

Clerical Dissent in Iran

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Introduction

Ever since the Islamic Revolution shattered Western assumptions about Iran, Americans have tended to view Iran, Iranians, and Iranian government as a homogenous monolith. In some quarters, this simplistic approach is giving way to more nuanced studies in an attempt to understand why Iran's politics surprise and confound American strategists again and again. One of the less-explored nuances of Iranian society and politics are the inner workings of the clerical class. In spite of the opportunity to seemingly seize total control of Iran and obtain significant benefits for their own class, there has actually been a great deal of dispute within clerical ranks from the outset of the revolution. Furthermore, this debate, which became dissent after the establishment of the Islamic Republic, has shifted in content and method as the Islamic Republic has evolved over time. The evolution of clerical dissent from the revolution to present day echoes fundamental changes in governance which threaten the legitimacy and stability of the government of the Islamic Republic of Iran.

Origination of Velayat al Faqih

The Shi'a tradition had resisted the idea of Islamic governance in the form of *velayat al faqih* (rule of the jurist) throughout history, and generally viewed government as having a corrupting force on religion. The origins of the Shi'a tradition emerged from a narrative of political corruption and persecution, and the leadership vacuum which followed the Occultation of the Twelfth Imam lead to a diffuse organization of religious authority. However, Ayatollah Ruhollah Khomeini revived *velayat al faqih* and added a new twist to it, explicitly calling for the absolute authority of a single Grand Jurist above all other clerics and persons alike. *Velayat al-faqih* became the cornerstone of the Islamic Republic of Iran as it is experienced today, and it is the doctrine which stands as the existential heart of the regime's power. As such, it is also forms the

centerpiece of dissenting opinions regarding the regime. This study analyzes the evolution of dissenting clerical approaches to *velayat al-faqih* and the implications of these approaches.

Khomeini himself developed this idea over time, and the relationship between the evolution of the theory and implementation of *velayat al faqih* and the strategies of those in disagreement with it are mutually dependent.

Khomeini introduced the central principle of *velayat al faqih* well before the Islamic Revolution in a series of lectures presented during his exile in Najaf. At the time, the senior clerics in Najaf rejected Khomeini's ideas on this point, and Khomeini did not receive a warm welcome in Najaf although he was granted the respect customarily given to the rank of Ayatollah. During this period, Grand Ayatollah Abu Al-Qasim al-Khoei had commented as follows in response to a student's question: "The authority of faqih – limited to the guardianship of widows and orphans – could not be extended by human beings to the political spheres. In the absence of one or a few fuqaha [those trained in fiqh]" (Künkler p. 3, 2011; Keddie p. 177, 1983) Khoei further elaborates his reasoning, saying,

"During the occultation [of the Imam] the wilaya of the jurists cannot be established by reference to any proof. The wilaya is exclusive to the Prophet and the Imams. That which is established in favor of the jurists from the hadith reports is in two fields: in adjudication or judgeship (qadawa) and issuing of legal opinions (fatawa) ... accordingly, that which is established for the jurist is permission of disposal and administration but not general wilaya,". (Mavani, p. 196, 2013)

In response to these comments, Khomeini spent two weeks elaborating on his opposing views on *velayat al faqih*. He claimed that a jurisprudent,

"...has the same authority that the Most Noble Messenger and the Imams had," and that "Imam Sadiq (upon whom be peace), holding absolute authority and empowered to rule over all the ulama, the fuqaha, and the people at large, was able to appoint rulers and judges not only for his own lifetime, but also for subsequent ages. This indeed he did, naming the fuqaha as 'rulers', so that no one might presume that their function was

restricted to judicial affairs and divorced from other concerns of government,”. (Keddie p. 177, 180, 1983)

When Khomeini presented his thesis on *velayat al faqih*, he further alienated many of the clerical elite in Najaf. In addition to contradicting the most widely revered Ayatollah at the time, his ideas on *velayat al faqih* clashed with the majority of senior clerics in Najaf.

Arguments Against Velayat al Faqih

Many of the early arguments against *velayat al faqih* were rooted in historical precedent.

