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THE DISENCHANTMENT OF AN ISLAMIC STATE. PERSPECTIVES ON SECULARISM IN IRAN

Abstract

This article examines the widespread assumption that Iran today is a theocracy that has realized a fusion of religion and politics. It argues that the Iranian state today is neither a theocracy nor an Islamic state but a state that to a large extent is ruled according to a secular «state reason». In order to highlight the secular features of the state and the political system, the article examines the relation between religion, state and politics on three distinct levels: Firstly it seeks to unravel the relation between religion and state by examining whether religion dominates the state or vice versa; secondly it posed the question if the political sphere is autonomous; and thirdly it analyses the autonomy of the religious sphere. The article concludes that contemporary Iran leans towards a case of secularism, as there is a certain separation of state and religion and religious reasoning tends to give way to secular reasoning in the administration of the state. With these insights in mind, the article points to the variety in Iranian secularism by presenting central aspects of new theories of democratic secularism in Iran.

Keywords: secularism, religion, politics, Islamic state, Iran.

For those with an interest religion and politics, Iran seems to be an obvious case of study. Iran indeed was one of few countries where the Islamist project of constructing an Islamic State was attempted put into practice. In the aftermath of the 1979-revolution, the Shia ayatollahs seized power, introduced theocracy and built an Islamic state. Or, so it appeared. The question to be studied in this article is whether the Iranian mullahs actually succeeded in their efforts to construct an Islamic state ruled according to religious dogma, i.e. principles defined by the religious scholars at the top of the Shia hierarchy. In this article I will argue that Iran never became the Islamic state the leaders attempted to form and that over the years it has evolved into a state that is ruled more according to a somewhat secular «state reason» (Kian-Thiébaut 2005:37). In theory one could argue that the Islamic Republic of Iran is a theocracy, since the political system is built upon Ayatollah Khomeinis well-known theory of velayat-e faqih (the Guidance of the Islamic Jurisprudent). Nevertheless, it seems that in practice it has evolved into a state where Islamic principles tend to give way to secular reasoning.
Iran is thus an interesting case not, as one might think, because it offers an example of the celebrated fusion of religion and politics (which is often supposed to be an essential feature of Islam) but because it offers interesting examples of secularism, a concept that will be defined in more detail below. Besides the secularism at the level of the state, a sophisticated theory of secularism has emerged in Iran. Indeed, during the 1990s, when the Iranian reform movement still grew forth, secularism became a keyword in political and intellectual debate. Important reform-journals put secularism on the agenda and theologians and philosophers formulated a «new theology» (kalam-e no) proposing theories of secularism that were particularly designed for an Iranian or «Islamic» context. These new theologians are secularists in the sense that they want a separation of religion and state – a separation that does not necessarily imply that religion should be kept out of politics. On the contrary, the aim of the new theologians is not to cleanse the political sphere of religion, but rather to make sure that religion has a proper say in political life. When they defend the idea of a separation of state and religion, it is not because they are hostile to religion, but because they want the religious civil society (jame’e-ye madani dini) to be able to express itself in the political arena (Soroush 2000).

This in turn means that for them, the Turkish version of secularism, which is often mentioned as a universal model for Muslim societies, is not the way to go. The new Iranian secularists do not opt for a model of secularism hostile to religion and forced upon society from above (as in the reign of Ataturk or the Shah). Instead they advocate a model of secularism that enables religion to express itself spontaneously from below. The model for the new Iranian secularism is thus neither the Turkish laiklik nor the French laïcité – where the state is supposed to rid the individual of religion - but rather an American version of secularism that does not conceive of religion as being in opposition to secularism, a topic I will explain in more detail later (Haenni 2005:103).

In order to argue that contemporary Iran is not an Islamic state but a herbarium of different forms of secularism, it is imperative to have a precise notion of secularism. Secularism is often understood to be a separation of religion and politics, but in the light of current developments this understanding seems much too vague and imprecise. Is it the end of Turkish secularism just because the Islamist AK-party is in government in Ankara? Has the United States abandoned secularism just because the American President refers to God? Not necessarily so. Rather, we need to develop new concepts to deal with more complex situations of secularism. Inspired by the new theologians in Iran, I suggest that we relinquish the understanding of secularism as a separation of religion and politics, and instead understand it as a separation of religion and state. This implies that a certain mixture of religion and politics is compatible with secularism. Secularism could then be perceived 1) as an institutional separation of state and religion (the political head and the religious head are separate) that allows the religious values of the citizens to interfere in politics as long as the political sphere stays autonomous, i.e. is not determined by religious dogma as defined by a religious authority, and 2) as the use of secular reason in the rule of the state.

