi-e Rouhaniyat* (Bridge to Island: A Sociological Analysis of the Postrevolutionary Position of the Clergy) (Esfahan: Arma, 1397/2018), p. 33.

and the clergy's state capture has left few areas of life outside of clerical influence. Whereas previously the clergy was losing ground to the state and many of its institutions, now it has captured many of those very institutions.²⁵ Throughout the 1980s, for example, the state set out to systematically Islamize the judiciary, beginning with the closure of the Bar Association (*Kanun-e Vokala-ye Dadgostari*) in June 1980. The legal profession underwent a steady clericalization, with a large-scale replacement of judges and attorneys with clerics and others trained in Islamic jurisprudence. The 1989 constitutional amendments replaced the Supreme Judiciary Council with a single head of the judiciary, which by law must be a cleric appointed by the *velayat-e faqih*. In 1994, sweeping changes were introduced to the penal code, which further Islamized the judiciary.²⁶ The state also vigorously promoted communal Friday prayers. Khomeini carefully selected Tehran's Friday prayer Imams from among his trusted lieutenants – Ayatollahs Montazeri and Taleghani and Hojatoleslam Khamenei – and their sermons were seen as important indications of the new system's domestic and foreign policies.²⁷ By one count, in 2021, the country had approximately 70,000 mosques, of which 2,000 were located in Tehran. A total of 840 Friday prayer Imams existed, although some 35 to 40 percent of all mosques were left without Imams.²⁸

Also, by law, the Minister of Intelligence has to be a cleric. By tradition, the Minister of Interior has also often been a clergyman.²⁹ Along with the *howzeh*, another key state institution in which the clergy have been active is the legislature, with several of the speakers of the Majles having been clerics.³⁰ Not surprisingly, the clergy have

²⁵ *Ibid.*, p. 35.

²⁶ Saïd Amir Arjomand, "Shi'ite Jurists and the Iranian Law and Constitutional Order in the Twentieth Century," in *The Rule of Law, Islam, and Constitutional Politics in Egypt and Iran*, Saïd Amir Arjomand and Nathan Brown, eds. (Albany, NY: SUNY Press, 2013), pp. 44–48.

²⁷ Ali Akbar Mohtashamipour, *Chand-Sedai dar Jame'eh va Rouhaniyat* (Multiplicity of Voices in Society and Among the Clergy) (Tehran: Khaneh-e Andisheh-e Javan, 1379/2000), p. 60.

²⁸ "200 Hezar Talabeh va Rouhani-e Khahar va Baradar-e Irani va Khareji dar Keshvar Vpjud Darad" (200,000 Iranian and Foreign Seminary Students and Cleric Brothers and Sisters Exist in the Country), Pegah News (20 Khordad 1400/June 10, 2021), <https://bit.ly/3cP1jRq>.

²⁹ Pirouzmand, *Tabavol-e Howzeh-e 'Elmiyeh va Rouhaniyat dar Gozashteh va Hal* (Transformation of the *Howzeh* in the Past and Present), pp. 389–390.

³⁰ *Ibid.*, p. 388.

been instrumental in shaping the country's political system at the highest levels in a variety of ways. Most key institutions of the state are set aside as the preserve of the clergy. The most important political institution in the land, of course, is the *velayat-e faqih*. The Constitutional Assembly of Experts, overwhelmingly dominated by the clergy, ensured the Islamic character of the system. Today, all eighty-eight members of the Assembly of Experts, whose chief responsibility is to select the *velayat-e faqih*, must be clergymen. Another key dimension of the clergy's dominance over the system is through the Guardian Council, made up of six clerics and six lay legal experts, whose primary function is to qualify candidates for elected office and to ensure that Majles bills do not contravene Islam. There is also extensive clerical presence and influence in the Majles and in the Expediency Council, as well as in the Supreme Council of Cultural Revolution.³¹

One of the most important sources of power for the clergy since the revolution has been access to the economic resources of the state. Whereas before the revolution the clergy needed the people to make a living, now an increasing share of the clergy's financing comes from the state. This has changed the clergy's relationship with society, reducing its need for and reliance on the people.³² This financial dependence on the state, in both direct and indirect forms, has had several consequences. Over the past four to five decades, the composition and functions of the clergy have changed because of the country's various transformations in general and the 1978–1979 revolution in particular. Whereas previously most clergy came from rural areas and smaller towns, now most have middle-class and urban backgrounds. After the revolution, the clergy's easier access to power and sources of economic mobility has provided further incentives for some lay individuals from urban- and middle-class backgrounds to seek entry into the clerical establishment.³³

At the same time, the clergy's unprecedented involvement in multiple fields – from sports management to movie directing and leadership of many executive offices – has led to a loss of depth and “superficialization” of its social relations with many groups in society.³⁴ The breadth

³¹ Ibid., pp. 406–408. ³² Soleimanieh, *Pol ta Jazireh* (Bridge to Island), p. 34.

³³ Forati, *Rouhaniyat va Siyasat* (The Clergy and Politics), p. 46.

³⁴ Soleimanieh, *Pol ta Jazireh* (Bridge to Island), p. 35.

of the clergy's scope of responsibilities has come at the expense of the depth of its relations with social classes. Political and administrative responsibilities also appear to have taken a toll on jurisprudential and other scholarly innovations by the clergy. As Chapters 6 and 7 make amply clear, apart from what transpired during the reform era, few innovations mark today's *ijtihad* (independent reasoning), *tafsir* (interpretation of the Quran), and *fiqh* (jurisprudence). Ironically, the clergy seem to also suffer from a dearth of understanding the science of politics. Extensive and consequential involvement in state machinery has not necessarily meant that the clergy are devoting time and resources to understanding how state institutions operate. According to one set of statistics, of the more than 6,000 books published by the clergy around 2010–2011, only 2 percent dealt with topics related to institutions and state machinery. Another 29 percent of the books examined society and social issues, and nearly 69 percent dealt with personal ethics and morals.³⁵

The capture of the state, meanwhile, has been driven by a pointed ideological agenda. Politics means the management of human societies, maintains the official orthodoxy. But this management cannot be only mechanical and without values. It also entails guidance toward divine objectives.³⁶ Ayatollah Khomeini himself claimed that since the very appearance of Islam until today, all Islamic political systems have featured spiritual guidance of the people and have been driven by divine wisdom and inspiration. Hojatoleslam Ahmad Jahan-Bozorgi (b. 1955), known for his arch conservatism, maintains that “politics entails reforming people, enlightening them, and guiding them so that at the End of Time they can have salvation.”³⁷ The state must, therefore, actively engage in social engineering, ensuring, at the very least, that the Islamic command of “prohibiting evil and enjoining good” is observed. Islam does place a high value on popular vote and on the people's ability to choose. But humans are not completely free, and

³⁵ Pirouzmand, *Tabavol-e Howzeh-e 'Elmiyeh va Rouhaniyat dar Gozashteh va Hal* (Transformation of the *Howzeh* in the Past and Present), p. 422. These percentages are compiled by Pirouzmand himself, who has studied 6,000 published by the Iranian clergy, including books, articles, dissertations, online materials, and other similar publications.

³⁶ Ahmad Jahan-Bozorgi, *Osul-e Siyasat va Hokumat* (Principles of Politics and Government) (Tehran: Pazhoheshgah-e Farhang va Andisheh-e Eslami, 1378/1999), pp. 14–16.

³⁷ *Ibid.*, p. 17.

their free will has certain limits. Free will needs to be formulated within a certain framework, one that does not contradict Islam and its precepts. This balance between representing the people's will and observing Islam is what Ayatollah Khomeini and other constitutional crafters had in mind when they proposed the idea of a "republic" that was also "Islamic."³⁸

Divisions within the Clergy

Perhaps the biggest drawback to the clergy's capture of the state has been the emergence of multiple new fractures within the clerical establishment and the amplification of preexisting ones. As an institution, the clerical establishment has always had a strong corporate identity.³⁹ But the attainment of political power has been especially detrimental in undermining the clergy's internal cohesion as a social class.⁴⁰ From the outside, the clergy might seem monolithic as a group. But internally it has little uniformity and is marked by differences in its ideological and political preferences and its position on various jurisprudential positions.⁴¹ Different interpretations of jurisprudence and the *shari'ah* are nothing new. But in Iran the revolution considerably raised the stakes for the clergy and sharpened potential dividing lines within them. Besides differences in interpretation, many of the disagreements revolve around the very essence of the Shia religion as a faith, as a means for social organization, and as a blueprint for governing and for political rule.

The earliest divisions, in fact, emerged around Ayatollah Khomeini's leadership of the postrevolutionary polity under the auspices of his own interpretation of the notion of *velayat-e faqih*. As Khomeini was consolidating his rule, many of the prominent ulama who disagreed with his jurisprudential interpretations were either formally or informally placed under house arrest. Some of the most renowned of these "dissident" high-ranking clerics included Ayatollahs Kazem

³⁸ Jaber Amiri, *Mabani-e Andisheh-haye Eslami* (Foundations of Islamic Thought) (Qom: Mo'aseseh-e Farhangi ve Entesharati-e Gorgan, 1380/2001), p. 89.

³⁹ Alireza Pirouzmand, "Enqelabigari, Hoviyatsaz-e Howzeh va Rouhaniyat" (Revolutionism, Identity-Maker for the Howzeh and the Clergy), *'Olum-e Siyasi*, Vol. 20, No. 80 (1396/2017), p. 12.

⁴⁰ Forati, *Rouhaniyat va Siyasat* (The Clergy and Politics), p. 35.

⁴¹ *Ibid.*, p. 24.

Shariatmadari (1982), Hassan Tabatabaei Qomi (1984), Mohammad Sadeq Rouhani (1985), and, eventually, his disciple and former student Hosseinali Montazeri (1989).⁴² To this day, a number of prominent clerics – such as Grand Ayatollahs Vahid Khorasani, Shobairi Zanjani, and Makarem Shirazi, and those based in Iraq such as Ali Sistani and Muhammad Fayaz – all abstain from involvement in politics and have preferred to continue performing the historic roles and responsibilities of the clergy.⁴³

The prominent clerics' involvement in or abstention from politics finds parallels across the rest of the clerical hierarchy. Throughout the clerical establishment, a relatively small minority are directly involved at the various levels of the state and are present in its manifold institutions. As mentioned earlier, they are estimated to number around 5,000. These clergymen are directly employed by the state and benefit from its largesse. A second group of clerics, considerably larger in size compared to the first group, are not directly involved in the state or its institutions but nonetheless greatly benefit from its economic and political policies by default. Many enjoy the services, financial and otherwise, provided by the plethora of institutions that the state has created specifically for the clergy's benefit.⁴⁴ The city of Qom alone, for example, is estimated to have close to 2,000 state-supported religious institutions. The state does not reveal the annual budgetary allocations for many of these institutions. The budgets of a few institutions are, however, released. For example, the budget for the Services Center for the Qom Seminary, established in 1991 on Khamenei's orders to support seminarians and their families, rose by 100 percent in 2022–2023 compared to the year before. The Center's 2022–2023 budget of 2,157,000,000,000 tomans by far exceeds the budget of many of the other agencies of the state, including, for example, the Environmental Protection Organization.⁴⁵

⁴² Mirjam Künkler, "The Special Court for the Clergy (*Dadgah-e Vizbeh-ye Ruhaniyat*) and the Repression of Dissident Clergy in Iran," in *The Rule of Law, Islam, and Constitutional Politics in Egypt and Iran*, Saïd Amir Arjomand and Nathan Brown, eds. (Albany, NY: SUNY Press, 2013), p. 59.