Lacking any previous instance of Islamic governance in Shi'a history aside from the Prophet Muhammad, Imam Ali, and the Imams, jurisprudential arguments most commonly centered on the actions of these individuals, and the question of what authority had passed to the clerics upon the Occultation of the 12th Imam. Prevailing clerical thought held that only these original religious figures were endowed with the quality of infallibility, the idea that through divine qualities they were incapable of error. Because later generations of clergy were not believed to possess this quality their authority had been limited in scope. Much of the debate over Khomeini's endorsement of *velayat al-faqih* centered around which subjects it was permissible for clerics to issue rulings about. In essence this was a debate about the limits of clerical authority.

Discussion of the Imamate was another common theme used, and whether the senior clerics retained any of the authority and divine insight that had belonged to the Prophet Muhammad, Imam Ali, and the Imams. Opponents to Khomeini's ideas on *velayat al faqih* tended to couch their arguments in these terms. Many could not envision the events to come, and if they did they did not believe that Khomeini would take sole and absolute power as the Supreme Jurist.

Khomeini himself had issued statements to the effect that he did not desire to do this.

At this point in time the Islamic Republic was a speculative idea, and an event which had no precedent in Shi'a history from which to draw lessons. Many clerics who did come to support Khomeini and a version of *velayat al faqih*, if not precisely as it formed following the revolution, had no point of reference to help them understand the potential pitfalls. It was widely believed at the time that no jurist of such high stature could be corruptible. (Ghobadzadeh p. 162, 2015) Ayatollah Montazeri, a former advocate of Khomeini who later became a prominent critic of *velayat al faqih*, lamented the lack of clerical experience in politics and their consequent missteps in creating an Islamic government. (Abdo p. 17, 2001) The arguments against *velayat al faqih* from this time demonstrate this lack of context.

After the success of the revolution, as clerics began to come to terms with the political realities involved in taking power, the arguments against *velayat al faqih* began to expand to include concerns about despotism and corruption. During the writing of the constitution it became clear that *velayat al faqih* would mean supreme authority invested in a single cleric, Ayatollah Khomeini, rather than any other, more diffuse, arrangement for clerical involvement in governance. Ayatollah Shariat'madari objected to the empowerment of the *marja'e taqlid* (Khomeini) saying that *velayat al faqih* was an ambiguous and contested principle, and that, "...the institutionalization of the wilayat-i faqih contradicted the constitutional article vesting sovereignty in the people," (Fischer p. 222, 1980). When the new constitution went to referendum he appeared on television endorsing the constitution with the explicit exception of the articles concerning *velayat al faqih*. (Fischer p. 222, 237, 1980) In early September of 1979 Ayatollah Taleqani, "spoke [...] warning Iranians to avoid despotism masquerading as religion. It was against Islam, he reminded his listeners, to deprive *people* of the right to criticize, to protest, and to express grievances,". (Fischer p. 222, 1980) In 1984 Ayatollah Nematollah

Salehi-Najafabadi connected ‘associating *velayat*’ (authority) with ‘*vekalat*’ (representation) to claim that the clergy should represent the people and not the Hidden Imam in the political sphere, and therefore seek majority opinion for the right to rule. (Ghobadzadeh p.159, 2015) In the 1990s Ayatollah Montazeri began to promote the idea of elected conditional rule (*hokumat-i mardomi va qanun-e moqayyadeh*) and published a book entitled Democratic Government and Constitutionalism (*Hokumat-e Mardomi va Qanun-e Asasi*). (Nabavi, p. 62, 2012) This theme continued to develop as an argument used against *velayat al faqih* as the government consolidated power.

