Feasibility of the use of three types of Max Weber's legitimacy in the system of the Islamic Republic of Iran

(1989 - 2005)

Mohammad AbediArdakani¹
Seyed Mohsen Mirhosseini²
Zahra ZangenehGhasemabadi³

Abstract

As an ideological system, the system of the Islamic Republic has certain traditional and religious principles and rules and regulations. Their combination is one of the most important fundamental of its legitimacy. To rely on the Islamic traditions and the traditional role of the clergy, holding the highest political positions in Iran and similarly to rely on the principle of democracy in the form of the Islamic Republic is crystallization of double role of the tradition and the law. It seems that after the death of Imam Khomeini, a charismatic leadership, the political life of Iran has divides into two different sections. According to this classification, from the year 1989 to 1997 (the tenure of Hashemi Rafsanjani) we have observed the supremacy of traditional legitimacy over all other aspects of legitimacy in the Islamic Republic. On the other hand, when the reformists came into power (1997 to 2005), the legal and diplomatic aspect of the Islamic Republic became more creditable. In this research we have tried to use the library method to collect appropriate data and then analyze and describe it. The method of study has also been adopted on the same basis so that relying on the theoretical framework of Weber the limits of manifestation of three aspects of his legitimacy during 1989 - 2005 may become clear. The results of the study show that in the system of the Islamic Republic of Iran, that the traditional legitimacy ruled during 1989 - 1997 whereas the rational-legal legitimacy ruled during 1997 to 2005; although in both the tenures other forms of legitimacy intended by Weber were also present in the sidelines.

Keywords: the Islamic Republic of Iran, traditional legitimacy, legal legitimacy, politics, Weber.

¹ PhD of political sciences, Yazd University, political science department, Email, maa1374@gmail.com
² PhD of political sciences, Yazd University, political science department, Email, mmirhosaini@yazd.ac.ir
³ M.A of political sciences, Yazd University, political sciences Department, Email, z.zanganeh17@gmail.com
Introduction

The legitimacy of the government is one of the principal issues in governance. The very moment when a government comes into being the legitimacy is born alongside. The legitimacy makes the power of the government rightful, legal and as a result tolerable for the people. A government which comes into being on the basis of force will not continue to live – no matter how powerful it is and how many militarily and violent opportunities does it have. Such a government will fall with fall of the system based on force. Thus, it can be said that legitimacy is one of the important elements of every political system which can be observed in different institution of political systems in a personal, ideological, structural, hidden or even open form. In fact, every political system struggles to gain legitimacy. Different political systems in different times and places have gained legitimacy. Slavery, feudalism, monarchy, aristocracy, oligarchy, plutocracy (a government dominated by the rich or a class which gains power due to wealth) representative government, direct democracy etc. have gained legitimacy in different periods of time and places. Even, in the democratic societies, the political system gains legitimacy from contradictory principles of power.

Nevertheless, there are several models in different scientific and philosophical circles which study the issue of legitimacy and its forms in different societies and tenures. One of these models is model of three legitimacies of Max Weber (traditional, charismatic and legal-rational legitimacies). Keeping this in view, the main concern of the writers, in this study, is to answer this question: “With regard to the three forms of legitimacy of Max Weber, how can the legitimacy in the system of the Islamic Republic during the years 1989 - 2005 can be described?” With regard to this question, the current research will evaluate the hypothesis that “it seems that the legitimacy in the system of the Islamic Republic of Iran during the period 1989 - 2005 is, although, not completely compatible with the three stages of legitimacy of Max Weber and rather it is a combination of the of his legitimacy, but at the same time, during the year 1989 - 1997 the traditional legitimacy was dominant whereas the legal legitimacy was dominant during the period 1997 - 2005. In order to evaluate this hypothesis first we will try to describe the theoretical framework of Weber; then keeping in view the model of legitimacy of Weber, the forms of legitimacy in the period 1989 2005 will be analyzed with the supposition of dominance of traditional legitimacy during 1989 - 1997 and rational legitimacy during 1997 - 2005.