It is important to stress the sharp distinction introduced here between secularism and secularization. Secularism is understood as an institutional separation of religion
and state, which is the result of a political decision. Secularization is defined as a process, whereby religion ceases to be at the centre of public life and shape people’s view of the world. In his sociology of religion, Max Weber focuses on secularization as part of the modernization process (Weber 1988). His notion of the «differentiation of spheres», in particular the differentiation of the political and the religious spheres, has some similarities with the concept of secularism. What has the attention of Weber is not the political concept of secularism, which he seems to ignore, but the process of secularization. Indeed, sociologists of religion have tended to deal with secularization, and until recently, often ignored the political concept of secularism. In the modern division of sciences, this concept has been more naturally dealt with by political scientists. When I interpret secularization as a process, this does not imply a conception of secularization as a strictly linear evolution from societies dominated by religion to differentiated societies dominated by secular reasoning. On the contrary, as Talal Asad and Baber Johansen have recently argued in their discussion on Muslim societies, cases of religious traditionalism, secularization and «the secular» are more complex (Asad 2003; Johansen 1999). It is exactly this complexity I would like to highlight in this article by arguing that the Iranian state is not - as often presumed – a purely Islamic state (a state ruled according to strict religious dogma), but a state where religious principles are in fact mixed with secular considerations. To avoid any misunderstanding, I reiterate that this article deals primarily with secularism, since the core of the matter is the character and evolution of the Iranian state.

In the following I will elaborate the main idea that contemporary Iran is not a theocracy, but a state that, confronted with the administration of power, tends to replace religious considerations with secular reasoning. As we have seen, this is not a linear evolution from an Islamic Republic with a fully developed Islamic state towards complete secularism, i.e. a situation where secular reason alone rules in the political sphere. Rather, this article explores a more complex evolution from the time the project of an Islamic state was still on the table to a situation where secular considerations tend to replace religious considerations in the political sphere. My point of departure is the Islamist project or utopia of constructing an Islamic state and organizing all spheres of society in accordance with Islam. Here, I will take the Islamist utopia seriously and examine if the Iranian Islamists actually succeeded.

As evidence of the secularist features of the state I will focus on different aspects of the relationship between religion, state and politics in Iran. Firstly, I will see if religion rules politics or vice versa. Secondly, I will try to identify an autonomous political sphere. Finally I will consider the autonomy of the religious sphere. With these insights in mind, I shall point to the richness of Iranian secularism by looking into central aspects of new theories of secularism in Iran.

The initial project: The Islamic state

What makes Iran an interesting case is that the Islamists actually succeeded in their efforts to conquer the state. It is often said that whereas we in the «West» have built a
«wall of separation» between religion and politics, Muslims, due to essential features of Islam, are unable to separate din and dawlat (religion and state). Nevertheless, if we look away from the Qur’an and diverse religious interpretations and focus on practice, i.e. the history of Muslim countries, we will soon realize that there always was a de facto autonomous political sphere in these countries (Zubaida 2004). On the one hand, there were religious authorities – the ulama - but on the other hand, there was the political head – the caliph, the sultan, the mogul etc. – and these offices were clearly distinct. The religious and the political offices might at times have intermingled, or the political head might have listened to the opinions of the religious scholars, but most of the time the religious and political offices have been clearly separate. The real innovation of the Islamic Republic of Iran, then, is that since the revolution the religious scholars no longer sit on the sidelines and support the political head - or perhaps even make critical comments on the political situation - but they have actually seized power and subsequently paved the way for the rare, but also fragile fusion between state and religion.