The nomination of Ali Khamenei to succeed Khomeini, advancement to *mujtahid* in 1997 (Künkler p. 8, 2011), and adjustments to the constitution in 1989 (e.g. adding the word ‘absolute’ (*motlaqeh*) is added to ‘*velayat al faqih*’) inspired renewed objections to *velayat al faqih*. (Abdo p. 23, 2001) Because he was at the time only a *hojjatoleslam* and not a *mujtahid* or a *marja*’, Khamenei’s nomination upset many clerics, and ultimately the requirements for accession to *vali-e faqih* had to be adjusted to in order to allow for him to hold the position. The ascension of Khamenei followed directly on the heels of the conviction and execution of Mehdi Hashemi, a student of Montazeri and the brother of his son-in-law, and the mass execution of over 3,500 political prisoners in 1988. (Künkler p. 7, 2011) It is believed that these three events mark the turning point for Montazeri from regime supporter to vociferous dissident.

In his interviews via fax with Geneive Abdo in 1999/2000, Montazeri describes the contradictions enshrined in the structure of the Islamic Republic which create lack of accountability, and invite abuses of power. These reasons, grounded in his personal experience of living in a fully realized Islamic Republic, are what forms the core of his objection to *velayat al faqih*. Montazeri was certainly not alone among the clergy in these sentiments. A young cleric

by the name of Ahmad Qabel was arrested for asserting that the Supreme Leader was not above the constitution and that in this respect he was equal before the law to all citizens. (Künkler p. 43, 2011) While Hejjatoleslam Hasan Yousefi Eshkevari advocated the idea of ‘religious democracy’, in which Islam is not the sole source of authority, and denies the supreme authority of the clerics during the period of Occultation. (Nabavi, p.61, 2012)

Human Rights vs. Velayat al Faqih

A third major evolution in clerical objection to *velayat al faqih* began showing signs at the end of the 1980s, but it wasn’t until the nineties with the advent of student protests, suppression of the press, and continuing clerical repression that this next approach gains prominence. The protests of 1999 and 2009 elicited heavy punitive measures carried out by paramilitary and vigilante groups such as the Pasdaran (Islamic Revolutionary Guard Corps) and Basij, among others. The violence was designed to terrorize and intimidate the population into submission.

While examples of gross violations of basic human rights and liberal ideas of freedom of speech predate these periods of protest, the events surrounding the protests seem to have highlighted these issues and demonstrated the relevance of these concepts to jurisprudential analysis. Clerics who stepped forward in opposition to the regime and *velayat al faqih* began to speak more frequently of the violation of human rights as a central argument against it. For example, Ayatollah Behjat Zanjani uses a message from Imam Ali to the governor of Egypt to,

“...demonstrated the equality of all human beings and the people’s right to dissent and hold the ruler accountable. In his estimation, freedom occupies the supreme position in the hierarchy of rights and voiding it would be equivalent to robbing the people of their religion and the essence of what makes them human,”. (Mavani, p. 200, 2013)

Zanjani's comments stand in stark contrast to Khomeini's equation of Islamic governance as the supreme religious principle and definition of religion, by instead elevating human rights and freedoms and highlighting the accountability of political leadership to the people.

Mohsen Kadivar is another powerful advocate of the compatibility with Islam of both modern human rights and the freedom of the people to select a democratic government. He is also a fierce opponent of *velayat al-faqih*. He has analyzed the Qur'an, Sunnah, consensus of the ulama, and reason in order to discard the principle of *velayat al faqih* as, "...neither a requirement of religion or a necessity for denomination... it is, by near consensus of the Shiite Ulama, nothing more than a jurisprudential minor hypothesis,". (Marshall p. 44, 2011)

This shift to a focus on human rights is mirrored in the more general political/secular debates as a shift from 'reform' to 'rights', as characterized by Negin Nabavi in his article entitled "From 'Reform' to 'Rights': Mapping a Changing Discourse in Iran, 1997-2009". (Nabavi p. 39, 2012) Nabavi describes, "...questions such as political structure, political culture, and behavior," as being the focus of the Center of Strategic Studies in the mid-1990s, whereas the publication *Kiyan* explored the interrelatedness of religion and politics.