⁴³ Forati, *Rouhaniyat va Siyasat* (The Clergy and Politics), p. 24.

⁴⁴ Soleimanieh, *Pol ta Jazireh* (Bridge to Island), p. 34.

⁴⁵ "Taghyir-e Budjeh-e Nahad-haye Mazhabu dar Budjeh-e 1401" (Changes in the Budgets of Religious Institutions in the 1401 Budget), Tabnak News (23 Azar 1400/December 14, 2021), <https://bit.ly/3vvsyHk>. This page lists at least twenty-

A third, small minority of the clergy, discussed more fully in Chapters 6 and 7, are opposed to the state on ideological grounds. In the 1990s and the early 2000s, members of this small minority found the space and the opportunity to express themselves through the vibrant press at the time, though since then in one way or another most have been silenced. The clergy who are somehow tied to the state, directly or indirectly, almost all of whom are ideologically rightists, have control over or ready access to various sources of power and to political, cultural, economic, judicial, and military institutions. These clerics enjoy special protection and privileges. On the other side, those who are known for their reformist tendencies or are oppositional face multiple restrictions, are often harassed, and their freedom of movement and expression is severely curtailed.⁴⁶

The grand revolutionary coalition that Ayatollah Khomeini came to lead in 1978–1979 found itself with multiple ideological fractures soon after the revolution succeeded. Throughout the 1980s and the 1990s, within the ruling circle, two clusters of thinkers and activists began to form. One cluster was made up mostly of left-leaning religious intellectuals with professional backgrounds, such as engineers, physicians, and university students. The most notable representative of this group was former prime minister Mirhossein Mousavi, in office from 1981 to 1989. At the opposite end stood groups generally classified as the “traditional right” and comprised of the Qom Theological Teachers’ Association, the Society of Militant Clerics, an overwhelming majority of Friday prayer Imams, and other state-affiliated clerics.⁴⁷ The right was ardently opposed to land reform and to changes in labor law, and, despite occasional pronouncements by Khomeini that reforms in these two areas were necessary, members of the Society of Militant Clerics and other rightist clerics would either drag their feet or even voice opposition to what had become a pro-business status quo.⁴⁸ For its part, the left underwent a steady ideological transformation of sorts. In the 1980s, the left advocated statist economics and emphasized the

four religious institutions, the annual budget of which grew substantially compared to the previous year.

⁴⁶ Hasan Yousefi Eshkevari, *Yad-e Ayam* (Memory of the Times) (Tehran: Gam-e No, 1379/2000), p. 37.

⁴⁷ Mohtashamipour, *Chand-Sedai dar Jame'h va Rouhaniyat* (Multiplicity of Voices in Society and Among the Clergy), pp. 28–29.

⁴⁸ *Ibid.*, pp. 31–33.

importance of the cooperative sector of the economy, positions which by the 1990s it had largely abandoned in favor of greater political liberties. The “modern left” became a strong advocate of civil society, popular participation, and dialogue.⁴⁹

The main issues that divided the clergy from one another in the early 1980s included the role of the state in the economy, issues related to land reform and the labor law, foreign trade, and efforts to dismantle monopolies.⁵⁰ Equally divisive was the issue of taxation, with the right claiming there is no such thing as tax and that funds collected through *khums* (one-fifth, denoting the amount of tax to be paid to the ruler from one’s profits) and *zakat* (mandatory alms in Islam) should sufficiently provide for the state’s financial needs.⁵¹ These political and ideological differences finally came to the surface in 1987, when a group of clerics broke away from the rightist Society of Militant Clerics (*Jame’h Rouhaniyat-e Mobarez*) and formed a more leftist organization called the Association of Combatant Clerics (*Majma’-e Rouhaniyoun-e Mobarez*). The Society of Militant Clerics was established in 1977, and after the revolution clerics affiliated with it gained considerable influence in several key institutions of the state, notably in the Islamic Republic Party, the Assembly of Experts, the Guardian Council, the Supreme Council of Cultural Revolution, and among the Friday prayer Imams.⁵² Its members were instrumental in the impeachment of President Banisadr and the onslaught on the Mujahedeen-e Khalq Organization in 1981, and they hegemonized the postrevolutionary discourse for a number of years. In the meanwhile, another discourse, this one belonging to the Society of Militant Clerics, emerged and steadily became a serious competition to the earlier clerical discourse. The internal unity of the clergy gradually deteriorated. By 1987, two main clerical groups had emerged, one the older, existing Society of Militant Clerics, and the other the

⁴⁹ Mehdi Haqbin, *Melli Mazhabi-ha* (The Religious Nationalists) (Tehran: Markaz-e Asnad-e Enqelab-e Eslami, 1396/2017), pp. 40–41.

⁵⁰ Saideh Amini, *Tabavvol-e Gofteman-e Majma’-e Rouhaniyoun-e Mobarez dar Jame’h-e Pasaenqelabi-e Iran* (Transformation of the Discourse of the Society of Militant Clerics in Iran’s Postrevolutionary Society) (Tehran: Kavir, 1397/2018), p. 152.

⁵¹ *Ibid.*, p. 153.

⁵² Mohtashamipour, *Chand-Sedai dar Jame’h va Rouhaniyat* (Multiplicity of Voices in Society and Among the Clergy), p. 27.

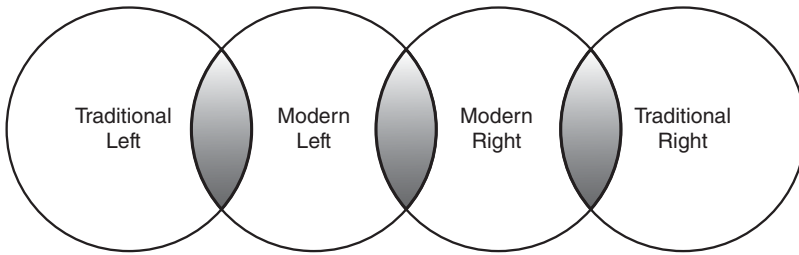


Figure 2.1 The clergy's ideological spectrum in the Islamic Republic

comparatively leftist Association of Combatant Clerics.⁵³ The two groups formally split from one another in 1988, near the end of Moussavi's term as prime minister.⁵⁴

History will record the 1990s as a time of profound ideological transformation and jurisprudential innovation in Iran. Religious discourses of different shades evolved in reaction to inter-elite politics. These discourses were, and continue to be, outcomes of the ways elites act, interact, and compete.⁵⁵ Ideologically, the traditional groups on the left and right gave rise to modern varieties of their former selves, resulting in overlapping ideological tendencies that can be best described as traditional and modern left and traditional and modern right (Figure 2.1). The traditional right, made up almost entirely of arch-conservative clerics, never loosened its grip on the key institutions of the state. Besides the overwhelmingly important institution of the *velayat-e faqih*, the "absolute" iteration of which had by now been well entrenched, the traditional right controlled the highly influential Guardian Council, which had interpreted its constitutional responsibility of "supervising elections" (Article 99) to mean determining the qualification of candidates for elected office. Underestimating the popularity of the modern left, in 1997 the Guardian Council allowed the cleric Mohammad Khatami to run. Khatami's presidency was initially wildly popular, having come about and then sustained through what came to be known as "the reform movement." The right

⁵³ Amini, *Tahavvol-e Gofteman-e Majma'-e Rouhaniyou-e Mobarez dar Jame'eh-e Pasaenqelabi-e Iran* (Transformation of the Discourse of the Society of Militant Clerics in Iran's Postrevolutionary Society), pp. 12–13.

⁵⁴ *Ibid.*, p. 15.

⁵⁵ Mohammad Ayatollahi Tabaar, *Religious Statecraft: The Politics of Islam in Iran* (New York: Columbia University Press, 2018), p. 11.

backpedaled for the next eight years, doing what it could to stop or undermine Khatami's reforms.

From the earliest days, the religious right saw itself as the rightful protector of "Muhammad's Islam" and accused the left of being a proponent of what it derogatorily called "American Islam."⁵⁶ According to the reformist cleric Yousefi Eshkevari, prior to Khatami's election culture was the intellectuals' only refuge.⁵⁷ As it turned out, Khatami could not provide much political cover for the throngs of like-minded intellectuals and "new thinkers" anyway. The right's wrath was unrelenting. Supposedly "rogue elements" within the Intelligence Ministry engaged in "chain killings" of notable reformists. Newspapers were shut in droves and their publishers fined, sometimes imprisoned. Having learned its lesson, in future elections the Guardian Council resorted to mass disqualification of aspiring candidates. By the early 2000s, the Islamic Republic was facing "a serious ideological crisis."⁵⁸ This crisis culminated in the eruption of the Green Movement, resolved only by brute force and reinvigorated authoritarianism after 2009.⁵⁹

Today, as of this writing in 2023, the traditional right stands victorious. It is at most willing to share power with the modern right. But, as shown by the disqualification of long-time Majles speaker Ali Larijani in the presidential election of 2021, even that is not always guaranteed.

Reflecting on the clerical establishment's journey from the prerevolutionary to the postrevolutionary periods, it is worth asking whether it was the clergy who captured the state, or if it was the state that captured the clergy. The 1979 revolution marked a historically unprecedented turning point for Iran's Shia clergy. Whereas previously they were at best advisors to power, as in during the Safavids and the Qajars, now, for the first time in Iranian history, they actually hold power. This hold on power was facilitated through a tripartite

⁵⁶ Mohtashamipour, *Chand-Sedai dar Jame'h va Rouhaniyat* (Multiplicity of Voices in Society and Among the Clergy), p. 34.

⁵⁷ Mohammad Qoochani, *Dowlat-e Dini va Din-e Dowlati* (Religious Government and Government Religion) (Tehran: Saraee, 1379/2000), p. 9.

⁵⁸ Emadeddin Baqi, *Gofteman-haye Dini-e Mo'aser* (Contemporary Religious Discourses) (Tehran: Saraee, 1381/2002), p. 257.