Once in possession of the state, the aim of the Iranian Islamists was to realize the utopia of building up an Islamic state, the character of which was to be ensured in at least two ways: 1) By the rule of the most outstanding Islamic jurisprudent and 2) by the enforcement of the Sharia law. Regarding the first issue, the Islamic Republic of Iran is built upon Ayatollah Khomeini’s theory of velayat-e faqih, i.e. the idea that the highest Shia jurisprudent (faqih) should rule. The Iranian Constitution of 1979 thus created a «Supreme Leader» (rahbar), who is higher-ranking than both parliament and president. According to the constitution of 1979, the Supreme Leader is at the same time the highest authority in the Shia hierarchy – or at least a person recognized as a Grand Ayatollah (marja). In contrast to Sunni Islam, which is somewhat decentralized, Shia Islam is organized in a hierarchical manner, and the existence of such a formalized hierarchy makes it obvious who exactly is qualified to perform the supreme office of the Leader. Since the ultimate goal of the Islamic state was to implement God’s will on earth, it was a crucial idea in Islamist ideology (at least in the Shia version) that in consequence of their thorough knowledge of Islamic law (fiqh), those at the top of the religious hierarchy had a special right to rule. The Supreme Leader is thus a living incarnation of the fusion of state and religion, but at the same time he represents a theological innovation.

In Iran, an Islamic state is then a state ruled both by the supreme Islamic jurist and by Sharia. The original goal of Islamism was to Islamise all spheres of society (politics, economy, law, culture etc.), and the way to implement this Islamisation was through Sharia legislation. The Islamists, in other words, wanted to transform Sharia from a religious rule to the positive law of the state. This transformation is not the task of the religious scholars but is more humbly assured by the parliament, since according to the Iranian Constitution it is the parliament that legislates. However, in order to ensure that the laws proposed by parliament are not just arbitrary expressions of the will of the people but in strict accordance with Sharia, all laws were to be approved by a religious council, the so-called «Guardian Council». This Guardian Council is a constitutional Council composed of six religious jurists appointed by the Leader and six other jurists
proposed by the Head of the judiciary and elected by the parliament. In this way, the
Supreme Leader and the Guardian Council constitute the two religious pillars of the
political system ensuring that the state is ruled according to a religious logic that is
determined from above – not by an arbitrary democratic logic emerging from below.

Despite the existence of these religious organs, the Islamic Republic of Iran never
became the Islamic state it was supposed to be. Over the years, it has become more
evident that religious reason tends to be replaced by secular considerations. The origi-
nal project of the Islamists was that religion should guide politics and that the state and
the legal system should be organized in accordance with Sharia. In practice, however,
the Islamic Republic has evolved in quite the opposite direction. Today it is less so that
the religious elite is ruling politics (theocracy) than it is the political elite who is ruling
religion. How did this come about? How could a state ruled by mullahs, and in which
all laws are controlled by an Islamic council, also be called secular?

The primacy of politics
First of all, it should be noted that the fundamental text of the Iranian Republic is
neither the Qur’an, the Sunna, nor Sharia, but the Constitution. It is the Iranian Consti-
tution that defines the role of religion and not the other way round – in contrast to, for
example, Afghanistan under the Taleban, where there was no constitution and political
leaders sought to implement Sharia. It is true that the Iranian Constitution was origi-
nally approved by high-ranking religious scholars at the Council of Experts, but this
does not alter the fact that once this fundamental text had been adopted, political
leaders as well as the religious authorities had to abide by the Constitution. Montes-
quieu was right in pointing out that «in the birth of society it is the leaders of the repub-
llic that make the institutions, and in the following it is the institution that forms the
leaders of the republic» (cf. Mozzafari 1999). In Iran, the constitution actually seems
to work. It is not just a symbolic piece of paper that is roughly ignored at the discretion
of the Leader, but a set of rules defining political life. This became evident in the elec-
tion and re-election in 1996 and 2001 of the Reformist president, Khatami. Although
these elections were not transparent and democratic according to internationa-
standards (one reason is that the candidates had to be approved by the Guardian Council),
they nevertheless revealed that the Iranian Constitution allowed for a more open political
struggle than commonly found in most other Middle Eastern countries at the time.
That the Iranian Constitution actually defines the rules of the game was also revealed
with the appointment of Ayatollah Khomeini’s successor, Ali Khamenei. The new
Supreme Leader was appointed by the Council of Experts, which according to the con-
stitution is responsible for this task. In Iran, succession is not, as in other areas of the
Middle East, an internal family-business or a hermetic fight for power (as the succe-
ssion of Stalin in the Soviet Union). It is a formalized procedure carried out according
to the rules set up in the constitution.