Emadeddin Baqi provides insight into how thinkers on both the religious and secular side of the opposition came to recognize the significance of human rights in this context. In a 2009 interview, "he explained that if he had turned his attention to human rights issues, it was because in prison, upon thinking over his own actions along with that of the reformers in general, he had concluded that, 'in the reform period, we [reformists] had been afflicted with elitism and had distanced ourselves from the social domain'," (Nabavi, p.46, 2012) This self-analysis applied equally to the approach of dissident clerics, who had also been preoccupied with first historical and religious precedents and then political principles. The suffering endured by clerics and

reformers of all stripes, and the experience of witnessing the suffering of the people in the streets as a result of violent regime strategies turned both camps of opposition to international human rights advocacy.

Consequences of Dissent

The harsh persecution of clerical dissent led many to avoid direct attacks on the regime in the form of critiques of the concept of *velayat al faqih*, and some clerics attempted to express their disagreement with the regime indirectly through discussions on tangential issues such as clerical education and funding sources or women's dress codes, eventually even these topics became taboo.

The consequences clerics face in Iran for speaking out against the Islamic Republic or *velayat al faqih* are extreme. Khomeini established the Special Clerical Court (SCC) in 1979 dedicated exclusively to the prosecution of clerical dissidents. It was closed at the behest of Ayatollah Montazeri, but re-established in 1987 in order to put Mehdi Hashemi on trial. Montazeri's assessment was as follows: "A manifestation of lawbreaking in the Islamic Republic of Iran is the establishment of an institution known as the Special Clergy Court. [...] Since I was against it from the outset because I considered it a type of prejudice and prerogative, I obtained Imam's agreement to close it down. However, I was later informed that Imam Khomeini had decided to reestablish it to improve the clergy." (Künkler p. 15, 2011) The SCC is an extra-constitutional court which is only accountable to the Supreme Leader. Frequently it denies defendants defense representation altogether or simply assigns the accused's defense lawyer to them. Until Khatami's presidency there was no appeals process. In addition to prosecution duties, the SCC also is responsible for freezing the funds that adherents send to dissident *maraji'*, and for censoring writing which challenge the Islamic authority of the regime. (Künkler p. 31, 2011)

Getting accurate data from inside Iran is notoriously difficult, but the one source that is available cites Special Clerical Court chief justice Hojjat al-Islam Salimi in 2006 stating that 2,000 cases are prosecuted annually in the Special Clerical Court (SCC). In addition, it claims that between 1988 and 2000 approximately 600 clerics were executed, 2,000 defrocked, and 4,000 punished with imprisonment, fines, and beatings. Unlike citizen courts, which are subject to constitutional law and have always had appeals processes built into them, the SCC has no such rules. (Künkler p. 36-37, 2011)

Of the cases which were readily available to me there was only one case in which a cleric was formally executed by the Islamic Republic. However there are reports of many hundreds of clerics having been secretly executed. (Künkler p. 36-37, 2011) In addition, there is an odd tendency for clerics under house arrest to die under mysterious circumstances, although they are officially recorded as natural deaths, beginning in 1979 with Ayatollah Taleqani, who officially died in his sleep under house arrest, but had electricity and telephone lines to his house cut on the night of his death. (Künkler p.5, 2011)

Also, many clerics experience lifelong health issues stemming from imprisonment, beatings, and torture, and many die from health complications resulting from this harsh treatment. Lastly, some clerics have been denied access to medical treatment while imprisoned or under house arrest, which also leads to 'natural' death through criminal neglect. Regardless of the actual numbers for all of these methods, it seems clear that the government's preference is for less sensational methods of eliminating clerical dissidents than public execution, and that the prosecution of clerics is particularly unforgiving.

