



## **RELIGIOUS LEADERS AND FAILURE OF ESTABLISHMENT OF CIVIL SOCIETY IN IRANIAN CONSTITUTIONAL ERA**

Mahdi ESMAEILINIA

MA in Political Sciences, Islamic Azad University of Tabriz, Tabriz, Iran.

**Email:** M.esmailinia1367@gmail.com

### **ABSTRACT**

*Constitutionalist intellectuals sought to implement the western institutional models like political, legal and educational institutions in order to delimit the absolute power of the Qajar rulers within the framework of the law and strengthen the civil society. They were faced with the opposition of the religious leaders which had its own root in the fear of the religious leaders of the eradication of the Islamic culture and domination of secular culture over the Islamic community. This essay within the framework of the theory of "tradition the impediment of modernity" and with a historical method studies the reactions of the religious elements as one of the institutions of the traditional power of Iranian society in their encounter with the idea of modernism of the intellectuals. It shows how the early support of the clerics of the constitutionalism due to its inconsistency with the Islamic foundations changed into their later opposition with constitutionalism and the futile effort of the intellectuals in the accommodation of the religious notions with modernity for the sake of convincing the clerics proved inefficient. Intellectualism movement without the support of religious leaders failed to mobilize people for the establishment of civil society relying on the rule of law, and as a result of the obstacles created by the institution of the absolute monarchy, it failed to weaken the authority of Shah, fully establish the civil society and rule of law after the victory of Constitutionalism Revolution. Thus, society resigned to the dictatorship of Reza Khan following the chaos resulted from the lack of rule of law.*

**Keywords:** Civil Society, Constitutionalism, Traditionalism, Intellectuals, Legitimacy Seekers

### **INTRODUCTION**

In public domain of politics that is the territory between the masses and state, civil society and political society is located. Civil society is more concerned with the social and civil affairs and represents an institution for protection of individual rights and phenomenon of modernism and rationalism. But political society includes political parties and institutions that seek to have a share of political power. Formation of civil society in developing countries had been challenge against the authoritarianism of ruling body that saw the emergence of civil society as a threat against its own interests but since the civil society challenged the role of exclusivist, traditional and authoritarian powers not only it was not welcomed rather it created certain obstacles in the path of its formation and those powers that saw their own interests to be in conflict with civil, legal and democratic change and development of civil society started to challenge it (Alamdari, 2005: 68).

Fruition of movement of constitutionalism in Iran and its establishment could moderate the pressures exerted by the government on the citizens through the creation of a powerful civil society and make a considerable contribution to the process of modernization of Iranian society within the framework of law. However, Iran's traditional society in Qajar era lacked every type

of consciousness concerning the civil relations between the citizens and natural rights of individuals before the government and the relationship of people with the government did not seem to be more than the relationship between Sultan and Servant. The only authority and supporter of people before the measures taken by the authoritarian Qajar monarch was clerics who since time immemorial due to their connection with the sacred had a great honor and respect in the eyes of the rulers and people. This prerogative of the religious leaders turned them to the bannermen of the leadership and organization of people in opposition with the domestic and foreign policies of the Qajar Shah. Support of rule of law and constitutionalism for the sake of delimitation of the power of Shah attracted the attention of the religious leaders in support of the pro-law movement and constituted a united front with the intellectuals but due to the fear of domination of the western culture and colonialist states, they reacted to it and opposed it. The process of support and opposition of these traditional leaders of/ with the modernism represented their different notions of constitutional concepts such as freedom, equality, law and its nature to which we will turn in the upcoming discussions.