In «theocratic» Iran, then, politics is primary to religion from several points of view,
and Ayatollah Khomeini himself was quite explicit about this. When President Ali
Khamenei in 1988 during Friday prayer maintained that Sharia was the fundamental law of the Iranian Republic, Ayatollah Khomeini soon issued an official denial. Within the same week, he published a famous letter in which he severely corrected Khamenei and made it quite clear that the laws of the state in Iran were primary to Sharia. In another letter published during the war between Iran and Iraq (1980–1988), Khomeini also emphasized that regarding the interests of the state, religious considerations must yield (Khosrokhavar and Roy 1999:50).

Another example of the primacy of politics to religion is the so-called «Expediency Council», which Ayatollah Khomeini introduced with a constitutional amendment in 1987. As noted, the task of the Guardian Council is to ensure that the laws enacted by parliament are in accordance with Sharia. It would soon turn out that in practice this Council functioned as a religious brake on parliamentary legislation, as it vetoed most of the laws adopted by parliament. In order to find a way out of this legislative stalemate, Ayatollah Khomeini chose not to cut the power of the parliament, but to create a wholly new council – the Expediency Council – intended to act as a mediator between the Guardian Council and the parliament. But this Expediency Council - which in a certain way ranks higher than the Guardian Council - is a political organ as well. Not in the sense that the members are necessarily lay people, but in the sense that the Council has a strictly political function which is clearly indicated by its name: majma-e tashkhis-e maslahat-e nezâm - the Assembly for Discerning the Interests of the Regime. The term maslahat (public interest) clearly indicates that the political interest of the regime justifies a temporary deviation from Sharia and religious considerations. The task of this council was not primarily to implement religion (a task already ensured by the Guardian Council), but to ensure the interests of the regime, a political task. The political character of this Council has become more evident after the nominations of 1997, where the essential criteria for becoming a member were not theological qualifications but political experience. Of the nineteen persons who were not legal members in their capacities of holding a specific office (for example the members of the Guardian Council), thirteen had no religious titles.

The tendency that politics is primary to religion can be seen in another area, that of Sharia legislation. As we have seen, it was a main ambition of the Islamists to transform the religious rules of Sharia into the positive law of the state. This process of legislation is, however, a political process carried out by an elected parliament. In Iran, the courts judge according to the laws of the state and not – as in certain parts of Pakistan or Nigeria – according to Sharia. Moreover, it would soon turn out that Sharia was in no way equipped to rule a modern society like Iran and that subsequently certain Sharia regulations had to be abandoned (at least for the time being). The elaboration of the tazirat penal code illustrates this point (Niknam 1999; Mehrpur 1992). Tazirat concerns the crimes that are not explicitly mentioned in the Sharia (or are considered of minor importance), and in the case of tazirat the penalties are not specified. In the initial period of the Islamic Republic, the Guardian Council vetoed the tazirat-law proposed by the parliament, since the parliament - according to a modern, secular understanding of law emphasizing the unity of the penalties - wanted to specify the penalties in the law – a measure which the Guardian Council zealously opposed. The interesting
point is not that there was disagreement between the Guardian Council and the parliament, but that the Leader in office (Ayatollah Khomeini) finally opted for the secular or «realist» solution. After years of disagreement between the Guardian Council and the parliament, Khomeini pronounced a fatwa in which he conceded that since there were not enough competent judges (mojtahed-e jam’ al sharayet) in the Islamic Republic, it was necessary for the time being to specify the penalties in the law (Mehrpur 1992:41–42). Ayatollah Montazeri, Khomeini’s crown prince at the time, reached the same conclusion after some hesitation and wrote that «in reality these judges only execute» (Mehrpur 1992:52–53). In other words: The religious judges do not define the law (as it is prescribed in Sharia), but only apply the law of the state. When the Expediency Council later was asked to give its verdict on tazirat, it chose to support the secular arguments of the parliament against the religious arguments of the Guardian Council. In 1996, the Guardian Council also approved a new tazirat-law proposed by the parliament in the same secular spirit (Niknam 1999:59).