Senior clerics presented some of the most powerful opposition immediately after the success of the Islamic Revolution (Ghobadzadeh p.151, 2015). For many reasons, senior clerics were

positioned to contest the power of Khomeini, and it was for this reason that disagreement and dissent met with zero tolerance. In addition to direct measures aimed at the clerics, Khomeini arrested family members, friends and supporters and also subjected them to torture and interrogation. Ayatollah Mohammad Kazem Shariat' Madari and Ayatollah Taleqani were among the first senior clerics arrested and they served as warnings to those who followed as to what could be expected if a cleric chose to disagree with the Supreme Leader. (Künkler p. 4-5, 2011)

At the time of the revolution, although Khomeini's charisma and campaigning had won him significant popular support, there were still several *marja'* of equal or higher rank than he who might issue conflicting rulings on religion. Given the context of historical pluralism in Shi'a jurisprudence, these clerics presented a threat to Khomeini's consolidation of absolute rule. Unlike lay politicians, in the climate of a newly established Islamic government achieved through popular demand, the clergy possessed the religious authority to claim power for themselves (or an alternate arrangement which eliminates the position of Grand Jurist). In addition, *maraji'* traditionally received their funding and support directly from the people, which gave them the material means and influence with which to contest power. Shariat' madari demonstrated this in his influence over the constitutional referendum voting and when his followers attempted to take control of Tabriz. Shariat' madari was subsequently accused of planning a coup d'etat, confessed on state television in 1982, stripped of his religious rank, and confined for the remainder of his life under house arrest. (Ghobadzadeh p. 156, Abdo p. 29, 2003)

In sum, it becomes clear that the main aim of the Islamic Republic's treatment of dissident clerics is designed to silence and isolate them in order to eliminate them as a political threat. In

addition to conventional methods of repression, such as imprisonment and torture, the use of house arrests, travel bans, enforced exile, the stripping of clerical titles, confiscation of their property and institutions, closure of news outlets, and prohibitions against teaching all serve this end. According to Babak Rahimi, there was an overwhelming reaction in support of the demonstrators in 2009 (Nabavi p. 68, 2012), but it is difficult to conclude whether this is an indication of widespread clerical support for internationally defined human rights in opposition to the Iranian government, as we do not have exact numbers as to who supported the protesters nor the total number of clergy and seminarians in Iran today. As a result of the government's strategy it is hard to know how many clerics today disagree with Khamenei and *velayat al faqih* in Iran. Many have certainly gone underground, employing the principle of *taqiya* which permits a believer to hide or deny one's religious belief and practice in the face of persecution. Others, such as Kadivar have fled abroad. It is also difficult to assess how many individuals who would otherwise have pursued clerical studies have opted not to in light of the current climate.

Reinforcing the Islamic Republic's Control

Concurrently, the Iranian government has invested in establishing new schools and organizations supportive of the Supreme Leader's message. The Society of Seminary Teachers of Qom (*jame'eh-ye modarresin-e hawzeh-ye 'elmiyeh Qom*) was adapted to monopolize authority over the designation of *maraji'*, monitor religious educational materials, and propose judges to the judiciary system. In addition, Khomeini assumed personal control over the appointment of Friday prayer leaders. (Künkler p. 5, 2011; Ghobadzadeh p. 179-181, 2015; Abdo p. 45, 2003) This gives the impression that through restriction of information, training, and clerical debate Iran may in fact be producing more clerics than prior to the revolution, and that these seminarians and clergy will be unanimously supportive of the regime. Most of the senior clerics

who dissented against the Islamic Republic have by now been eliminated or have died of old age, and it seems that paths to attaining the status of *marja'* has been closed to any who might hold similar sentiments.

External Voices

With the doors to *fiqh* closed inside Iran for those who oppose the Islamic Republic as it exists currently, the authority of Shi'a clerics outside of Iran is increasing in significance. Najaf, in Iraq, is historically the preeminent center of Shi'a learning, and it is common practice for Iranian clerics to spend time in Qom and Najaf in pursuit of their studies. Ayatollah Sistani, the most prestigious *marja'* in Iraq, has made it clear that he does not agree with the principle of *velayat al faqih*, but is also not ostentatious in his comments on the topic. Notably, on his official website the subject is entirely missing. However, the opinion can be gleaned from his conversations with Khomeini, spoken comments, and his involvement in post-war Iraq's politics working to prevent religious involvement in Iraqi politics. In 2006 he is quoted telling a visiting scholar, "Even if I must be wiped out, I will not let the experience of Iran be repeated in Iraq,". (Ghobadzadeh p.154, 2015)