⁵⁹ I examine the reformist interlude and retrenched authoritarianism of postreform movement in *Triumph and Despair*, Chapters 4 and 5.

arrangement made up of the *velayat-e faqih*, the Qom-based *howzeh*, and the Islamic government.⁶⁰ With the revolution, the clergy was transformed from having once been a civil society organization – perhaps civil society’s most effective and at times its only element – into a primary pillar of the political establishment, and by far its most powerful component. Those clerics who wished to remain outside the orbit of the state and preferred the domain of civil society often run afoul of the political establishment.⁶¹ Hasan Yousefi Eshkevari, one of the most vocal of the reformist clergy during the reform movement, complains that “in our religious system today, the clergy who are not part of the system or whose views differ from the official orthodoxy are subject to especially harsh treatment and are singled out for special punishment.”⁶²

As we shall see more fully in the next two sections, bureaucratization was one of the first strategies employed by the emerging state to control the clerical establishment and seminary schools. More ominously, the city of Qom is highly securitized, crawling with plainclothes officers from the country’s many intelligence agencies. In fact, the Islamic Republic’s efforts at controlling the clerical establishment have been far more expansive and pervasive than that ever attempted by the Pahlavi state.⁶³ In addition to controlling the religious establishment in Iran, the Iranian state has also shown indications of wanting to control Iraq’s theological centers as well. So far, Grand Ayatollah Sistani (b. 1930) has been able to safeguard the political autonomy of Najaf-based seminaries, having fostered the most tolerant era in the

⁶⁰ Soleimanieh, *Pol ta Jazireh* (Bridge to Island), pp. 13–14.

⁶¹ An example occurred in 2018, when the archconservative Ayatollah Mohammad Yazdi (1931–2020) attacked Grand Ayatollah Mousa Shubairi Zanjani (b. 1928). Shubairi Zanjani has always retained his political independence, has abstained from supporting any clerical candidates for public office, and has remained politically outside of the system. Yazdi, who had served as judiciary chief and as head of the Assembly of Experts, criticized Shubairi Zanjani for his apparent lack of commitment to the Islamic Republic. Yazdi subsequently faced a huge backlash and had to backtrack. For more on this, see Hanif Mazroie, “Be Bahane-ye Nameh-i be Yek Marja’ Taqlid” (An Excuse to Send a Letter to a Source of Emulation), *BBC Farsi* (November 1, 2018), www.bbc.com/persian/iran-46064456.

⁶² Yousefi Eshkevari, *Yad-e Ayam* (Memory of the Times), p. 39.

⁶³ Golkar, “Clerical Militia and Securitization of Seminary Schools in Iran,” p. 217.

city's storied intellectual history to date.⁶⁴ Whether his successors can continue his tradition of independence from the state and tolerance remains to be seen.

The Institutional Context

The clergy's capture of the state occurred through several institutional means, by far the most important of which was the establishment of the position of *velayat-e faqih*. The jurisprudential arguments and innovations behind the *velayat-e faqih* require separate treatments of their own, found later, in Chapter 4. Here I will discuss the capture of the state through several other, additional institutional means, not the least of which included the constitution, the legislature, the judiciary, and the Guardian Council. Along with the presidency, these institutions constitute the key state bodies through which overall policy directions are set, state priorities are articulated and executed, the nature of state–society relations are decided on and put in place, and the broader profile of the state is formed and continually regenerated. Although a majority of the Islamic Republic's presidents so far have been clerics, three of these clerical presidents – Rafsanjani, Khatami, and Rouhani – found many of their policies obstructed while they were in office by other state clerics. All three, in fact, were steadily marginalized as their tenures in office wore on, and they were largely treated as opposition figures by the deep state once they left office.⁶⁵

Although the first couple of drafts of the postrevolutionary constitution were ostensibly secular, with no mention of the *velayat-e faqih* for example, the document that was eventually drafted through the deliberations of the Constitutional Assembly of Experts turned out to be thoroughly theocratic. According to one estimate, there were altogether five drafts of the constitution: an early draft prepared in Paris, a slightly modified version prepared in Tehran, a draft prepared by the provisional government, another one prepared by the Revolutionary Council, and the final draft as debated and drawn up

⁶⁴ Abbas Kadhim and Barbara Slavin, "After Sistani and Khamenei: Looming Successions Will Shape the Middle East," *Atlantic Council* (July 2019), p. 4.

⁶⁵ For a fuller treatment of this topic, see Mehran Kamrava, *Righteous Resilience: Power and Politics in Iran* (Cambridge: Cambridge University Press, 2023), chapters 4 and 5.

by the Constitutional Assembly of Experts.⁶⁶ The Constitutional Assembly of Experts was dominated by the clergy, a large majority of whom considered themselves to be dedicated to the person and the ideas of Ayatollah Khomeini. Perhaps the constitution's crafters genuinely believed that "the Imam" could not possibly have autocratic tendencies. Or maybe they assumed that the country's salvation lay in the institution of the *velayat-e faqih*. More likely, both assumptions guided their deliberations and final decisions. Whatever the motivation, the new republic's constitution ended up designing a political system, the highest office of which looked very much like a monarchy but with a far more expansive scope of authority and more extensive powers. More importantly, the new monarch had express divine sanction, deriving his authority from none other than the Prophetic tradition and the twelve Shia imams. Simply put, the constitution outlined a political system that was theocratic through and through.

Within the document, the largest number of articles are devoted to the religious nature of the system, nineteen articles altogether, followed by articles about security (sixteen), religious democracy (twelve), human dignity (eight), justice (seven), freedom (seven), welfare (seven), international relations (six), labor and capital (four), unity (four), Islamic-Iranian identity (four), and science (two).⁶⁷ As part of the constitution's "general principles," the new system is said to be based on faith in "divine revelation and its foundational role in legislation," "resurrection and its constructive role in human evolution toward God," and "God's justice in creation and legislation." These are stipulated in Article 2, which also points to "continuous leadership and imamate as essential to the longevity of the Islamic revolution." The article also highlights the importance of "*ijtihad* by qualified *faqih*s based on the Book and the *hadith*" as key to ensuring "human dignity, worth, and freedom combined with responsibility toward God."

More concretely, Article 4 of the constitution mandates that "all rules and regulations concerning civil, criminal, economic, administrative, cultural, military, political, and other matters must be based on the principles of Islam." This article has resulted in the intimate tying

⁶⁶ Meysam Belbasi, *Hoviyat-e Melli dar Asnad-e Faradasti-e Jomhuri-e Eslami-e Iran* (National Identity in High-Level Documents of the Islamic Republic of Iran) (Qom: Pazhoeshgah-e 'Olum va Farhang-e Eslami, 1397/2018), p. 134.

⁶⁷ *Ibid.*, p. 149.

up of the Shia jurists in complex political matters across the machinery of the state. It has also prompted many clerics, even those who are not directly tied to the state, to think carefully about the state and its multiple needs.⁶⁸ In many respects, the constitution, and the broader political system as a whole, have made it all but impossible for Iran's contemporary clergy not to be somehow included within the orbit of the state. More broadly, they have made the country's clerical class thoroughly politicized.

Within itself, the constitution includes mechanisms for important political changes to be made to the system. Article 59 allows for a referendum, and Article 177 outlines processes for revisions to the constitution. In reality, however, holding a referendum is extremely difficult as it is subject to the approval of all twelve clerical and lay members of the Guardian Council.⁶⁹ More importantly, Article 177 is explicit in those defining features of the constitution and the political system that cannot be changed:

[T]he contents of those articles related to the Islamic nature of the system, the rules and regulations that are based on Islam, the foundational beliefs and goals of the Islamic Republic, the republican nature of the system, the guardianship of affairs (*velayat-e amr*), the people's imamate, the basis of the system on Islam, and the official religion of the country, all are immutable and cannot be changed.

Starting in the earliest days of the new system, as the tenor of the constitution indicated, the steady Islamization of Iranian society continued apace. Soon after the revolution, Khomeini decreed the establishment of Revolutionary Courts, to be presided over by a clerical, *shari'ah* judge (*hakem-e shar'*). The initial assumption was that these courts would be temporary and would deal with the various ethnic or ideological groups that sought to use the chaos of the revolution to their own advantage. But in 1983 the Majles recognized them as a permanent feature of the judiciary, and a subsequent law in 1994 put them on par with regular courts.⁷⁰ The Revolutionary Courts have

⁶⁸ Ebrahim Shafi'i Sarvestani, *Feqh va Qanun-gozari (Fiqh and Law-Making)* (Qom: Teh, 1381/2002), p. 13.

⁶⁹ Mohsen Esmaili, "Hamehporsi va Shoura-ye Negahban" (Referendum and the Guardian Council), *Howzeh va Daneshgab*, Vol. 9, (1382/2003), p. 26.

⁷⁰ Arjomand, "Shi'ite Jurists and the Iranian Law and Constitutional Order in the Twentieth Century," p. 33.

jurisdiction over political offenses and cases dealing with national security, thus playing critically important roles in the system.

For the Islamic Republic, the important task of Islamizing the judiciary has been somewhat fraught. More specifically, the experience of turning Shia *fiqh* into legal jurisprudence has not been easy. The resulting impasse has often left many issues unresolved, or it has resulted in laws that are largely inapplicable to existing times and circumstances. In many instances, the judiciary also lacks the necessary professional skills to pass judgments that do not require quick and extensive revisions.⁷¹ The judicial process itself remains subject to ongoing adjustments and tweaking. The need to have a judicial appeals process, for example, was first discussed in August 1979. Initially, however, appeals were made virtually impossible. After much internal discussion and debates on legal and procedural matters, the final regulations for an Appeals Court were passed in August 1985. The actual appeals process had been decided on in 1982. But the law was revised in August 1983, and the appeals process was reintroduced.⁷² Finally, in effect, the appeals process is by no means speedy and can take up to a decade.⁷³

The judiciary underwent significant institutional changes when the constitution was revised in 1989. Originally, the highest judicial body in the land was a Supreme Judicial Council comprised of the head of the Supreme Court, the Chief Prosecutor, and three prominent *mujtahids* who would be elected by the country's judges. In 1989, the Supreme Judicial Council was replaced by a single head of the judiciary, to be appointed for a five-year term by the *velayat-e faqih* from among the country's prominent *mujtahids* (Article 157). Since then, Khamenei's practice has been to reappoint the incumbent judiciary head to one additional five-year term. One of the responsibilities of the judiciary head is to recommend a list of candidates for the minister of justice to the president (Article 158), further ensuring the Islamization of the country's judicial process.

The Islamization of the legislative functions of the state has been somewhat problematic. The state has had an especially difficult time introducing and ratifying legislation that addresses contemporary needs but is also compatible with Islam. This became starkly evident

⁷¹ Shafi'i Sarvestani, *Feqh va Qanun-gozari (Fiqh and Law-Making)*, p. 261.