In the same way, the penalty of flagellation, which is explicitly mentioned in the Sharia, has to a large extent (but not completely) been abandoned in favour of imprisonment, which is not a religious form of punishment. The question of theft illustrates this trend from a religious logic to a secular logic. In the original tazirat-law from 1983, the punishment for certain cases of theft was up to 74 lashes (without further specification). In the new tazirat-law from 1996, the penalties are diversified by taking into consideration the specific situation, and imprisonment is applied in all cases (Niknam 1999:61–62). In a country where prostitution and drug-dependency are currently exploding, the use of Sharia punishments such as the death penalty or flagellation is posing problems. The political elite of the Islamic Republic seems to have come to a realization that these types of social problems require treatment involving sociological and psychological knowledge rather than a juridical knowledge of Sharia and fiqh, and have to a certain extent taken this awareness into consideration.

The autonomy of the political sphere

As long as Ayatollah Khomeini was the Supreme Leader, it was reasonable to conclude that Iran represented an example of the fusion of religion and state. The most powerful office of the state was in the hands of an outstanding religious scholar from the top of the Shia hierarchy. Since his death, however, the fragile merging of state and religion has diffused. An autonomous political sphere has emerged that do not function in accordance with religious principles in the same way, but uses a more secular «state reason». The person appointed to succeed Khomeini as the Supreme Leader was not – as demanded by the 1979 Constitution – a high-ranking religious scholar with a special knowledge of Islamic jurisprudence (fiqh), but Ali Khamenei, who at the time was a simple hojjat ol-eslam and as such not even an ayatollah. When he was appointed in 1989, there were a number of Grand Ayatollahs whose religious merits far surpassed his own (Araki, Taqi Bahjat, Tabatai Qomi, Khoei, Sistani, Makaram Shirazi, Fadlallah etc.), but whose political experience could not compare to that of a man who had been
president during the reign of Khomeini. This evolution was anticipated with the Constitutional Amendment of 1989 ratified before the death of Khomeini. According to this amendment, the Leader is still required to have a religious education, but it is no longer necessary for him to be recruited from the very top of the religious hierarchy. In particular, it is no longer necessary for the Leader to be a marja (grand ayatollah). On the other hand, the Leader is required to be faithful towards the political and ideological principles of the revolution. Once again, this seems to show that there is a trend from religious to political emphasis within the Iranian state.

The available evidence suggests that Khamenei was not appointed for his theological ability but for his indisputable political skills. Like Khomeini, Khamenei is a sayyid – i.e. a descendent of the prophet – a fact that gives him the right to wear a black turban. Apart from this symbolic aspect, the appointment of the politically-skilled Khamenei has obviously contributed to the «routinization» of the state at the expense of religion. In the post-Khomeini-period (after 1989), we have witnessed a trend towards secularism, leaving the state today with less religious legitimacy and charisma than it had during the Khomeini regime. Following his nomination to the supreme office, Khamenei has been provided with the title of ayatollah, and in the mid-1990s he also proclaimed himself a marja for all Shiites (Louër et al. 2003: 92). These titles can be interpreted as «social titles» given for political reasons. Moreover, Khamenei’s status as a marja is contested. For example, the Lebanese marja Fadlallah, who supports the Iranian regime, has expressed publicly that he does not recognize Khamenei’s marja status.

The autonomy of the religious sphere

While the religious aspects of the state are weakened, the religious legitimacy seems to be more incarnated outside the state. Religious authority and legitimacy are naturally to be found at the top of the religious hierarchy. However, when it comes to political nominations, people at the top of the religious hierarchy have often been sidetracked, and today they have less political influence than they used to have. Grand Ayatollah Montazeri, who was Khomeini’s crown prince during the 1980s, is today under house arrest in Qom. While it is argued that since Khomeini’s death an autonomous political sphere has emerged, it did not until recently make sense to speak of a religious sphere with the same degree of autonomy. After the death of Khomeini religion was still subject to politics. The state might to a certain extent have freed itself from the stifling bonds of religion, but the opposite was not true, and the clergy was still subject to the authoritarian power of the state. In recent years, the religious sphere has regained autonomy to such a degree that it is possible to speak of a more clear separation of state and religion. At least, there is a re-emergence of an old configuration between state and religion in Shia Islam, i.e. a situation where the religious authorities were sufficiently independent of the political authorities in Tehran to be able to express their political points of view.
This new situation is related to the American invasion of Iraq, which has transformed the situation of Shiites in this country. A consequence of the regime-change in Iraq has been to restore much of the autonomy that the Shia clergy had lost after the war between Iran and Iraq and Saddam Hussein’s subsequent persecution of high-ranking Shia authorities. What is the relation between the autonomy of the Iraqi Shiites and Iranian secularism? In what way has the new situation in Iraq changed secularism in Iran? These questions have to be considered not only in national, but also in trans-national terms. The political regimes in Iran and Iraq might follow a national logic, but the same is not necessarily true when it comes to the religious hierarchy. In fact, before the Iranian revolution, the Shia clergy was cosmopolitan, and the families at the top of the religious hierarchy were trans-national as well as multiethnic and polyglot (Louër et al. 2003:86). From Najaf and Kerbala, which until Saddam Hussein’s rise to power were more or less territorially independent of both Baghdad and Tehran, they moved easily across state borders. A young religious scholar often began his career in one country and then moved on to another. When Khomeini in 1963 had a hostile incident with the Shah, he could – after a short Turkish intermezzo – move to Najaf, where nothing prevented him from persevering in his endeavours until 1978, when he was finally banished from Iraq after pressure from the Shah. The Iranian revolution contributed to a process of nationalization of Shia Islam, and at the same time, a loss of religious autonomy. The Shia clergy in Iran fell under political control, and the Shia clergy in Iraq was violently repressed after the outbreak of the war between Iran and Iraq.