Several considerations may explain the reasons for Sistani's avoidance of the subject. Najaf is, for one, not far from Iran, and the Iranian regime has a record of carrying out the occasional assassination abroad. Also, in order to keep his own religious centers open in Iran, Sistani must avoid confrontation with the Islamic Republic. Then again, perhaps it is simply the quietist adherence to his own proscriptions against clerical involvement in politics, as was the case for many of the *marja-e taghlids* who opposed Khomeini (Ghobadzadeh p. 28, 152, 2015), but in light of Sistani's involvement in Iraq's political development and his influence in Iran this seems less and less likely. Nonetheless, it is significant that would-be clerics of Iranian descent might

have access to a center of Shi'a learning that does not indoctrinate them in the Islamic Republic's agenda.

New Opportunities for Outsiders

While clerical dissent within Iran evolved in terms of its substance, it has also evolved in terms of its methodology. Initial responses to Khomeini's assertions regarding *velayat al faqih* tended to quietism, but as the political and social consequences of his policies became evident more clerics chose to engage in activism. Finally, the vicious repression of these clerical activists has driven them underground or led them into exile. However, the story does not end there.

With the rise of the internet international crossflows of information have become much easier, and while the Iranian government strives to control its citizen's access to the internet and international media, it has been largely unsuccessful at suppressing access to dissident ideas. This raises the possibility of Iranian clerics outside of Iran acquiring a degree of prestige and influence and contesting the regime's religious hegemony. Certainly exiled clerics such as Mohsen Kadivar have made their views heard at home in Iran. However, they run the risk of falling out of touch and losing currency with Iranians after a prolonged separation from the interior workings of the country.

Additionally, sympathetic clergy who are unwilling to take a more active approach can still fill a support role by serving as a source of knowledge and advice for dealing with the Islamic Republic. Grand Ayatollah Yousef Sanei, for example, was known to receive university students seeking advice on how to save friends facing the death penalty in Iranian courts, or Western diplomats seeking to understand the relation of religion and state or pass messages to other clerics (Abdo p. 21, 2003).

The inability or unwillingness of the clerical class to advocate for citizen's rights has angered many Iranians, and some have simply rejected religion wholesale, but there still remains a significant portion of the population who are religious but deeply opposed to the regime.

Bypassing the challenges of pursuing credibility and prestige through religious seminaries, a new class of individual, exemplified by Dr. Abdulkarim Soroush, is gaining influence from abroad.

Some refer to them as non-clerical 'religious intellectuals', individuals who advocate for religion, and in some cases religious involvement in governance, but who are opposed to *velayat al faqih* and the abuses of power exemplified by the Grand Jurist. At the same time, there is discussion of a movement for 'religious secularity', which advocates separating religion from state in order to preserve religion. However with a bit of irony it was Ali Shariati who first proposed the idea of an "Islam without clergy" (Ghobadzadeh p. 172, 174, 2015) While both of these advocate for Islam, they represent a de facto erosion of the power of the clergy for a couple of reasons. First, religious intellectuals represent alternate sources of religious authority completely detached from clerical training/traditions (Ghobadzadeh p. 173, 2015). Secondly, clerics are potentially removed from the equation with respect to the relationship between governance and religion, both in planning and perhaps in execution.

Deal with the Devil: Compromise in the Islamic Republic

Meanwhile, the Iranian government undermines the clerical class by making deals with the devil back home in Iran. By turning away from balance of power arrangements inclusive of dissenting clerics, popular representation, and ultimately human rights, the Islamic Republic compromised on its own revolutionary goals and its Islamic integrity in order to secure the absolute power of the Grand Jurist. The examples of these compromises are abundant. The most damning involve arrangements with the Pasdaran, Basij, and other vigilante actors like the Ansar e Hezbollah or

even rogue individuals. Allowing such groups free rein with regard to brutality has deeply eroded the popular legitimacy of the government. In addition, leniency in areas such as smuggling and poaching represent breaches of law and Islamic ethics which both undermine the popular legitimacy and Islamic legitimacy of the regime.