1 - The theoretical framework of the research

As any sort of struggle for feasibility of usage of three forms of Webber’s legitimacy requires clarification of the model intended by him in this regard, therefore before entering into the discussion of the usage, it is important to briefly discuss his model. It seems, that the main idea of Max Webber in political sociology is to analyze the three forms of legitimacy (traditional, charismatic and legal-rational). He has presented this idea against the Marxist theory in the area of political sociology. On the other hand, the issues like meaningful action, social status, culture and the value of everyone are associated with the name of Webber. This step of his life shows
that he paid more attention to the quality of the phenomena rather than their quantity. Therefore, the main part of Webber’s sociology is related to his reaction against positivism (Allen 2004:68). Therefore, the theoretical framework of Webber can help in relationship of religious beliefs and political culture with the socio-political structures. In brief, the relationship between social and economic classes with religion, tradition etc. is the central point of Webber’s political thought.

According to Webber, the traditional legitimacy is the most basic form of legitimacy which is derived from the traditions beliefs and rules. It means that the past traditions like religion, political and religious legends and respect for the tribal traditions have determinative role in the believability of the rulers near the people. These beliefs are based on the idea that that the rulers are the defenders as well as the continuers of the traditions of the societies. So it can be concluded that the only documents acceptable in the orientation of establishment of traditional data collection, are the documents of tradition i.e. the nature and history (Webber, 2005: 364-366). According to Webber, the traditional legitimacy is very diverse and it varies from gerontocracy to patrimonialism and sultanism.

Webber believes that the next form of legitimacy is the charismatic legitimacy which arises from the personal characteristics of the leaders and the elites. Charisma is a Greek word which means ‘God’s blessing’ like the ability to do miracles or foretell the future events. In other words the word charisma is referred to a specific characteristic of one’s personality merely because of which he is discriminated from the ordinary people. He is dealt with in such a way as if he has supernatural and superhuman powers and qualities or at least he specifically has extraordinary powers and qualities. These features are such that they are unachievable for ordinary people rather they are believed to have divine or ideal origin. On basis of these features, the person possessing them is considered as the leader. (Webber, 2005: 454-455). In this form of legitimacy, unlike other forms, the strong historical logic does not play role in believability of people, rather the people obey the rulers due to their personal attraction. The hierarchy of government in such form of legitimacy is not formed on the basis of merit rather what is important is the nearness and farness of the followers from the charisma. Therefore, the followers are the assignees who perform their duties through the charismatic leadership of the leader relying on their charisma. There is no system of formal rules and mere legal principles and therefore there is no judicial process based on them. Similarly, there is no legal rational which is in lines of the judicial history. Without any doubt, the verdicts are innovated from case to case and their source is related to the God’s verdicts and revelation (Webber 2005: 456-457). Thus, it should be stated that the extraordinary spiritual power of a leader is transferred to all his companions (Roche 2007: 123). Therefore, it should be said that with the dominance of the charismatic leader, his obeying him is the most important source of legitimacy of some political systems. Gandhi in India, Hitler in Germany, de Gaulle in France and Imam Khomeini in Iran are the most obvious instances of charismatic leaders.

In Webber’s theory, the third type of legitimacy is the legal-rational legitimacy which, according to him, is obtained by demystification of the traditional legitimacy. The idea of Webber that the
world always advances towards rationalization implies that legal-rational legitimacy will be the dominant form in many societies after the modern period. In fact, according to Webber, the modern have four distinguish characteristics. Firstly, it has a legal and administrative system which is changeable by legal means rather than the wish of the lords or order of the leader. Secondly, it has an administration which works according to the law; the workers and judges do not apply their own laws rather they implement the laws defined by the legislative body. Thirdly, they government has binding power over all of its members – membership is normally at time of formation – and activities performed under it. And lastly, the government can use force provided that it is permitted by the law (Krayb, 2003:238). Nevertheless, the legal-rational legitimacy has specific characteristics which distinguish the people of those societies from all other forms.


As we know that the system of the Islamic Republic is a specific form of religious democracy whose shape and appearance is democratic and content is Islamic. This double term, which becomes clear in two elements “people” and “religion”, describes, in some means, the legal-rational and traditional legitimacy of Webber which also reflects in the constitution of the Islamic Republic also. For example the article 56 of the constitution clearly states: “The absolute sovereignty on the world and human being rests with Allah and He Himself has made the human being dominant over his fortune…and the nation will implement this God given right in the ways which will be mentioned in the coming articles” (Mansur, 2001:53). The article 5 also verifies this fact: “In the period of disappearance of Imam Mahdi (AS), in the Islamic Republic of Iran, the Velayah and Imamate of the Ummah is the responsibility of the just and pious jurist who is aware of the time, brave, expert in management. He will take this responsibility according to the article 107” (Mansur, 2001:27-38). Along with these two fundamentals, one should not disregard the capabilities, personal features and the extraordinary powers hidden in the leaders and political and religious officials of the Islamic republic. It is this factor which pushes us towards the charismatic legitimacy. Now, the following question arises: “Which one of the three forms of legitimacy intended by Webber were present in the system of the Islamic Republic of Iran during the two tenures 1989-1997 and 1997-2005”. In the coming lines we have tried to answer this question.