⁷² *Ibid.*, p. 191. ⁷³ *Ibid.*, pp. 175–209.

in the case of labor law, as well as laws on usury and criminal conduct. The labor law, to highlight one example, was introduced in 1979 but only ratified in 2000. The law on whether or not banks can charge interest on loans was first discussed in 1980 but passed only in 1990.⁷⁴ The law on criminal punishment was also first introduced in 1980, finally ratified by the Majles in 1991, and finalized by the Expediency Council the same year.⁷⁵ In each case, the process is similar. The issue is first discussed and debated in the Majles. Often, in order to advance their own positions on a particular issue, the relevant cabinet ministers or MPs are likely to seek an initial endorsement from a living *marja'*. If they are lucky, they may get advance endorsement from Khamenei. The bill's passage in the Majles can still take a few years. After it clears the Majles, the bill is referred to the Guardian Council, which may either reject it altogether or raise concerns about specific aspects of it. After referring the matter to the Expediency Council, which can add its own modifications, the bill can become law. The whole process can take a decade or more.

One of the key institutions designed to ensure the continued Islamization of the state and the political process is the Guardian Council. The Council is made up of six prominent clerics appointed by the *velayat-e faqih* and six legal experts nominated by the head of the judiciary and approved by the Majles. One of the key functions of the Guardian Council is to safeguard the compatibility of Majles bills with Islam. Within the Council, only the six clerical members can make such a determination, resulting "in the increasing subservience of the lay lawyers" in the council and making "the clerical jurists of the council its only consequential members."⁷⁶

Another important function of the Guardian Council is interpreting the constitution. In the 1980s, in fact, because of its activist interventionism in the legislative process, the Council played an important role in constitutional jurisprudence, especially during the tenure of its traditionalist secretary, Ayatollah Lotfollah Safi, from 1980 to 1988. It also began playing a gatekeeper function of determining candidate eligibility in standing for elections. This approbationary (*estesvabi*) function grew significantly under the leadership of the

⁷⁴ Ibid., p. 120. ⁷⁵ Ibid., p. 135.

⁷⁶ Arjomand, "Shi'ite Jurists and the Iranian Law and Constitutional Order in the Twentieth Century," p. 35.

archconservative Ayatollah Ahmad Janati (b. 1927), who had been the Council's secretary in 1992.⁷⁷

The views and opinions of the Guardian Council may be divided into three broad categories: those views expressed in relation to bills passed by the Majles, opinions expressed in regard to other laws that may contradict Islam, and interpretations of some of the articles of the constitution. When the Guardian Council examines laws other than those being proposed by the Majles, they might be government regulations, existing laws being examined for their compatibility with or contravention of Islam, or legal opinions in response to questions from those with administrative responsibility.⁷⁸ So far, these opinions have not been compiled into a legal, jurisprudential corpus. Despite its considerable significance, in fact, unlike the discussions of the Majles that are all recorded, the deliberations of the Guardian Council are neither recorded nor made available to the public.⁷⁹ The result has been an absence of written precedent or accumulated jurisprudential contributions by the Guardian Council. As the scholar Saïd Arjomand observes, "[O]wing to the absence of a written jurisprudence remotely comparable to the jurisprudence of the Egyptian and other constitutional courts (or the Supreme Court in India, Israel, and the United States), it can be stated categorically that the Guardian Council has made no contribution to institution building in the Islamic Republic of Iran."⁸⁰

In addition to its array of institutions meant to foster clerical inclusion in and control over the state, the Islamic Republic has also devised an institutional mechanism for ensuing compliance by and punishment for the noncompliant clergy. Shortly after the revolution, in order to deal with those clerics who had collaborated with the monarchy, Khomeini decreed the establishment of what he called the Special Court for the Clergy. A few years later, in 1987, he decreed the court's revival, and in 1999 the Majles formalized the Court's establishment and gave its ruling binding, legal status. Separate and unrelated to the

⁷⁷ Ibid., p. 39.

⁷⁸ Mohsen Kadivar, *Daghdagheb-haye Hokumat-e Dini* (Concerns of Religious Government) (Tehran: Nashr-e Ney, 1376/1997), p. 53.

⁷⁹ Ibid., p. 56.

⁸⁰ Arjomand, "Shi'ite Jurists and the Iranian Law and Constitutional Order in the Twentieth Century," p. 39.

regular judiciary, the Special Court is meant only to deal with legal infractions involving the clergy. These legal infractions may fall into any one of four categories: all forms of crimes committed by a clergyman, instances of moral turpitude, any activity that disrupts public security, and any special investigation referred to the court by the *velayat-e faqih*.⁸¹ There is an internal appeals process, and a decision may be appealed once, but the final decision of the court cannot be appealed to any other body. Defendants are not allowed to have an attorney present during the court's proceedings.

The Special Court was very active during the reform era, doing its best to silence reformist clerics and to debunk their ideas. The clerics summoned before the court were often charged with broad and vague crimes – the reformist cleric Mohsen Kadivar, for example, was accused of “spreading propaganda against the Islamic Republic” and “publishing falsehoods” – revealing that accusations are often actually motivated by factional and ideological considerations.⁸² Not surprisingly, in his memoirs, Ayatollah Montazeri condemned the Special Court as being in contravention of the constitution and maintained that its judgments violate the *shari‘ah*.⁸³

The court's judgments have ranged from prison sentences to flogging (especially for moral crimes), sending one to exile, and temporary or permanent defrocking. At the very least, the threat of being summoned before the court, or the actual legal hassles of being summoned, serve as deterrents to jurisprudential innovation, much less nonconformity. Reformist clergy accuse the Special Court for the Clergy, rightly, of trying to keep the gates of *ijtihad* shut through fear and intimidation. Through its actions, the court has shown an intolerance for research, science, and the expert opinion of *mujtahids* and jurists. This, reformist clerics maintain, has dire consequences for the hundreds of clergy and *mujtahids* whose views fall outside of the official orthodoxy.⁸⁴ Shia history is replete with debates and disagreements among famous *mujtahids*. But now that intellectual vibrancy has been brought to a halt by the Special Court for the Clergy, which has given itself the right

⁸¹ “Dadgah-e Vizheh-e Rouhaniyat” (Special Court for the Clergy), Vakil-e Top (2 Mordad 1401/July 24, 2022), <https://bit.ly/3BK4Hrg>.

⁸² Yousefi Eshkevari, *Yad-e Ayam* (Memory of the Times), p. 61.

⁸³ Montazeri, *Khaterat* (Memoirs), pp. 409–410.

⁸⁴ Yousefi Eshkevari, *Yad-e Ayam* (Memory of the Times), p. 60.

to determine the scope and parameters of the kinds of *ijtihad* that are officially tolerated and accepted.⁸⁵

The Qom Theological Seminary

Besides the formal institutions of the state, another important source of power in the Islamic Republic is the seminary establishment in the city of Qom, formally called the *Howzeh-e Elmiyeh-e Qom*, or *howzeh* for short. *Howzeh* can refer to the formal educational establishment for the specialized training of the clergy – what is generally referred to as “seminary” – and is often also used in a more generic sense to refer to the clerical establishment, especially that large portion of it which is based in the city of Qom. In Iran, except for those located in the cities of Mashhad and Esfahan, which operate independently, all seminaries in other cities are under the supervision of the Qom *howzeh*.⁸⁶ A *Howzeh ‘Elmiyeh* is usually comprised of several schools or seminaries and a few prominent scholars. According to one report, in 2020 there were more than 100,000 seminary students in Iran, with a large majority of them located in the city of Qom.⁸⁷ The Qom *howzeh* is by far the country’s most prominent center of Shia learning and scholarships.

Seminarians see their institution more as a religious-cultural entity that occasionally feeds the state with advice and suggestions. Qom-based cleric and scholar Alireza Pirouzmand divides the *howzeh*’s activities and significance into a number of overlapping areas. The biggest area of focus for the *howzeh* is the larger society, whereby the *howzeh* ensures and facilitates the Islamic character of Iranian society by preserving Islam and Islamic values. Another area of significance for the *howzeh*, according to Pirouzmand, is inside the institutions of the state, where the *howzeh* works to preserve the Islamic character of key state institutions, including especially the civil service. “It is incumbent upon the *howzeh* to be present

⁸⁵ Ibid., pp. 60–61.

⁸⁶ Saeed Halalian, *Negah-i beh Howzeh (A Look at the Howzeh)* (Qom: Ketab-e Farda, 1393/2014), p. 375.

⁸⁷ “Akharin Amar Darbareh-e Te‘dad-e Tollab dar Howzeh-e ‘Elmiyeh” (Latest Statistics Concerning Seminary Students in Howzeh ‘Elmiyeh), Din Online (February 28, 2020), <https://bit.ly/3SmMjun>.

and active in the fields of cultural, economic, and political engineering of society,” Pirouzmand writes.

This requires that those who are active in cultural affairs, and those who are at the helm of the *howzeh* and who are committed clergymen, to be present in policymaking circles at the highest levels of the state so that they can influence and direct national policy. Today, the clergy is present at all levels and fields of decision-making, and this is a result of the fact that the *howzeh* has provided them with professional, specialized training.⁸⁸

Lastly, the *howzeh* works at the level of the individual person, nurturing Islamic beliefs within the believer.⁸⁹ Another *howzeh* insider, the cleric Saeed Halalian, maintains that the *howzeh* has a multidimensional identity that goes beyond educating seminary students and promoting religion. The *howzeh* is a center for analysis, understanding, propagation, strategizing, and at times even for engaging in administrative and executive work. The goal of establishing a *howzeh*, or any other type of a clerical establishment, is for the clergy to promote religion in society in an organized, coordinated manner.⁹⁰

History of the Howzeh

Largely informal with mostly indirect connections to the various institutions of the state, the *howzeh* is an important component of the Islamic Republic’s rule in several respects. With its concentration of religious scholars engaged in teaching and research on Islamic sciences, the *howzeh* serves as the intellectual and ideological nerve center of the state. According to the state’s official narrative, the “Islamic revolution” originated at the *howzeh*, from where Khomeini launched his revolutionary activities against the Shah. But the *howzeh*’s significance is more than just symbolic. The institution is also an important source of recruitment of future cadres of state functionaries. Equally important is the *howzeh*’s function as a center for the articulation and reproduction of ideological and jurisprudential orthodoxy. Today, within the *howzeh*, the Qom Theological Teachers Association (*Jame‘h-e Modarresin-e Qom*) has emerged as an archconservative

⁸⁸ Pirouzmand, *Tahavol-e Howzeh-e ‘Elmiyeh va Rouhaniyat dar Gozashteh va Hal* (Transformation of the *Howzeh* in the Past and Present), p. 97.

⁸⁹ *Ibid.*, pp. 21–22, 24.