Whereas Khomeini spoke of a government accountable to the people centered on popular representation, what exists today is a poor shadow of that revolutionary ideal. However, Khomeini himself laid the ground for such conflicts of interest in the broadest terms. In 1988 he announced that Shari'a can be broached if doing so serves society's welfare and best interests, which in real terms translates to whatever the Islamic Republic wants it to mean. (Mavani, p.181, 2013; Ghobadzadeh p. 5, 2015) In a response regarding the permissibility of espionage, Khomeini's justification elevates Islam above Muslims, saying, "Protecting Muslims' life is highly important, but protecting Islam is beyond protecting even all Muslims. This is a stupid argument that some groups say that espionage is not good. The corrupt espionage is bad. But to protect Islam and Muslims it is *vajeb* [necessary/recommended], lying is *vajeb*, drinking is *vajeb*,". (Khomeini p. 116, translated from the official website)

Even more explicitly, Khomeini served the following reprimand to then-President Khamenei for having described the authority of the Islamic government as circumscribed by sacred law: "A government... [was] one of the primary commandments of Islam and has priority over all derivative commandments, even over prayer, fasting, and pilgrimage to Mecca,".

(Ghobadzadeh p. 24, 2015) By this Khomeini has elevated Islamic government, a vague and clearly disputed term, above the pillars of Islam.

Furthermore, Khomeini defined the meaning of a crime among the clergy in a way which was broad and highly susceptible to interpretation. "For the members of the clerical community, acts

which by norm and convention cause damage to the integrity of the clergy and the Islamic Revolution shall be considered as a crime,” (Künkler p. 22, 2011) This allowed for the prosecution and conviction of clerics for essentially any disagreement with the Supreme Leader whatsoever.

This strategy exposes the Islamic Republic to political fragility, although it may not be obvious on the outside. The Islamic Republic has traded two legitimacies for one, and that a shaky one at best. Lost is the Islamic legitimacy as an Islamic regime endowed with divine mandate to rule, lost is the popular mandate of the people consenting to be governed, and gained is the legitimacy of a monopoly on coercive force. All the while, the regime maintains a charade of multiple conflicting truths by continuing to claim religious authority and popular mandate.

Critical in this analysis is the understanding that the Islamic Republic has slowly migrated the majority of coercive force capability to the Pasdaran. Already the Pasdaran was employed in an officially sanctioned capacity to threaten then-President Khatami with a coup if he did not fall into line and suppress student protests. (Naji, p. 67, 2008) This means that a precedent is set for their ability and authority to carry out a coup. At the same time, the interests of the Pasdaran do not always align with the Islamic Republic. For example, the Basij and Pasdaran are heavily invested in the status quo via shadow markets which make them reluctant to engage seriously in nuclear negotiations or to open up the Iranian economy or reconcile with the West. Also, periodic outbursts of vigilante violence, such as acid attacks and murders, which go unprosecuted or unpunished discredit the regime both at home and abroad.

Conclusion

The evidence seems to suggest that the ruling clerics in Iran no longer wield absolute control. Moreover, the evolution of Shi'a clerical dissent towards an emphasis on popular representation

and internationally defined human rights is a reflection of the ruling clergy's loss of legitimacy. The adaptation techniques of dissident clergy and the implementation of Khomeini's *velayat al faqih* in Iran have had profound consequences for the practice of Shi'a Islam. Laypersons and clerics alike have witnessed a rapid evolution in Shi'a thought and clerical roles after centuries of fairly consistent adherence to tradition and slow-moving change. The Islamic Republic now finds itself engaged in a power-sharing scheme with groups diametrically opposed to their founding ideals. What results is potential instability and insecurity for the regime, although thus far it has maintained an external appearance of unity. While the dissident clerics have been largely forced from the political arena, they managed to have a significant impact on public opinion on their way out. It remains to be seen if dominant strength now lies with the ruling clerics or with secular power seeking forces.