The tenure of Hashemi Rafsanjani and domination of the traditional legitimacy (1989-1997)

If to rely on the role of ancient traditions is meant by the term ‘the traditional legitimacy’ then one of its manifestations is present in the constitution of the Islamic Republic of Iran. This constitution is inclined towards the role of the Islamic traditions more than anything else and many articles mention this. For instance, according to article 10 of the constitution: “As family is the basic unit of an Islamic society, all the related rules and regulations and planning should be in line of making the formation of family easy, safeguarding its sacredness and solidifying the
family relationship on basis of Islamic laws and morals” (Kamalan, 2009:27). Similarly it is mentioned in article 12 of the constitution: “The state religion of Iran is Islam and the IthnaAsh’ari school of thought and this article is unchangeable forever…” (Kamalan, 2009:28). The current research believes that the role of these instances of the constitution which manifests the traditional legitimacy is much apparent in the time period of 1989-1997.

In the last days before decease of Imam Khomeini the constitution was revised and the authorities of Vali-e-Faqih were not only mentioned more clearly but they were also increased; as a result of which the three authorities (legislature, judiciary and executive) came under supervision of the absolute Velayah (al-Velayah al-Motlaqah) (Article 56); and the following authorities were given to him: “setting the policies of the Islamic Republic after counseling with the Expediency Council”, “supervision over the better implementation of policies”, “command of referendum”, “declaration of war and peace and preparing the (military) forces”, “appointment of the chief justice and the chief of radio and television organization”, “settlement of disputes and regulations of the relations between the three authorities”, “solving the problems of the system which cannot be solved through ordinary means”, “enforcement of the president after being elected by the people”, “dismissing the president after taking in view the interests of the country after the verdict of the supreme court about violation of legal responsibilities by him or after the vote of vote of lack of confidence by the parliament”, “forgiveness or concession in punishment of the criminals within the limits of the Islamic regulations” (Article 110).

Although, due to these authorities, the power and position of Vali-e-Faqih has become unique in the country and his status is much higher as compared to the president and the Islamic parliament but this status should not be considered as dictatorship (Kadi, 2004:48-49); because a collection of internal, external and institutional factors prevents dictatorship.

Anyhow, after the decease of Imam Khomeini, the charismatic legitimacy which was dominant over the two other types of legitimacy i.e. traditional legitimacy and legal-rational legitimacy, was replaced by the traditional legitimacy. By strengthening the institutionalization and expanding the military and civil organizations, Ayatollah Khamenei, gradually modernized the administration of the country on grand level. In other words it can be said that the charismatic leadership of Imam Khomeini was replaced by bureaucratic leadership of Ayatollah Khamenei (Khelji, 2009). Therefore, one of the important aspects of the traditional legitimacy is to believe in unmatched role of clergy as interpreters of Islam. They are known as experts in interpretation of Islam and in implementation of its laws. For instance, Hashemi Rafsanjani who was elected as president in this tenure refers to this important role and therefore he defends the traditional legitimacy. In his meeting with the grand mufti of Syria, he expressed his views about the role of the clerics in the Muslim societies in these words: “Islam has responsibility for administration of the human society and the religious leaders of the Muslim world should make efforts to introduce the real face of Islam to the world” (Daily Kayhan, 1989:3).

In the same tenure, supported by the well-known clerics, the Guardian Council, which is one of the institutions which defend the traditional legitimacy, was able to play its role in the highest
decisions of public opinion due to its being blessed with the capability of mandatory supervision on general elections. All the election candidates in Iran had taken the permit to enter in political scenario of the country from the same council. The Guardian Council had practically changed into a legitimacy-giving institution of the Islamic Republic (Qawchani a, 2000:223). In simple words: in this tenure, the Guardian Council and the Assembly of the Experts were known as “the guardians of the traditional system” who defended the traditional legitimacy of the system by their traditional readings. With such an approach, the Guardian Council directed the second Assembly of the Experts towards a majority of conservatives with the support of the reading about its maximum supervision; and it disqualified many leftist figures like Karubi, Khalkhali, Bayat, MousaviTabrizi, Mohtashemi, Montajibnia, Khatemi, HadiKhamenei, Mohammad Ali Rahmani etc. Then, in order to avoid repetition of what happened in the third parliamentary election, it repeated this experience in the 1992 with regard to the fourth parliamentary election and prevented BahzadNabavi, AtefehRajai, Ibrahim Asgharzadeh and many other political figures of the left wing from participating in the elections. After that until today the Guardian Council have been the most firm fort to defend the conservative system in all three tenures of parliament which has resulted in consolidation of the economically-politically ruling class and conservative domination (Qawchani b, 200:118).