⁹⁰ Halalian, *Negah-i beh Howzeh* (A Look at the *Howzeh*), p. 60.

body that regularly issues strongly worded proclamations and statements against advocates of reforms and other “deviations from the straight path.”⁹¹

Qom’s rise to Shia prominence dates back to the first century of Islam, when political pressures prompted many Shia scholars to relocate from Kufa to Qom, which at the time was “like an island because of its Sunni surrounding.”⁹² The city’s religious significance steadily increased during the reign of the Safavids, who made Shi’ism Iran’s state religion, and then the Qajars, who continued to rely heavily on the Shia clergy for their political legitimacy. In 1922, just as a new dynasty was being established in Iran, Grand Ayatollah Abdolkarim Haeri established the *Howzeh Elmiyeh* there. Significantly, the *howzeh* was one of two institutions of higher learning that started operating during Reza Shah’s reign. The University of Tehran was established in 1934, meant to serve as the country’s epicenter of modern science and modernity. Since then, there has been a palpable gap in the cultural and intellectual orientations of the university and the *howzeh*, despite the fact that for more than four decades now the Islamic Republic has sought to reverse the trend.

With Haeri’s death in 1937, the *howzeh* experienced a steady decline until 1945, when another Grand Ayatollah, Hossein Boroujerdi, moved to Qom and once again revitalized the institution. The *howzeh*’s size and stature grew considerably under Boroujerdi’s leadership. The fact that Boroujerdi assiduously avoided politicizing the *howzeh* and was therefore largely left alone by the state was no doubt consequential in its growth. Ayatollah Montazeri estimated that the number of seminary students went from 800 in 1941, the year Montazeri went to Qom as a young man, to about 3,000 in 1961, when Boroujerdi died.⁹³

Up until Boroujerdi’s death, religious activist thought had a cultural tone to it. Only afterward did it become political.⁹⁴ Equally

⁹¹ Mohtashamipour, *Chand-Sedai dar Jame’h va Rouhaniyat* (Multiplicity of Voices in Society and Among the Clergy), p. 54.

⁹² Mohammad Saeed Bahmanpour, “The Howzah Ilmiyyah of Qom and the Production of Religious Knowledge in the Contemporary Era,” *Journal of Shi’a Studies*, Vol. 1, No. 3 (Summer 2008), p. 87.

⁹³ Montazeri, *Khaterat* (Memoirs), p. 45.

⁹⁴ Baqi, *Gofteman-haye Dini-e Mo’aser* (Contemporary Religious Discourses), p. 248.

importantly, throughout Boroujerdi's life and even afterward, the city of Qom and the *howzeh* were steeped in traditionalism, both culturally and intellectually. Qom and the *howzeh* became havens for those repulsed by the pseudo-modernism of the Pahlavi monarchy and its ostentatious, Western-oriented materialism. The two polar opposites of Pahlavi pseudo-modernism and Qom-centered traditionalist conservatism fed off of each other. The Fadaiyan-e Islam did not emerge in a cultural vacuum. They represented extremist versions of what many, especially in Qom, felt.

Within such an environment, jurisprudential or other intellectual innovations did not find hospitable arenas for growth. Beginning in the 1940s, for example, a group of clerics emerged who, while devout believers, adopted critical views toward traditionalist Shia beliefs and sought to reform them. One such cleric was Sheikh Mohammad Khalesizadeh (1888–1963), who maintained that Iranian society was divided into a pole of “proponents of modernity” on the one side and “pretenders of religiosity” on the other, neither of which had a real interest in Islam. In fact, they both hamper the prospects for real reform and rethinking of the central tenets of Islam and Shi'ism.⁹⁵ Khalesizadeh found himself isolated within the *howzeh*, with Boroujerdi going so far as to prevent the publication of a book that Boroujerdi had initially encouraged him to write. Before long, the intellectual current that Khalesizadeh represented died out, and the *howzeh* resumed its traditional intellectual culture of jurisprudential conservatism.

One of the sharpest critics of this intellectual conservatism was none other than Khomeini, whose relations with Boroujerdi had often been tense while the old master was alive. Khomeini saw the *howzeh* as one of the main sources of social malaise in Iran.⁹⁶ Khomeini's criticism of the *howzeh* was both direct and indirect. Directly, he called for reforms in the curriculum, in teaching methods and pedagogy, in propagation efforts, and in making Islam relevant to prevailing social and political

⁹⁵ Ferehi, *Feqh va Siyasat dar Iran-e Mo'aser* (Jurisprudence and Politics in Contemporary Iran), pp. 57–59.

⁹⁶ Soleimanieh, *Pol ta Jazireh* (Bridge to Island), p. 101. For a detailed examination of Khomeini's critique of the *howzeh* and the larger clerical establishment, see Khakban, *Jame'h Shenasi-e Rouhaniyat-e Iran-e Mo'aser* (Sociology of Contemporary Iranian Clerics), pp. 250–315.

conditions.⁹⁷ Among other things, Khomeini also called for “the intellectual and moral reform of individuals within the *howzeh*.”⁹⁸ He also wanted the *howzeh* to become politically aware, provide guidance for deep and meaningful social change, and to build “a system based on divine teachings.”⁹⁹ Khomeini also believed that the *howzeh* had done very little to promote Islam through propagation and missionary work.¹⁰⁰

As far back as 1970, Khomeini maintained that “the *howzeh* needs to be reformed so that old and stale teaching, and methods of propagation can be brought up to date. Laziness, indolence, despair, and lack of trust and confidence, which are currently so pervasive in the *howzeh*, need to be replaced with seriousness, proactive effort, and self-confidence.”¹⁰¹ The *howzeh* shows the consequences of colonialism. There is only laziness in the *howzeh*, and only abstract issues and prayers are discussed at the *howzeh*. Besides these, nothing else happens at the *howzeh*.¹⁰² The institution, he claimed, needs a good cleansing. It must be purged of those who keep it from growing.¹⁰³

While he was still in Qom prior to his exile from Iran in 1964, Khomeini’s politicized lectures made him popular among young seminarians. By the same token, he was unpopular among older, more conservative clerics who preferred to continue operating below the state’s radar. Immediately before his exile from Qom to Najaf, Khomeini is estimated to have had as many as 1,200 seminary students. Although he did not articulate his ideas on the *velayat-e faqih* until later, he did call on seminary students to be politically aware and to proactively spread the message of Islam: “Now you have neither a country nor an army. But propagation of the cause is still one of your responsibilities. The enemy has not yet been able to take away your ability to propagate your cause.”¹⁰⁴ Many of these students, from his time both in Qom and in Najaf, went on to occupy prominent positions in the Islamic Republic.¹⁰⁵

⁹⁷ Khakban, *Jame’eh Shenasi-e Rouhaniyat-e Iran-e Mo’aser* (Sociology of Contemporary Iranian Clerics), p. 250.

⁹⁸ *Ibid.* ⁹⁹ *Ibid.*, p. 256. ¹⁰⁰ *Ibid.*, p. 293.

¹⁰¹ Ruhollah Khomeini, *Velayat-e Faqih: Hokumat-e Eslami (Velayat-e Faqih: Islamic Government)* (Tehran: Mo’aseseh-e Tanzim va Nashr-e Asar-e Emam Khomeini, 1379/2000), p. 137.

¹⁰² *Ibid.*, p. 143. ¹⁰³ *Ibid.*, pp. 146–147. ¹⁰⁴ *Ibid.*, p. 127.

¹⁰⁵ Eric Hooglund and William Royce, “The Shi’i clergy of Iran and the Conception of an Islamic State,” *State, Culture, and Society*, Vol. 1, No. 3 (Spring 1985), p. 103.

The Howzeh and the Revolution

In the years immediately before the revolution, the *howzeh* found itself in great intellectual turmoil. This turmoil was being fed from both inside and outside of the country. From the outside, at the same time as Qom sought to maintain its precarious *modus vivendi* with the Shah, Khomeini, now in Najaf, called for the monarchy's overthrow and its replacement with an Islamic government. Khomeini's early years in Najaf had not been happy ones, having been shunned by the city's prominent clerics and unable to attract many students. But he persisted, continued teaching, and in 1970 published his magnum opus, *The Islamic Government*. Suddenly, many in the Qom *howzeh* found themselves out of sync with what at the time seemed like a giant jurisprudential leap.

This was occurring at the same time as a young intellectual inside the country was presenting "revolutionary" interpretations of Shi'ism to throngs of enthusiastic audiences in Tehran and elsewhere. Ali Shariati was a sociology professor at Mashhad's Ferdowsi University. But it was his lectures at a Tehran religious salon named Hosseiniyeh Ershad that spoke to the anxieties of politically alienated middle classes searching for answers. Shariati's revolutionizing of Shia ideology found receptive ears deep inside the seminary itself, their effects compounded by radical arguments of a Khomeini who was finding himself increasingly intellectually rehabilitated. There were, of course, clerical scholars who were intellectually active. An example was the erudite Ayatollah Morteza Mottahari, whose many publications included a multivolume refutation of Marxist materialism. Nevertheless, by and large the *howzeh* found itself out of step with the increasingly revolutionary tenor of the times.¹⁰⁶ The *howzeh*, and the clerical establishment in general, entered the revolution as they themselves faced profound turmoil.

Despite its intellectual dearth in the 1970s, the revolution turned out to be a boon for the *howzeh*. The revolution in many ways also revolutionized the *howzeh* in resulting in a rapid expansion of the number of seminary students, fostering major changes in the *howzeh*'s leadership structure, and placing *marja*'s at the helm of the seminary.¹⁰⁷ The

¹⁰⁶ Forati, *Rouhaniyat va Siyasat* (The Clergy and Politics), pp. 122–127.

¹⁰⁷ Soleimanieh, *Pol ta Jazireh* (Bridge to Island), p. 99.

revolution's success was soon followed by a proliferation of new seminaries in Qom, with four new ones established between 1980 and 1984 alone. New universities and specialized libraries were also founded, as were journals such as *Howzeh*, all of which encouraged intellectual activity and knowledge production among young clerics. Before the revolution, there were fifteen religious educational and research institutions in the city of Qom, six of which were either libraries or were under the control of libraries. Since the revolution, the number of Qom's educational and research institutions has exceeded 200. Of these 200 institutions, no less than 80 are either official state bodies or are somehow related to the state, 28 belong to various *marja'-e taqlids*, 18 fall under the Office of the Leader, 14 belong to the *Howzeh 'Elmiyeh-e Qom*, and 8 belong to private endowments and are completely independent of the state.¹⁰⁸

The number of seminaries and seminary students, *tollab*, also increased substantially after the revolution. Accurate data on the precise number of seminarians is not available. A 2016 report put the number of the country's seminary students at 130,000, of whom 80,000 live in Qom. There are about 60,000 female seminary students, of whom 8,000 live in Qom and the rest tend to be concentrated in the cities of Esfahan and Mashhad.¹⁰⁹ Another report, this one from 2020, put the number of seminarians at "more than 100,000."¹¹⁰ In 2014, 17,000 new students were reported to have entered the country's seminary schools, bringing their total number to about 150,000. Of the new students, 1,200 went to seminaries in Qom, bringing the total number of seminarians there to about 80,000.¹¹¹ There are an additional 3,000 *muballeqs* (propagators) in Iran.¹¹² Today there are

¹⁰⁸ Pirouzmand, *Tahavol-e Howzeh-e 'Elmiyeh va Rouhaniyat dar Gozashteh va Hal* (Transformation of the *Howzeh* in the Past and Present), p. 456.