What we see today then is a re-emergence of the old trans-national Shia Islam, with the Shia clergy regaining some of its lost autonomy. Today, some of the most respected high-ranking religious scholars, the Grand Ayatollahs, live outside Iran. While the Shias in Iraq have regained autonomy, Ayatollah Ali al-Sistani, who is a resident of Najaf, has emerged as a Grand Ayatollah, i.e. as a marja. An interesting feature regarding the status of marja - which came into existence in the 19th century - is that there is no formal, unambiguous procedure of appointment. A marja is not like the Catholic Pope selected among his peers in a highly formalized procedure. On the contrary, a marja emerges step by step. As soon as a scholar has obtained the title of Ayatollah, he becomes a potential marja, and this title is realized little by little as the ayatollah publishes books and builds an extensive network of devoted followers who contribute with financial support. Although this procedure of selection can hardly be called democratic, it has a democratic element, since it emanates from below (from the followers) and is not dictated from above (by the religious hierarchy). In contrast to Catholicism, this anarchical procedure means that Shiism can accommodate several religious heads at the same time and there exists a certain competition between the various marjas.

These clarifications allow us to maintain that a relatively autonomous religious sphere has emerged, accompanied by a separation between the Iranian state and the highest religious authorities within trans-national Shia Islam. Today, Ali al-Sistani has emerged as a marja not only for Iraqi Shiites but for all Shiites, including those in Iran. Currently, he seems to be the marja with the largest number of followers, and the marja with the largest number of Iranian followers. More specifically, he seems to have more followers in Iran than the marjas who are actually in Iran, including the Supreme
Leader. It should be noted that Ali al-Sistani is Iranian. He was born in the Iranian city of Mashhad, he speaks Arabic with a Persian accent, and apparently he has kept his Iranian passport. While al-Sistani seems to be the marja with most Iranian followers, he is at the same time economically and territorially independent of the regime in Tehran. It is common knowledge that like his teacher, Grand Ayatollah Khoei, he is not a fervent supporter of the political Islam advocated by Khomeini (and as such is not a supporter of the theory of velayat-e faqih). On the contrary, he is a secularist in the precise sense that he is against the idea of religious scholars holding political office - a position which does not prevent him from making political statements.

With this new autonomy of the Iraqi Shiites and Ali al-Sistani’s status as a marja (and even primus inter pares), we see the return of a classical configuration of the relation of state and religion in Shia Islam. On the one hand, there is a relatively autonomous political sphere that works according to a secular, national, political logic (in the past the Shah, at present the «theocracy» in Tehran). On the other hand, there is a relatively autonomous religious authority, distinct from the political sphere and incarnated by one or several marjas, who in Najaf or Kerbala (or even Lebanon) possesses a great deal of autonomy in relation to the political regime in Tehran. It is openly discussed in contemporary Iraq, Lebanon and even Qom if it is possible to separate the office of the Leader from the title of marja, or even if it is possible to abolish the office of the Leader altogether. Such abolition would mean that the idea of a fusion between religion and state has been abandoned not only in practice but also in theory - in other words, the end of Islamism. Several Grand Ayatollahs (Fadlallah, al-Sistani) have publicly denounced Khomeini’s theory of velayat-e faqih, the so-called «line of the Imam». This germinating separation of state and religion has a trans-national dimension, since the religious legitimacy today is not represented by the religious authorities in Iran (Qom), but by Shia authorities outside Iran.