In addition to this important institution, many other traditional institutions like the Revolutionary Guards, Imams of congregational prayers and other religious and traditional institutions can be seen which have played role in defending ‘the ancient traditions’ more than anything. It seems that formation of such institutions, which decisively defended the traditional legitimacy in this tenure and most importantly involved in its reproduction, was rooted in the firm principles of the revolution which succeeded in 1979 and was strengthened in 1980’s and early 1990’s. In simple words, the gain of power by the clerics as result of the Islamic Revolution resulted in gain of power by traditional institutions and consequently the traditional legitimacy in the mentioned time frame. Therefore, the most important result of institutionalization of the charisma in form of Velayat-e-Faqih was the domination of the traditional clergy which gained dominance over majority of the political institutions of the Islamic Republic. The parliament, the Guardian Council, the judiciary, the Assembly of the Experts, Imams of Friday prayers, the representatives of Vali-e-Faqih in organizations and foundations, radio and television and a part of executive authority were some of the institutions which showed, one after the other, the dominance of clergy. Similarly, although the assemblies and organizations like Jame’eh-e-Rouhaniat, Jame’eh-e-Modarresin and the market which mainly come under the right traditional class were apparently not a part of government but they influenced the decision making and guided the government institutions towards their own goals. Although, in the beginning of the period of succession, this class defended independent economic and development of the private sector but they never showed interest in policy of competitive and innovative environment and have always restricted to the necessity of political obstruction and ideological control of the government over the cultural matters. Thus, with institutionalization of Velayat-e-Faqih, the traditional clergy was
also institutionalized in main sectors of government (Zare’, 2001:136). Anyhow, these matters show the domination of traditional legitimacy over all other aspects of legitimacy in this tenure.

2.2 The status of all other aspects of legitimacy in this tenure

Despite relatively greater dominance and prominence of the traditional legitimacy in this tenure, all other aspects of legitimacy i.e. charismatic and legal-rational legitimacies were also apparent. Therefore, it is necessary to study their status briefly:

Despite the dominance of legal-rational legitimacy in this tenure, one can refer to evidences which show less remarkable presence of the legal-rational legitimacy. One of the evidences for this claim is the change of political expressions of Iran in that tenure. It was for the first time, that the terms ‘capitalism’, ‘privatization’, ‘open doors’ etc. became part of political discussions. Above all, President Hashemi Rafsanjani believed that increase in employment and decrease in social gap is achievable only by means of ‘reconstruction’; and it is the only way to bring human beings to level that they may find the possibility of political and cultural development; in other words if the economic and cultural development accompany each other, it will result in progress of the level of general culture and sustainability of security (Habibzadeh, 1999:119).

It seems that in this tenure the cultural diversity was much greater as compared to the first decade of the revolution. This resulted in formation of liberal groups like ‘Halqeh-e-Kian’ and semi-underground activities of organizations like ‘Nahzat-e-Azadi’ and publication of important newspapers like ‘Salam’ having leftist and criticizing political inclinations. Of course, it should be stated that the mere activity of such groups does not mean that legal-rational legitimacy was present; however, the viewpoints of these newly formed groups in this time period were not affectless in appearance and development of such legitimacy. Another evidence is the viewpoint of a founder of ‘Hizb e Karguzaran e Sazandagi’, Hussein Mar’ashi. He says:

“We are democrats i.e. we accept the rule of people over people. We believe that despite all its drawbacks, democracy is the best system in the world as compared to the monarchy, tribal system and aristocracy. We do not talk about the ideal government. We talk about a possible, existing and desired government. The ideal government is only the Welayah based government, instance of which took place only and only from the night of ninth Muharram till the noon of the tenth Muharram [61 AH]. However, in the period of disappearance [of Imam Mahdi] democracy is a moderate and acceptable model in the world today. Its weaknesses are less than its strengths. Our scholars in the era of Mashrutah also had the same assessment. In the period of disappearance [of Imam Mahdi] there is no way but to refer to the public opinion. Difference of a liberal and a socialist system is due to their individualist and pluralist policies. If orientation of a system is inclined towards originality of human being and independence, such a system will be liberal in nature and if pluralistic approach is strengthened and the dominance of government against the individual increases the socialistic inclination will become more prominent. ‘Hizb e Kargozarane Sazandagi’ believes in democratic method of government, individual and
liberalistic independence while preserving the Islamic bonds. It can also be named as ‘Liberal Muslim Democrats’” (Mara’ashi, 2008, 67).

Thus, despite dominance of traditional legitimacy in this tenure, the legal legitimacy also was present beside it. Therefore, one cannot always talk about pure legitimacy in the area of politics and society rather the forms of legitimacy are always changing and they change from one form to another. In fact, the political legitimacy in every political system or society is born of its own time.

2.2.2 The status of charismatic legitimacy

Possibly, it may come in mind in the first step that with the death of Imam Khomeini the charismatic legitimacy in the Islamic Republic also came to its end. However, a deeper look shows that after his death some high level political elites of the system enjoyed charismatic aspect and behavior also (although it was on a lower level as compared to Imam Khomeini). Two mentionable instances of them are Ayatollah Khamenei and Hashemi Rafsanjani.

Ayatollah Khamenei is prominent elite who is highly popular among the people. Even during the lifetime of Imam Khomeini he was elected consecutively twice as president. As an aware cleric and interpreter of the Islamic laws he enjoys a high position among the political and religious clerics. Ayatollah Khamenei is influenced by two persons Nawab Safavi and Imam Khomeini. They have directed and formed his political behavior. If, during the period when different groups of the history of Iran and Islam were subject to deviation in beliefs and change of political structure, instead of him anyone else was appointed to the post of Wali-e-Faqih he would have changed the direction of the revolution. Similarly, his expertise in subject of liberal factors in Iran, Indian subcontinent and North Africa – three key points and birthplaces of liberalism in the Muslim world – complete knowledge about the western culture and his being expert in the subject of the seven arts resulted in prevention of the Islamic revolution from falling (Fathi, 2012: 52-56). It was not pointless that Ayatollah Hashemi Rafsanjani also considered his selection as supreme leader of the Islamic Republic of Iran as a great achievement which originated from the guidelines of Imam Khomeini. In the session of his selection as the supreme leader, Rafsanjani said: “In a meeting with Imam, we said that presently there is no one who can be introduced as the supreme leader. This was because we supposed that the supreme leader after Imam should be a Marja’ and therefore we did not have anyone to come in place of Imam. However, Imam believed that why didn’t we have someone [to be appointed as the supreme leader]? We had [Ayatollah] Khamenei.” (Hashemi, 2009, The documentary titled: “Khat wa Nishan e Rahbari”). In fact, characteristics such as simple lifestyle, justice, jurisprudence along with piety, awareness of the matters and knowledge in [Ayatollah] Khamenei has resulted in his popularity among the people such that sometime the relationship between them is beyond the normal rational and formal ties and it has taken the form of relationship between ‘morid’ and ‘morad’ (a saint and his disciple). The secret of this charisma lies in the factors such as years of imprisonment in the Pahlavi prisons, simple lifestyle without any formality and glamour and
decisiveness. His friends like the deceased Bohlul have talked about his disinclination toward the worldly post and piety (Ayatollah Khamenei from the perspective of friends and enemies quoted in: www.farsnews.com). Even a writer from the institute “Carnegie for Peace” writes in the essay titled 'Readout of Ayatollah Khamenei, viewpoint of the world about the most powerful leader in Iran”: “Perhaps, there may be no leader in the world who is important enough as Ayatollah Khamenei for the current affairs of the world. At the same time he is fond of music and poetry. Ayatollah Khamenei consider that four goals of the Iranian Revolution are ‘justice’, ‘independence’, ‘self-sufficiency’ and ‘the religious spirituality’” (the same). In a message on occasion of attack on Ayatollah Khamenei on April 27,1981, Ayatollah Khomeini considered him as: “offspring of the Holy Prophet and Imam Hussein, whose only crime was his service to Islam and the Islamic country”. Similarly, he has praised him as a “devoted soldier in war, knowledgeable teacher in Mehrab, a strong speaker in Friday congregations and a compassionate leader in the scenario of the revolution” (www.ammarivon.ir).