#### **THEORETICAL FOUNDATIONS AND FRAMEWORK:**

This essay is written within the framework of the theory of “tradition the impediment of modernity”. Of course, traditionalism versus modernism is not a special feature of Islamic religion rather it is a product of extensive social changes which in the even of emergence in every other non-Muslim society would bring about similar results and with its structural transformations including urbanism, ethnic-religious pluralism and nation-state building it leads to the fall of tradition in the society. The argument of the opponents of the modernism to the effect that “civil society” is a “nonreligious society” and religious society is in conflict with civilization has set the fundamentalism and return to tradition before modernity and western secular values and intensified the attacks against the notions derived from modernism. In underdeveloped countries which have always been under the domination of the colonialization of foreign governments, the idea of modernism has always been associated with the fear of the conspiracy of west and colonialism and the efforts for presentation of the notions derived from the western political culture have been doomed to fail. Historical studies show the serious opposition of the religious traditionalists in Iran who have been unremittingly challenging everything which was related with modernity and this is itself a significant factor that has led to the formation of the theory of “tradition the main impediment of modernism in Iran”.

From the perspective of this theory, the most important challenge and crisis of modernism in Iran is the result of the resistance and opposition of the traditions and traditionalists who make use of their power and influence in mobilization of people in order to marginalize the intellectual elites who struggle to create fundamental reforms in the power. This is to say that all aspects of a traditional society including the deep connection of people with the religion has prevented from the realization of every type of change in the political and social textures for acquisition of modernity, social and political freedom and finally the establishment and expansion of civil society. Moreover, backwardness in development of political and cultural institutions of society has served as an impediment before the acceptance of new notions by the religious elites and conservative rulers and led to the extensive effort of traditional institutions for preservation of the existing conditions in all respects.



## METHOD:

The method used in this study is historical-analytic and it seeks to answer the research question through the examination of the ideas and measures of the elites who were defenders of constitutionalism and reaction of religious leaders in opposition with the western factors of constitutionalism. In the present study the method of data collection has been library based and the tool used in this context was taking note. "Role of religious leaders in failure of realization of civil society in the age of constitutionalism" is taken as the main question of the study. To find an appropriate answer for this question, the function of the institution of "religion" with all its human and cultural elements versus the notions constitutionalism have been taken into consideration and its role in failure of formation of civil society within the drawn frameworks of constitutionalism is examined.

### *1- Intellectualism Movement against the Traditional Foundations of Society:*

Idea of modernism in Iran has been always challenging due to the inspiration received by Iranian intellectuals and reformists from the west. The colonialist policies of the foreign powers have caused every type of imitation and positive vision of the west to appear in the eyes of the clerics as an act of promotion of colonialism that would obstruct the influence of the idea of development and progress. "Early movements of modernization were triggered more by the men of sword. The reason for this was political not social and in fact, it was their reaction to gradual encroachment of the great powers and the military supremacy of these powers" (Perkins, 1843: 51). Insofar as in addition to the court, some of the opponents of the reforms of Abbas Mirza were clerics and religious leaders of the society. It seems that given the nature of traditionalism of clerics and the fact that some of the religious policies of Abbas Mirza in support of the religious minorities and also his reforms and modernism which were concerned with his occidentally oriented administrative methods, army, and teachings of western military technology unavoidably paved the path for the opposition of some of the clerics with him (Ajdani, 2006: 22). "Actions taken by Amir Kabir were the second turning point in the effort of Iranian reformists for accomplishment of reforms in Iran that failed" (Foran, 1993: 161). "Amir Kabir reduced the power of the clerical system and made religious tolerance and support of the rights of religious minorities part of his own policy and even gave them positions within his own administration and set the scene for their civil activities" (Adamyat, 1974: 220). "Following the arrival of Hajj Mirza Hossein Khan Sepahsalar better known as Moshir Al Dawlah a new wave of the governmental reforms and top-down reforms was inaugurated. His reformist actions caused the prevalence of modern notions including constitutionalism, nationality in the sense of nationalism, patriotism, personal freedom, political rights, freedom of thought, public ideas, constitution and public interests (Adamyat, 1972: 130). By the formation of constitutionalism movement as an anti-dictatorship movement under the banner of rule of law and equality, civil society in Iran entered a new phase. Mirza Abd Al Rahim Talbov one of the defenders of secularism without denying the necessity of religion and religious laws considered them to be separated from the administrative affairs of country and people's material life and in this way, he proposed a political system based on the secular and nonreligious laws (Ajdani, 2006: 60). He believed that freedom is divided into six parts of freedom of identity, freedom of beliefs, freedom of promise, freedom of press, freedom of society and freedom of choice (Takmil Humayun, 2004: 105). He also spoke of the necessity of acquisition of science and technique