The new theology

Parallel to the introduction of secularism in the political system in Iran, theories of secularism appeared in the 1990s among theologians who proposed alternative ways of separating religion and politics in the Iranian context. The distinction between theoretical secularism and political secularism is that theoretical secularism is democratic. The new theologians are both secularists and democrats and they propose a different relation between state and religion than the one currently practised in the Islamic Republic (where democracy leaves something to be desired!).

Recently, hojjat ol-eslam Mohsen Kadivar has formulated a theological critique of the velayat-e faqih and subsequently a defence of the separation of state and religion in Iran. According to Kadivar, the concept of velayat-e faqih - and with it the extremely political interpretation of Islam – is a completely marginal concept in classical Shia theology. Kadivar’s analysis thus relativizes the whole idea of velayat-e faqih, which no longer appears to be the final truth about the relation between religion and politics but just one possible interpretation among many (Kadivar 2002). Kadivar criticizes the
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velayat-e faqih and openly defends a separation of religion and state. In the newspaper Khordad he explained that, «In order to save religion, the religious institution should be separated from the political institution. In other words, state and religion should be separated. The union of these two institutions will have disadvantageous consequences for religion, since religion will be considered responsible for all the problems of everyday life» (cf. Kian-Thiébaut 2005:31).

Apart from this young religious scholar, a few high-ranking ayatollahs, who in principle support the Iranian Revolution, also expressed their reservations towards the concept of velayat-e faqih. Grand Ayatollah Montazeri, who until the late 1980s was the chosen successor to Ayatollah Khomeini, is a fervent advocate of a «democratization» of the Iranian regime. According to Montazeri, the office of the Leader should be abandoned in order to pave the way for a real Iranian democracy built on popular sovereignty (Montazeri 2000). Montazeri thus proposes a political system where state and religion are separated in the sense that the state is no longer the monopoly of a religious caste, but is ruled by the politicians whom the people elect – with no consideration whatsoever of their religious background or affiliation. Nevertheless, Montazeri, who is a product of classical Islamism and was ayatollah Khomeini’s close companion, is still loyal to the idea that the democratic legislation should, to some degree, be controlled by a religious council. However, this council - an updated version of the Guardian Council - should not control whether the laws of the parliament are in accordance with Sharia, but just make sure that they are not in flagrant contradiction of «Islam».

To sum up: Montazeri seeks a secularist democracy with religious brakes.

The most sophisticated version of theoretical secularism in an Iranian context has been formulated by the philosopher Abdolkarim Soroush, who was a popular figure during the reform-period of the 1990s. Soroush’s theory of secularism is built on a distinction between religion (din) and religious interpretations (marefat-e dini) (Soroush 2000:30). Religion is transcendent, and human beings have no access to this transcendence. Since they have no direct insight into God’s will, they must content themselves with making religious interpretations of the holy texts. These interpretations, however, are always limited and potentially incorrect. The distinction between religion and religious interpretations thus implies that no human being – not even the very top of the religious hierarchy – can claim to be in possession of religious truth as such. If this epistemology is transferred to a political context, it constitutes a barely hidden critique of the velayat-e faqih that builds explicitly on the idea that because of his specific knowledge the most erudite religious jurisprudent has a right to rule. However, if there are no absolute religious truths monopolized by a chosen few but only a plurality of limited interpretations, this paves the way for a democratic arena where different religious interpretations must fight to impose their views in the political sphere.

Soroush is thus in opposition to the traditional ulama (religious scholars) as well as to the politicized interpretation of Islam that was propagated by Khomeini. Against this political version of Islam, Soroush speaks of the extension and contraction of shari’a (qabz va bast-e shari’a). Shari’a can penetrate the political and juridical sphere, but similarly it can withdraw from these spheres. Against the Islamists who maintain that the Qur’an and the Sunna hold unambiguous indications of how to rule a state, Soroush
maintains that Islam as such does not contain an answer to every possible question. The administration of a modern state does not call for knowledge of Sharia, but for knowledge derived from modern secular sciences such as economics, sociology or political science. «Secularism, in this sense, is nothing but the «scientification» and rationalization of social and political thought and deliberation» (Soroush 2000:57)