Hashemi Rafsanjani is also another prominent personality of the revolution and a famous politician who also has the characteristic of charisma to a certain extent. He has played an important and determinative role in different political issues of the country. The study of his intellectual past, the ancestors he represents, the effect which he showed and the face of the revolution which he has exposed have made his name a synonym of ‘the expediency of the system’. Being the chief of ‘the Expediency Council’ he had been able to dominate his role in the period of disappearance and weakness of institutions. The effective role of Hashmi Rafsanjani in ‘the Expediency Council’, necessity of formation of a political party for the revolutionists – which resulted in formation of the Jomhuri Islami Party, a week after the revolution -, dismissal of Bani Sadr, termination of the war, and reconstruction after the war is undeniable. Due to his close relation with [Imam] Khomeini and presence in the core of the power (speaker of parliament, chief of Jomhuri Islami, chief of the Supreme Council of Defense etc.) he was the most trust worthy person for counseling and determining the expediency of the revolutionary system. He was the most important refuge for the near and distant protectors of the Islamic revolution. His office and house was the center for meeting of the chiefs of the three authorities. It was the place where the members of Hizb e Tudeh, Hizb e Melli- Mazhabiha and Nehzat e Azadi used to come. Nooruddin Keyanuri, and Mohammad Ali Amuei used to go to his office and inform him about the possible threats by the opponents of the revolution. Similarly, Javad Madarshahi and Habibollah AkarAuladi used to come there to inform him about the operation of Hizb e Tudeh in Pakistan and its relationship with the Soviet Union. The important decisions were made in his office. The concerns of the officials and their recommendations were also discussed in his office. (Barsaqian, 2012:39) It seems that enjoying such a position has given Hashemi Rafsanjani the opportunity to use this position and popularity in the politics.

It seems that the same characteristics resulted in his victory in the 1989 presidential election over other candidates and his two consecutive presidential tenures. During his eight years presidential tenures, he had legal power and effective ability to choose his ministers. He had been able to
gradually decrease the power of his opponents and thus control the general policies of the country in areas of defense, economic and foreign policy. As a president, he also had a notable power in areas of security. He was the chief of ‘the National Security Council’ and through that he had set the codification of the foreign policy of the country as his agenda. His membership in ‘the Expediency Council’ and other councils and institutions has resulted in increase of his political and executive powers. Until now, Hashemi Rafsanjani had enjoyed posts in executive authority (president), in legislature (the speaker of Islamic Parliament). On other hand he is the assistant of ‘the Council of the Experts’ and chief of ‘the Expediency Council’ (Ehteshami, 2006:93). It seems that having such different experiences in different areas like executive, legislature, expediency of the system etc. is enough for Hashemi to have a relatively charismatic personality; a personality which has always been effectively present in the political developments and his rotation towards a certain political class can affect the orientation of the political groups and movements.

2.3 The tenure of Khatami and dominance of legal-rational legitimacy (1997-2005)

It seems that the most important political movement which has risen for defense of law and rationality after the Islamic Revolution is the reformist movement. This movement came into being after ‘the Event of Second Khordad’. It wanted to justify the political legitimacy of the Islamic republic in terms of law and rationality. Therefore, in the ideal society intended by the reformists in this tenure thought and culture was played the central role (Khobairi, 2002:131-132). The said movement claims that human being is respectable thus his rights should be respected. The citizens of an Islamic civil society have the right to determine their fate and supervise the administration of the matters and they have the right of accountability of the government officials. The government is servant of the people and not their lord. It is always answerable to the people whom God has given dominance over their own fate. A reformist civil society is not a society where only the Muslims have rights and are considered as the citizens of the system rather it is a society in which every human being has right under the framework of the system and law and it is one of the most important duties of the government to defend his rights (Khatami, 1999:181). Therefore, according to the assumption of the reformists, in a society in which rationality and logic rules rather than emotions, traditions and national prejudices, the ground for achievement of a lawful society which protects the opinions and beliefs of people is provided (Tajik, 2002:88-89). These consideration show that ‘people’ are the axis of the reformist paradigm (Haqiqat, 2006:561).