¹⁰⁹ "Amar-e Howzeh-haye 'Elmiyeh va Rouhaniyoun beh Ravayat-e Moshaver-e Vazir-e Farhang" (Statistics on Howzeh 'Elmiyehs and the Clergy according to Advisor to Minister of Culture), *Islamic Republic of Iran News Agency* (July 26, 2016), <https://bit.ly/3vskCq6>.

¹¹⁰ "Akharin Amar Darbareh-e Te'dad-e Tollab-e Howzeh-e 'Elmiyeh" (Latest Data Concerning the Number of Seminary Students in Howzeh 'Elmiyeh), *Din Online* (9 Esfand 1398/February 28, 2020), <https://bit.ly/3SmMjun>.

¹¹¹ "Akharin Amar-e Tollab-e Howzeh-haye 'Elmiyeh" (Latest Data on Seminary Students in Howzeh 'Elmiyehs), *Tabnak* (September 1, 2014), <https://bit.ly/3zZmg5u>.

¹¹² *Ibid.*

estimated to be a total of 860 seminary schools around the country, with 410 for men and 450 for women.¹¹³

If the success of the revolution led to a renaissance of sorts in the *howzeh*, it all came to a crashing halt in 1989, when Ayatollah Montazeri was removed as Deputy Leader and his appointees and disciples were steadily dismissed and replaced.¹¹⁴ The intellectual vibrance that Qom was experiencing in the first few years of the revolution soon saw a precipitous dampening. This occurred at the same time that the state was increasingly asserting its control over the clerical establishment. Throughout the 1980s and the 1990s, the *howzeh* became increasingly bureaucratized and procedural, with procedures being devised for issues such as student admissions, statistical records, transcripts, coordinated exams, dormitory assignments, and offices looking after provincial seminaries.¹¹⁵

Bureaucratization and Administrative Control

After the Islamic Republic was established, a Council for the Management of the Qom Seminary (*Shoura-ye Modiriyat-e Howzeh 'Elmiyeh*) was established in 1981 in order to regulate and coordinate seminary affairs.¹¹⁶ This was part of a broader effort to assert state control over the clerical establishment and to further bureaucratize it. The need for some sort of institutionalized leadership of the *howzeh* was first discussed by Ayatollah Khomeini in 1979. In 1981, a Leadership Council of the Qom Theological Seminary was inaugurated, made up of three representatives each of Ayatollahs Khomeini and Golpaygani and also three representatives from the Qom Seminary Teachers' Society. Although the Leadership Council was disbanded in 1991, the thrust toward bureaucratization and state control of the *howzeh* continued apace.¹¹⁷

The trend toward greater bureaucratization picked up pace with the political ascent of Khamenei to the position of *velayat-e faqih*. As a

¹¹³ Golkar, "Clerical Militia and Securitization of Seminary Schools in Iran," p. 219.

¹¹⁴ Baqi, *Rouhaniyat va Qodrat* (The Clergy and Power), pp. 170–172.

¹¹⁵ Soleimanieh, *Pol ta Jazireh* (Bridge to Island), p. 42.

¹¹⁶ Golkar, "Clerical Militia and Securitization of Seminary Schools in Iran," p. 218.

¹¹⁷ Halalian, *Negah-i beh Howzeh* (A Look at the *Howzeh*), p. 379.

mid-ranking cleric with scant scholarly contributions to his name, Khamenei was keen to consolidate his hold over the clergy. What ensued was the emergence of a vast administrative network designed to control most, if not all, aspects of the clergy's life. One observer has called this the "statization of Shia Islam" in Iran.¹¹⁸ In 1991, Khamenei took a much-celebrated trip to Qom and announced the formation of the "Supreme Council of the Qom Theological Seminary" in place of the Leadership Council that Khomeini had established earlier.¹¹⁹ That same year the state also created a hierarchical structure for control of the clerical establishment. At the top of the pyramid is the Supreme Council for the Seminary (*Shoura-ye 'Ali-ye Howzeh 'Elmiyeh*), the clerical members of which are appointed by Khamenei and are responsible for planning the main strategies and policies of all seminaries in Iran. Below this body is the Center for the Management of the Seminary (*Markaz-e Modiriyat-e Howzeh 'Elmiyeh*), which oversees all seminary and clerical activities. Since 2010, branches of both of these bodies have been established in each of the country's provinces.¹²⁰

In his first few years as the *velayat-e faqih*, Khamenei paid considerable attention to the structural organization of the *howzeh* and the importance of established, formal procedures for the *howzeh's* governance and internal operations.¹²¹ He emphasized the need for the *howzeh* to become even more procedural, professional, and centralized. Following procedural changes, the *howzeh* now has mechanisms for internal self-review.¹²² Khamenei also maintained that the *howzeh* underutilized its own resources, including especially its human resources, as the expertise of its scholars and its students are often not used to their full potential. "We must employ efforts," he once exhorted seminarians, "and engage in everything possible to modernize the *howzeh* so that it can address the needs of Islam in the country and also the system."¹²³ Khamenei also called for an upgrading of the

¹¹⁸ Golkar, "Clerical Militia and Securitization of Seminary Schools in Iran," p. 218.

¹¹⁹ Soleimanieh, *Pol ta Jazireh* (Bridge to Island), p. 44.

¹²⁰ Golkar, "Clerical Militia and Securitization of Seminary Schools in Iran," pp. 218–219.

¹²¹ Saeed Solh-Mirzaie, *Howzeh va Rouyhaniyat* (Howzeh and the Clergy) (Tehran: Markaz-e Asnad-e Enqelab-e Eslami, 1390/2011), pp. 193–196.

¹²² Soleimanieh, *Pol ta Jazireh* (Bridge to Island), pp. 43–44.

¹²³ Solh-Mirzaie, *Howzeh va Rouyhaniyat* (Howzeh and the Clergy), pp. 63–64.

howzeh's propaganda efforts, the updating of its textbooks, and an expansion and upgrading of *fiqh* that would enable it to deal with contemporary problems. He has called the absence of progress on Islamic philosophy "a real catastrophe."¹²⁴ According to Khamenei, the *howzeh* has lagged behind in scientific and scholarly production in areas such as law, philosophy, ethics, and religious studies. This, he argued, has caused the *howzeh* to be behind the times.¹²⁵

Like Khomeini, Khamenei has paid close attention to the *howzeh*, in terms of its larger relevance, its management and internal organization, and its integration into and relationship with the rest of the state. One evidence of this careful attention is the number of speeches Khamenei gave to the *howzeh*, especially in his first decade of tenure as the *velayat-e faqih*, along with his administrative appointments to various research and educational institutions that are either directly or indirectly affiliated with the *howzeh*. Through the establishment of a number of state-funded organizations – such as the Center for Digital Research in the Social Sciences, and the Center for Providing Support Services to the Seminaries – Khamenei's office provides financial support to seminary students and has been able to involve itself in the operations of the *howzeh*.¹²⁶

The *howzeh*'s bureaucratization has had several unintended consequences, some of the most notable of which include loss of charisma by the Shia *marja*'s; reduced creativity, individuality, and innovation by seminary students and teachers alike; and overwhelming dependence on the state and its various institutions. Today, much of the impetus for change, scholarly creativity, and jurisprudential innovation is coming from outside of the *howzeh*. Not surprisingly, the exhortations of the *velayat-e faqih* notwithstanding, the *howzeh* now often finds itself reacting to innovative ideas rather than spearheading them, having to grapple with *ijtihad* instead of generating it internally.¹²⁷

Howzeh Structure and Curriculum

As a result of all the changes made over the course of the last couple of decades, the power structure of a contemporary typical *howzeh*

¹²⁴ Ibid., pp. 216–221. ¹²⁵ Ibid., pp. 65–66.

¹²⁶ Forati, *Rouhaniyat va Siyasat* (The Clergy and Politics), p. 50.

¹²⁷ Soleimanieh, *Pol ta Jazireh* (Bridge to Island), p. 73.

resembles a hierarchy. At the bottom of the pyramid is the pool of seminary students, and above them a smaller number of teachers and researchers. Above the teachers are an even smaller group of *mujtahids*, of whom at least one subscribes to the notion of *velayat-e faqih*. Above the *mujtahids* is another, yet smaller group of *marja'-e taqlids*, usually numbering around four, again at least one of whom is supportive of, and is supported by, *the velayat-e faqih*. At the top of the pyramid is the chief *marja'*, again most likely supportive of both the position and the person of *velayat-e faqih*.¹²⁸

Within the *howzeh* itself, the highest decision-making body is the Supreme Council of the Qom Seminary, which is responsible for overall policies in areas such as curriculum, ethics, propaganda, social issues, tuition and fees, and other similar matters.¹²⁹ There is also the Higher Council of Qom Theological Seminary, which oversees the various theological seminaries in the country. The High Council's charter was enacted in 1995 by Khamenei and a number of senior *marja'*s. The Council is made up of senior theologians who are responsible for policymaking and programming in areas of education, ethics, propagation, and social works at the Qom *howzeh* and the other *howzehs* across the country that use its services and facilities. Council members also choose their own Council Head and the director of the Qom Theological Seminary. As such, overseeing the works of other seminaries is among the Higher Council's most important functions.¹³⁰

In addition to its own elaborate internal organization, the city of Qom houses a number of institutions related to the *howzeh* that are dependent on, and are supported by, the Office of the Leader. They include:

- Al Mustafa International University
- Qom Theological Seminary Office for Islamic Propagation (est. 1979)
- Al Zahra University (est. 1984)
- Imam Khomeini Institution for Education and Research
- The Ahl-e Beyt World Assembly
- Global Assembly for the Unity of Muslim Religions

¹²⁸ Forati, *Rouhaniyat va Siyasat* (The Clergy and Politics), p. 50.

¹²⁹ Halalian, *Negah-i beh Howzeh* (A Look at the *Howzeh*), p. 378.

¹³⁰ Forati, *Rouhaniyat va Siyasat* (The Clergy and Politics), p. 55.