According to Soroush, secularism could also be understood as a separation of religion and state, but not as a separation of religion and politics. In a religious society, i.e. a society where religion plays a role in public life, a separation of religion and politics is just not possible (Soroush 2004). The model of secularism, proposed by Soroush, is in other words secularism without secularization, since the institutional separation of religion and state coexist with a «religious civil society» (jame‘e-ye madani-ye dini). He thus leaves behind the classical French model of secularism, built on the idea that an institutional separation of religion and state (secularism) goes hand in hand with the progressive disappearance of religion (secularization). His concept of secularism is closer to an American model of secularism. The early American Protestants who advocated a separation of church and state did not want to oust religion from the public sphere, but rather to guarantee its free practice. In line with these American Protestants, Soroush conceives the institutional separation of religion and state as a neutral framework permitting a «religious civil society» to express itself freely - also in the political sphere.

Such a «religious democracy» is intrinsically different from an Islamic state. According to Soroush, the problem is not the interference of religion in politics as such. The problem arises when a religious oligarchy monopolizes the power of the state and forces religion onto society from above in the form of religious dogmas and laws that cannot be questioned. This concept of religion is, to say the least, incompatible with democracy. On the other hand, religion is no problem when it penetrates political life from below, i.e. from civil society and takes the form of religious interpretations that enter into an open democratic dialogue. In Soroush’s view, religion is first and foremost a private question, which can nevertheless find expression in political life as values. In this version of secularism, religion is not heteronomy – i.e. juridical dogmas defined by high-ranking scholars – but autonomy, i.e. moral values that each citizen defines freely according to their own conviction. It is important, however, that non-religious arguments are also accepted in the political debate. In the United States, the debate is whether one should allow religious arguments in the political debate (Audi and Wolterstorff 1997; Rorty 2003). In Iran, the opposite question is posed: To what extent should secular arguments (i.e. arguments grounded in modern science) be allowed? Soroush defends the idea of an «epistemological pluralism» (Soroush 2000:133), implying that all types of arguments – religious, scientific, etc. – should be allowed in the political arena. Once again Soroush, and the new theologians in general, are opposed to a French model of secularism, in which the state is supposed to liberate the individual from religion. Instead they follow an American model, where religion is used to liberate the individual from a suppressive state.
The plurality of secularism in Iran

To sum up, in contemporary Iran there are a plurality of secularisms that each in very different ways has religion as a key element. On one side of the spectrum, secularism is introduced at the level of the state, thus little by little making obsolete the logic of an Islamic state. Although secularism is gaining ground at the level of the state, the political elite is still using religion to legitimise the current political system (thus clinging to some mundane privileges). On the other side of the spectrum, there exist several theories of secularism that see no contradiction between religion and secularism, but defend the position that the religious values of the citizens are part of a modern democracy.

In Iran, however, the reform-movement of the 1990s and the new theories of secularism have been marginalised. Currently, there is no sign that an opening-up of the political regime is within reach. The political and sociological trend has taken quite another direction than the one anticipated by the new theologians. The political system has been put under seal and the conservative political elite leaves no room for civil society to freely express its religious (or non-religious) values in political life. While secularism is confirmed at the level of the state, the philosophical and theological secularisms have been marginalised within the last few years and as such appear to be still more outdated.

Since Soroush’s theory of secularism analyses the combination of a secularist state and a religious civil society it could, however, turn out to be relevant in other parts of the world where secularism at the state-level co-exists with a civil society whose religious values tend to imprint political life (for example USA, India or parts of the Middle East). Even if the new theologians have lost the battle in Iran so far, they have contributed with a theory of secularism that could turn out to be useful in other contexts. In the years to come, we must develop new concepts if we are to understand the current relationship between religion and politics. This relationship turns out to be more complex than a simple separation. At least the time is over when we could content ourselves with the belief that we in the West have long since built a «wall of separation» between religion and politics.

Notes

1 Candidates running for parliamentary elections are admittedly approved by the Guardian Council. Nevertheless the process of legislation is a political one where disagreements are discussed; it is not a religious dictate emanating from a high-ranking faqih.

2 During a conference in Copenhagen on May 10 2006 Ayatollah Tehrani explained that in the Shia religious hierarchy some «social titles» were given not as a rubberstamp of theological qualifications, but as a social recognition.
References