Thus, in a society based on law and rationality the ground is provided for discussion on the issues like civil liberty, freedom of speech and thought and consequently the framework for simultaneous implementation of democracy and Islamism is provided. Thus, the national will and the sovereignty of the people manifest in different dimensions. In fact, democracy is not only the realization of people’s rights but it is also a set up to fulfill these rights. It is a matter which is up to some extent different from the concept of government based on obligation (Hejarian, 1998:53). It seems that the rational defense of the rights of people who are the Iranian citizens,
apart from any inclination and belief, is a prerequisite of such a society. It seems that in 1998 elections in Iran a shift of power had taken place and according to the Webber’s classification, the aspect of legal-rational legitimacy of government gained domination over its charismatic and traditional aspects.

The opinion of the president, in this tenure, was to defend, more than ever before, the constitution and to observe it for the sake of the individual of the nation; such that he believes that the most important condition for formation of a civil society is to accept the constitution. He believes that law is the most important condition for democracy and respect of the vote of the majority (Alizadeh and Razavi, 2000:215). This issue is not understandable outside the political structure of Iran; as Khatami believes in this regard: “Freedom does not mean to be outside the framework. The limits of freedom are specified in the law. Everyone can enjoy freedom within the framework specified by the constitution; he can express his words, participate in gatherings and organizations and convey his opinion to the government through them. This is the prerequisite of a democratic government which is also accepted by Islam and is mentioned in the constitution” (Khatami b, 2001:37). According to him the most stable, the most dynamic and the steadiest system is a system which applies the least limitation to expression of thoughts. With regard to freedom, first we should recognize the right of sovereignty of people over their fate as it has been recognized in the constitution. In fact when it is said “freedom”, the freedom of the opponent is intended otherwise if the people who hold the power or the people who agree with them may be free, it is not freedom. Freedom means the opponent’s freedom. The art of government is not in expelling the opponent from the scenario rather it art is in this that it may even force the opponent to act within the framework of the constitution (Khatami, 2000:119-120). Therefore, the most important axis of realization of an Islamic democratic system and true sovereignty of people’s will is the realization of lawfulness and existence of a lawful society. With these considerations the programs of the reformist government for the political and social developments of the Iranian society was based on the fundamental components of lawful system which rely on the opinion of people while safeguarding their social and political freedom.

2.4 The status of other aspects of legitimacy in this tenure

Like the previous tenure, in this tenure too none of the three forms of Webber’s legitimacy were completely or absolutely dominant; rather, in an environment of dominance of legal-rational legitimacy, the weak forms of traditional and charismatic legitimacies were also visible. Their status will be determined in the following lines.

2.4.1 The status of the traditional legitimacy

It seems that one of the major factors which resulted in continuation of the traditional limitation of the Islamic Republic of Iran along with the legal legitimacy during 1997-2005 was that the reformists defended the Islamic traditions as basis of the legal system of the Islamic Republic. As mentioned before, as the leader of reformists in this tenure, Khatami expressed his opinions with citations from the thought of Imam [Khomeini] and the Islamic constitution; such that under
continual pressure of his opponents, he described the civil society intended by him in terms of “Madinah ton-Nabi”. According to him, the Islamic Revolution of Iran was a movement for realization of religious democracy which realized in the system of the Islamic Republic. As a result, ‘Republic’ is a container whose content is ‘Islamic’. This is the same combination of democracy and Islamism which resembles the civil society or in other words the ‘Madinat-un-Nabi’. Therefore, the base of order in an Islamic Society is law and the act of abiding by it (Khatami, 1999:186). In fact in such a situation, the civil society should be considered as method for establishment of and ideological society; i.e. at the same moment that such a society is religious society, it is civil society too. In this case the civil society is a religious civil society (Aqajari, 1999:50).

Therefore, despite Khatami’s emphasizes on law, system and rationality, it should not be forgotten that, in whole, he is also a cleric and belongs to clergy. Therefore, any sort of his perception and understanding has, in some way, roots in religion and he could not understand and accept law and rationality without its religious channel (Yazdi, 2000:196). With such an approach, Khatami says: “In our society the clergy has been protectors of the identity, respect and religiousness. The clergy had fundamental role in the Islamic Revolution. Today, also there presence is a strong fort for protection of the great values of the revolution. In our society, clergy plays the role of public institution which supervises. However, other public organizations and institutions also exist in our society. We call them civil institutions. They are intermediates between the government and the people” (Khatami a, 2001:22).