Center for Hajj Research
Center for Computer Research in the Social Sciences¹³¹

Recent decades have also seen a significant expansion in the *howzeh*'s curriculum and the range of subjects that are taught there. Broadly, propagation and teaching are two of the most important and basic activities of the clergy. Through teaching and propaganda, the assumption goes, *faqih*s can lay the groundwork for the establishment of an Islamic government.¹³² Since its initial founding, the Qom *Howzeh 'Elmiyeh* has come to specialize in the production of knowledge in four specific areas: law and jurisprudence, with a focus that would "delve into more practical and contemporary issues and avoid entering into purely hypothetical topics";¹³³ a revival of biography of Hadith narrators (*rajal*) and Hadith investigators; *tafsir*, or exegesis of the Quran; and philosophy, including, somewhat uniquely, comparative philosophy.¹³⁴

After the revolution, the *howzeh* has witnessed a proliferation of highly specialized subjects of study, such as Islamic management, Islamic behavioral studies, political *fiqh*, *fiqh* and new technologies, *fiqh* and journalism, and a number of other similar subjects. Initially, the *howzeh* resisted the study of the social sciences in general and sociology in particular. But today sociological theory is widely discussed, and the *howzeh* has even started to grant doctoral degrees in sociology. There has been a parallel attempt to indigenize the social sciences, economics, and humanities. A similar effort has sought to promote those natural sciences with deep roots in Islamic culture and civilization, such as medicine and mathematics.¹³⁵ Originally, the country's 450 seminary schools for men taught 16 disciplines. That number of disciplines taught has now significantly increased, with seminaries in Qom teaching a total of 37 different disciplines. In 12 other provinces, the seminaries located there teach 20 disciplines.¹³⁶

¹³¹ Halalian, *Negah-i beh Howzeh* (A Look at the *Howzeh*), pp. 396–432.

¹³² Khomeini, *Velayat-e Faqih: Hokumat-e Eslami* (*Velayat-e Faqih*: Islamic Government), p. 128.

¹³³ Bahmanpour, "The Howzah Ilmiyyah of Qom and the Production of Religious Knowledge in the Contemporary Era," p. 92.

¹³⁴ *Ibid.*, pp. 92–93.

¹³⁵ Halalian, *Negah-i beh Howzeh* (A Look at the *Howzeh*), p. 271. For a detailed discussion of the curricular offerings at the *howzeh*, see *ibid.*, pp. 285–313.

¹³⁶ "Akharin Amar'e Tollab-e Howzeh-haye 'Elmiyeh" (Latest Data on *Howzeh 'Elmiyehs*), *Tabnak* (September 1, 2014), <https://bit.ly/3zZmg5u>.

When the Cultural Revolution was launched in 1981, in order to bridge the gap between the universities and the *howzeh*, some social science professors went from Tehran to Qom and started discussion groups with seminarians on various topics in history, anthropology, and sociology. This led to the establishment in 1983 of a new office in Qom called “The *Howzeh* and the University,” and the formation of a Social Sciences Group under its auspices. The group sponsored research and scholarship, published books and a journal called *Islam and the Social Sciences*, and accepted graduate students and granted doctoral degrees in the social sciences.¹³⁷

Islamic jurisprudence and especially the *velayat-e faqih* are two of the new favorite subjects being studied in the *howzeh* since the revolution.¹³⁸ *Fiqh*, especially political *fiqh*, has become a particularly popular subject of study and specialization.¹³⁹ Despite this popularity, however, there have been little theoretical advances in jurisprudence, especially after the first few years of the revolution. This is largely a result of the political atmosphere that has prevailed over the *howzeh* in recent decades, in turn causing many of the most renowned ulama – such as Ayatollahs Vahid Khorasani, Mousa Shubairi Zanjani, Mirza Aki Asghar Falsafi, and Fazel Lankarani – to focus their lectures and lessons on the topic of *velayat-e faqih* instead.¹⁴⁰

The *howzeh* has not, of course, been a passive recipient of changes forced on it. Given its long history and its own internal dynamics, in fact, the *howzeh* has seldom been receptive to institutional or cultural changes.¹⁴¹ A number of powerful figures within the *howzeh*, for example – chief among them Ayatollahs Asadollah Bayat-Zanjani (b. 1941), Lotfollah Safi (1919–2022), and Hossein Vahid Khorasani (b. 1921) – have voiced criticism against the ongoing changes in the *howzeh* and its growing bureaucratization, complaining that such processes undermine the institution’s unique identity and its overall

¹³⁷ Mohammad Hossein Pooryani, “Tahlil va Arzyabi-e Amuzesh va Pazhohesh-e ‘Olum-e Ejtema’i dar Howzeh ‘Elmiyeh,” in *‘Olum-e Ejtema’i dar Iran va Chemandaz-e Ayandeh-e An* (Social Sciences in Iran and Its Future Prospects), Zia Hashemi and Mehri Sadat Mousavi, eds. (Tehran: Pazhouheshgah-e ‘Olum-e Ensani va Motale‘at-e Farhangi, 1390/2011), p. 169.

¹³⁸ Abdolvahab Forati, *Danesh-e Siyasi dar Howzeh-e ‘Elmiyeh-e Qom* (Political Knowledge in the Qom Theological Seminary) (Tehran: Sazman-e Entesharat-e Pazhouheshgah-e Farhang va Andisheh-e Eslami, 1390/2011), p. 177.

¹³⁹ *Ibid.*, p. 194. ¹⁴⁰ *Ibid.*, p. 198.

¹⁴¹ Soleimanieh, *Pol ta Jazireh* (Bridge to Island), p. 44.

social and religious relevance. Others, like Ayatollah Abdolkarim Mousavi Ardebili (1926–2016), have sharply criticized the *howzeh*'s loss of autonomy and its dependence on the state.¹⁴²

Divisions within the Howzeh

The political forces brought to bear on it, along with the country's larger postrevolutionary milieu, have combined to divide the *howzeh*'s scholars and teachers into three loosely divided groups, two of them minorities and one in majority. One minority is tied to the state. Another minority, located at the opposite pole, is silently oppositional. A majority of seminarians, located between these two polar opposites, are largely nonpolitical and are more interested in religious scholarship rather than political endeavors.¹⁴³

The first group of seminarians are ideologically committed supporters of the state, especially the concept of *velayat-e faqih* as articulated by Ayatollah Khomeini and now put into practice by Khamenei. This group can itself be divided into those who are not in power and abstain from holding influential political positions, and those who immerse themselves in the state's high offices, to many of which the clergy have privileged access.¹⁴⁴ This small group of politically connected and influential clergy also has at its disposal a number of Qom-based institutions that are influential in public policy. Two of the most important of these institutions are the Qom Seminary Office for Islamic Propaganda (*Daftar-e Tablighat-e Eslami-e Howzeh-e Elmīyeh-e Qom*) and the Imam Khomeini Institute for Research and Education (*Mo'aseseh-e Amouzeh va Pazhohesh-e Imam Khomeini*).¹⁴⁵

The precise nature of the organizational and institutional relationship between the *velayat-e faqih* and the *howzeh* is not quite clear. Similar ambiguity marks the relationship between those *marja*'s who are protective of their political and scholarly independence on the one side and the *howzeh* on the other.¹⁴⁶ What is clear is that a number of key executive positions are exclusively the preserve of individuals from the *howzeh*. These include the *velayat-e faqih*; the *marja*'s; seminary

¹⁴² Ibid., pp. 71–72.

¹⁴³ Baqi, *Rouhaniyat va Qodrat* (The Clergy and Power), pp. 179–180.

¹⁴⁴ Forati, *Rouhaniyat va Siyasat* (The Clergy and Politics), pp. 51–52.

¹⁴⁵ Ibid., p. 52.

¹⁴⁶ Halalian, *Negah-i beh Howzeh* (A Look at the Howzeh), p. 377.

directors and instructors; Friday prayer Imams; *khums* and *zakat* collectors; judges and prosecutors; the heads of the judiciary, the Supreme Court, and the Ministry of Intelligence; members of the Assembly of Experts; clerics of the Guardian Council; and social and cultural leaders such as the representatives of the *velayat-e faqih* in the universities, in the security forces, and oversees endowments.¹⁴⁷ Today, in many respects the *howzeh* has actually become part of the deep state.¹⁴⁸

There is a second group of *marja's* and religious personalities who generally reject the idea of political guardianship by a religious scholar. While most hold generally positive views toward the Islamic Republic, they are not in favor of the clergy's direct involvement in politics. Moreover, cautiously, they are concerned about the *howzeh's* growing dependence on the state and the political establishment's interference in *howzeh* affairs.¹⁴⁹

The third group, which is numerically preponderant, generally tends to be more traditional in its assumptions about the clergy's social role and functions. Many of the clergy with research responsibilities in the seminary are preoccupied with their traditional scholarly responsibilities and simply want to guard their political and financial independence.¹⁵⁰ While broadly supportive of the Islamic Republic, this group does not always actively endorse state policies and agendas. Some within the group do not even see it as necessary or desirable to interact with state-affiliated clerics. As a result, many of its members find themselves on the margins of political life.¹⁵¹

There are also intellectual divisions within the *howzeh*, with seminary scholars broadly divided into the right and the left, or traditional and progressive, respectively, with the principal dividing issues revolving around matters such as sources of political legitimacy (divine versus popular) and domestic and foreign policy preferences. Loosely dividing themselves into the right and the left, after the 2009 elections

¹⁴⁷ Ibid., 121–122.

¹⁴⁸ For a discussion of the Islamic Republic's deep state, see Kamrava, *Righteous Resilience*, chapter 9.

¹⁴⁹ Forati, *Rouhaniyat va Siyasat* (The Clergy and Politics), p. 52.

¹⁵⁰ After his dismissal by Khomeini as the deputy leader, for example, Ayatollah Montazeri met with senior ayatollahs in the *howzeh*, most notably Ayatollahs Golpaygani and Araki, and pleaded for the *howzeh's* political and intellectual independence. Montazeri, *Khaterat* (Memoirs), pp. 412–413.

¹⁵¹ Forati, *Rouhaniyat va Siyasat* (The Clergy and Politics), p. 53.

the terms “conservative” and “moderate,” widely used in the larger society, became prevalent in the *howzeh* also. Today, seminarians can be divided into three broad groups: the rightist Society of Militant Clerics (*Jame'eh Rouhaniyat-e Mobarez*) and the Qom Seminary Teachers' Association; the leftist Association of Combatant Clerics (*Majma'-e Rouhaniyoun-e Mobarez*) and the Association of Qom Seminary Researchers; and those who may be considered as “culturalists” and belong to neither camp but preoccupy themselves with purely religious matter and focus on the preservation of values.¹⁵²

Criticism from Within

I will end this discussion of the *howzeh* with revisiting some of the criticism leveled against it, this time by figures who were themselves once closely affiliated with the institution. Mention has already been made earlier of the damning condemnation of the *howzeh* by both Khomeini and Khamenei, the former when he was out of Iran and in Najaf, and the latter when he first became the *velayat-e faqih* and sought to turn the *howzeh* into one of his badly needed bases of support. These earlier criticisms, in other words, can be seen as politically motivated moves meant to advance specific agendas. But these have been far from the only criticisms the *howzeh* has faced, some coming from within the institution itself. For example, Hojatoleslam Saeed Halalian (b. 1979), himself a student in and a researcher of the *howzeh*, describes the seminary as having become another arm of the state, an over-bureaucratized “organization” (*sazman*) as opposed to an “institution,” a “system,” or a “corporate group.”¹⁵³ Even influential members of the Supreme Council of the Qom Theological Seminary have called for changes in the *howzeh*, some claiming that unless the *howzeh*'s curriculum is revamped to become more practical and up to date, the clergy will soon find themselves politically and professionally obsolete.¹⁵⁴

The legal scholar and social scientist Mohammad Reza Bandarchi argues that the dominant intellectual atmosphere of the *howzeh* has long resisted change. It therefore remains stale and does not invite

¹⁵² Ibid., p. 54.

¹⁵³ Halalian, *Negah-i beh Howzeh* (A Look at the Howzeh), p. 66.

¹⁵⁴ Soleimanieh, *Pol ta Jazireh* (Bridge to Island), p. 47.

critical thinking. There is little dialogue within the seminary between professors and their pupils, he maintains. “Professors show few innovations, and new subjects are never or rarely discussed. Students are similarly unqualified and do not have the necessary preparation to question their professors’ perspectives. The dominant atmosphere [of the seminary] does not allow for intellectual dynamism either.”¹⁵⁵

Equally sharp criticism has been voiced by former member of the Majles and a one-time rising ideologue of the right, Emad Afrough. According to Afrough, the *howzeh* has consistently failed to address social, cultural, and even jurisprudential issues, and its *ijtihad* is no longer dynamic. It is neither a source of unofficial power, nor is it a civic force for supervision of society. With its vast repertoire of knowledge and resource, and its history and heritage, the *howzeh* can articulate a philosophy of education, rival universities in its knowledge production and its cultural and scientific impact, and be a powerful force in influencing politics and society. But it has failed in all of this.¹⁵⁶

Afrough maintains that the *howzeh* has significant potential to foster free and creative thought, something for which there is great popular thirst.¹⁵⁷ But since the revolution, the institution has failed to live up to its potential. Perhaps because of its loss of political and financial independence, it has lost all intellectual vigor. Not only does it not produce science and literature, it has abandoned its mission of exploring and contributing to *fiqh* and Islamic philosophy. It does not provide answers and solutions to jurisprudential issues regarding the management and administration of the country, and it has failed to generate a new political philosophy or political jurisprudence. Its primary preoccupation instead is simply to justify its continued existence. Moreover, very much like a university, the *howzeh* has become preoccupied with rank and title. If not careful, the *howzeh* is running the risk of inadvertently replicating the religious hierarchy of Christian churches.¹⁵⁸

¹⁵⁵ Mohammad Reza Bandarchi, “Roshd va Poyai-e ‘Elm-e Feqh” (Growth and Dynamism of the Science of *Fiqh*), in *Noandishi va Ejtehad* (New-Thinking and *Ijtihad*), Vol. 1, Jalal Mir-Aqaie, ed. (Tehran: Majma’-e Jahani-e Taqrib-e Mazaheb-e Eslami, 1382/2003), p. 365.

¹⁵⁶ Emad Afrough, *Ma Ghal wa Man Ghal*, Vol. 2 (What Was Said and Who Said It, Vol. 2) (Tehran: Hamshahri, 1392/2013), p. 387.

¹⁵⁷ Emad Afrough, *Ma Ghal wa Man Ghal*, Vol. 3 (What Was Said and Who Said It, Vol. 3) (Tehran: Hamshahri, 1392/2013), p. 151.

¹⁵⁸ *Ibid.*, pp. 683, 701.

Akbar Hashemi Rafsanjani, an even bigger political insider, was far more damning in his critique of the *howzeh*. Rafsanjani criticized the *howzeh* for spending far too much of its time and intellectual energy on what he called a “jurisprudence of worship” as opposed to “jurisprudence of transactions,” *fiqh-e ‘ebadat* and *fiqh-e mo‘amelat*, respectively. The jurisprudence of worship deals with issues such as ritual cleansing, fasting, *khums*, *zakat*, and *hajj*, topic on which the *howzeh* over-publishes. But there are far too few jurisprudential works on some of the more practical and immediate issues with which contemporary society must also deal, among them farming, economic competition, remittances, power of attorney, compensation, as well as fate, free will, and martyrdom.¹⁵⁹

Rafsanjani’s criticism of the *howzeh* was blunt:

My advice to all the *howzehs*, to the ulama, and all the seminary teachers is that if you want the system to remain Islamic and for it to take your views into account, first you must change the *howzeh*. You must engage with issues that concern society’s needs. . . . Prayer is one act of worship in our lives, but politics is all of our life. Education, economy, culture, sports, leisure, travel, and other similar matters have rules and regulations. The correct thing for the *howzeh* to do is to explore each of these areas from an Islamic perspective. . . . I do not think that the *howzeh* can properly explore matters of politics and government yet, and neither has the government provided the proper support for the *howzeh* to fulfill its important function of *ijtihad*. This requires an understanding between the leader, who is himself a *mujtahid*, and the *howzeh*. . . . The *howzeh* has properly done the function for which it was set up only if it takes governmental *fiqh* seriously and studies all its different dimensions.¹⁶⁰

According to Rafsanjani,

from a theoretical perspective, we have all the needed ingredients, such as the appropriate foundations, dynamic *ijtihad*, and capable *mujtahids*. What we need more of is close collaboration between state officials and the *howzeh* so that the *howzeh* does more than just criticize politics. This way if there is a

¹⁵⁹ Hamidreza Esmaili, *Andisheh-ye Ayatollah Hashemi Rafsanjani* (Political Thoughts of Ayatollah Rafsanjani) (Tehran: Pazhouheshgah-e ‘Olum-e Enسانی va Motale‘at-e Farhangi, 1397/2018), p. 111.

¹⁶⁰ Quoted in, Reza Sanati, *Mashru‘iyat-e Asemāni* (Divine Legitimacy) (Qom: Salman-e Farsi, 1394/2015), pp. 80–81.

state policy that runs counter to someone's *fatwa*, there is broad consensus over how to deal with the issue.¹⁶¹

Afrough, Rafsanjani, and other insiders may criticize the *howzeh's* lack of intellectual vigor and innovativeness. But the institution itself, having effectively become another arm of the state, is reportedly soliciting negative reactions from local residents in Qom. Residents and visitors to the city report rising levels of popular anger at the clergy, not only because of their archaic views but, perhaps more significantly, because of their wealth and their numerous privileges. Many of Qom's religious centers and institutions, both private and semi-private, have benefitted considerably from government largesse, being housed in shiny, modern buildings with comfortable amenities and ample resources. These centers especially benefited from the Ahmadinejad presidency, so much so that by 2011 the government's budget allocation to Qom seminaries was seventeen times higher than it had been in 2005.¹⁶² A bifurcation is emerging among the city's residents, many of whom struggle to make ends meet, and seminarians and clerics, benefitting from direct and indirect forms of state largesse, who are mostly well paid and often live quite comfortably. As hundreds of millions of dollars are spent on the facilities of religious institutions and salaries for seminary students and teachers, many of Qom's residents live in poverty or are economically stressed.¹⁶³

Conclusion

The clerical establishment was instrumental in the launch of the social movement that ended up in the 1978–1979 revolution and in shaping its tenor and its direction. Most consequentially, it was the clerical establishment that ascended to the top of the revolutionary movement, therefore being most perfectly positioned to reap the rewards of postrevolutionary victory when the monarchy finally collapsed in February 1979. That the Iranian revolution turned out “Islamic” was by no means a foregone

¹⁶¹ Quoted in *Ibid.*, p. 85.

¹⁶² Mehdi Faraji, “Protesting Clerical Welfarism in Iran's Pious City,” *MERIP* (January 28, 2019), <https://bit.ly/3E7qoPp>.

¹⁶³ *Ibid.*

conclusion. But the clergy's contribution and later leadership of the movement, especially as it neared victory in its final months, cannot be denied.

Long a voice in the wilderness, Khomeini had been calling for the Shah's overthrow for at least a decade by the time his revolutionary dreams came true. This he had done through a jurisprudential innovation radical for its time, namely direct rule by a *faqih*. Khomeini took an old idea – that of the *velayat-e faqih*, or guardianship of the juriconsult – and revolutionized it by making it explicitly political and giving it the responsibility to rule. In that sense, Khomeini's jurisprudential innovation, and his single-minded crusade against the Shah, were both revolutionary. In nearly every other respect, however, the Ayatollah was animated by a desire to stop or to reverse the changes that the monarchy's pseudo-modernity was fostering in Iranian society. Resistance to Pahlavi-initiated social change had deep roots in Iranian society, and it had most recently been violently expressed by the short-lived Fadaïyan-e Islam. Khomeini's ideas of an ideal Iranian society were eerily close to – some would say inspired by – those of the Fadaïyan-e Islam's founder, Navvab Safavi.

As the 1978–1979 revolution approached, and as popular revolutionary enthusiasm swept aside any semblance of reasoned discourse and dialogue, Khomeini's reactionary conceptions of the ideal social order were all but forgotten. The popular assumption, reinforced by the intellectuals who pledged their support and loyalty to him, was that Khomeini and, along with him, the rest of the clerical establishment were “revolutionary” in the true sense of the word. But the clerical establishment, which had long been divided among itself, had engaged in little innovation of any kind, either on its own or through the institution of the *howzeh*. And its capture of the state starting in 1979 did little to reverse its intellectual barrenness. If anything, by significantly raising the stakes, state capture made the clergy all the more protective of the status quo, determined to hold on to power at all costs.

Equally valuable for the victors of the revolution has been the *howzeh*, from which many of the clergy actually hail. The *howzeh* has been a hallowed institution of religious teaching and learning for the better part of a century. For nearly as long, it has been a bastion of jurisprudential traditionalism. Khomeini saw it as archaic and out of date in 1970. Two decades later, when Khomeini became the *velayat-e faqih*, he said the same thing. The new leader did not stop there, however. He extended the state's capture to the *howzeh*,

bureaucratized it, ensured its financial dependence, and, through added administrative units, made it a practical extension of the state. If the *howzeh* was ever a forum for jurisprudential innovation, that rare possibility is even rarer now. Not surprisingly, what jurisprudential innovation has taken place, by Khomeini and by successive generations of religious scholars, has been overwhelmingly outside of the *howzeh*.