2.4.2 The status of charismatic legitimacy

Despite Khatami’s emphasizes on law and nationality and despite their religious interpretation and consequently following the traditions and searching for the roots of the law in tradition, one cannot deny that he was one of the elites having charismatic personality. This factor was not affectless in his victory in two consecutive tenures. Relatively higher studies, being a cleric especially being a Seyed, his works and writings, teaching in universities, former positions in the scientific, cultural and art centers including being chief of the Kayhan Institution, being the minister of guidance and chief of the National Library are all the advantages which could result in his great influence on different classes of people especially those belonging to universities and cultural institutes. After his victory in the presidential election and taking the control of power he tried to strengthen his influence on different groups of people and attract their increasing support by acting on his election slogans and struggling for implantation of the political development and reforms (Hanafi, 2000:63-70). Similarly his emphasizes on ‘calmness’, ‘continence’, ‘patience’, ‘kindness’ and ‘continuous rejection of coercive power’ and acting upon these moral values in his life increased his charismatic aspects.

In addition to this, he had an extraordinary ‘influence and attractiveness’. Having a smiling face along with calmness and tolerance of the opponents has always presented him as popular figure. For instance, his picture with black background in which his two hands were under his chin in a
state of thoughtfulness, presented him as a sacred and thoughtful figure to the viewer. Similarly, his speeches, stances and expression of beliefs also strengthened his such image in minds of the people (Hanafi, 2000:104). It was the result of this along with his being a ‘Syed’ that, in elections, his picture with the picture of Imam Khomeini and Ayatollah Khamenei was presented as a popular poster which showed him along with the prominent political clerics. It can be said that the famous slogan: “Greeting be on the three Fatemi Seyeds: Khomeini, Khamenei and Khatami” had roots in the same matters. It seems that it was result of these instances that Khatami was recognized as charismatic figure.

Conclusion

This research was studied using the model of three legitimacies of Webber, the feasibility of its application in the system of the Islamic Republic of Iran during the time span: 1989-2005. The results show that after death of Imam Khomeini in 1989, the traditional institutes which were mainly in the hands of political-clerical elites or persons or groups related to them, gained more importance and higher and stronger position and their role was increased. This tenure, which started with the presidency of Hashemi Rafsanjani and continues till the elections of second Khordad is known for its three characteristics: 1. In addition to continuation of the traditional legitimacy, the traditional institutions had modern formations, strong organization and institutional hierarchy in their subsequent institutions. 2. The prominent revolutionary figures had possessed somewhat level of charismatic personality; and this matter influenced their role in guidance of the political system of the Islamic Republic. 3. The typology of legitimacy in this tenure shows that the traditional system during the presidency of Hashemi Rafsanjani possessed a certain authoritarianism; an issue which is considered as the prominent characteristic of the transitional period of most of the revolutions including the Islamic Revolution of Iran. In simple words, the dominant group legitimating the political system of the Islamic Republic emphasized on the authoritarian characteristics of the system more than on its legal-rational characteristics.

After formation of the movement of the second Khordad and ultimate victory of Khatami in presidential elections and his gaining the control of power for eight years, the legitimacy in this period was mainly interpreted in terms of lawfulness and rationalism. It was accompanied by freedom, defense of civil society against the government, giving active role to independent publications and newspapers. As the leader of the reformist movement, Khatami admired the role of law and rationality in matter of legitimacy of the system of the Islamic Republic more than ever before. He always emphasized on the aspects of democracy and freedom mentioned in the constitution. On the same time, he and a significant number of his supporters were clerics or related to clerics, such that they could not ignore their relations with the traditional and spiritual matters. All this shows that unlike the opinion of Webber firstly the three forms of legitimacy intended by him i.e. the traditional, charismatic and legal-rational legitimacies are not independent of each other such that each of them may have a separate identity and essence and may specify to a certain time or society; secondly, it is not the case that in every society or period, one of the forms may dominate absolutely and completely rather all of the three forms
express themselves except that one of them may be more prominent and dominant as compared to the other forms. Therefore, Webber’s model has no significant compatibility with legitimacy of the Islamic Republic in the tenures under questions; because in both the tenure we observe a sort of combination of different forms of Webber’s legitimacy; although they do not have the same role or affect. Collectively it can be said that in the time period of 1989-2005, despite dominance of one form of legitimacy at every specific tenure, other forms of legitimacy were also present and active. Therefore, in the two tenures under question and similarly in the next tenures also, the system of the Islamic Republic had never absolutely possesses a single form on legitimacy only so that one may analyze it.
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