and principles of modern social and political foundations (Adamyat, 1984: 26). In the domain of political thought, Talbov reaches the social substructures of legislation and considers it to be not based on the revealed rules nor according to the inherited authority rather on the collective will of a nation (Haqdar, 2004: 135). He believes that if Iranians understand the secret of the civilization and the power that leads them towards the development is not produced inside Iran, our homeland will begin to fall. According to Akhundzadeh, causes of backwardness and weakness of Iranian society should be sought for more in two factors of political dictatorship of the government and religious traditionalism. He believed that the most important strategy for finding a way out of the damaging consequences of dictatorship is the circulation and development sciences in the society and increase of consciousness and free thinking among people. He was a genuine secularist and a true defender of secular constitution and separation of politics and religiosity (Ajdani, 2006: 42-43). According to Mirza Aqa Khan Kermani, religious and sacred element does not matter; government is made by people with a determinate goal (Adamyat, 1976: 270-271). Civilization means preparation of natural needs and requirements of human livelihood and changing the human society from its wild state to civilization and civil life (Haqdar, 2004: 82). Thus, idea of Iranian intellectualism in Qajar era was struggling to strengthen the civil society for the sake of deconstruction of the traditional society and passage into the modern society and finally weakening of authority of monarchy.

#### *2- Importance of Institution of Religion in Social Relations and Qajar Regime:*

Religion with its consistent constitution in Qajar era is taken to be a social phenomenon that has formed the consensus of Iranian nation. Formation of national consciousness and capability of mobilization of people through it was a sign of interconnection of the national values in this historical era (Takmil Humayun, 2004: 201). The living and active ideology among people was summarized merely within the framework of religion (Haeri, 1981: 213). Clerics in traditional society (with dominant religious culture) more than any other group and social class were familiar with the habits, rituals and ideas of the people of city and village and had priority over others in mobilization of the mass movement (Ruydel, 2003: 34). Moreover, clergy due to the religion and different roles that it played (in judgement, education, endowment, document registration and etc), enjoyed a higher social status (Ruydel, 2003: 162). They even played the main role in the formation of the antiregime movement and organization of the opposition of the the authoritarian actions of Qajars.

Of course, religion and state despite certain political and social conflicts with each other in a moment of the history of Iran were of a unique nature to a considerable extent. “According to people, although the king based on his genealogical right had a claim of the legitimacy of his rule and justified it by means of such titles as “Shadow of Allah” or “Divine Majesty”, it was important that he would be in harmony with Sharia. Finally, authority of his rule depended on people’s belief that he is acting based on Sharia (Martin, 2010: 21). A group of clerics along with the statesmen and relatives of the bureaucratic system constituted the ruling class and there was a type of power race between these two since time immemorial (Ruydel, 2003: 39). However, after the sanction of tobacco by Mirza Shirazi that was followed by the support of the majority of the clerics on the necessity of the annulment of Reuter Concession and cutting the hands of the foreigners from the Muslim countries, the power and influence of clerics among different social classes as the leaders of the battle against the colonialism became more apparent.



In the course of constitutional movement, “the main incentive of the clerics was preservation of religion and religiosity against the danger of infidels and domination of strangers and with this incentive, they considered constitutionalism to be a rein for taming the raging government; a government that was ready to sell the country to the non-Muslim and infidel regime for preservation of its own absolute power. Therefore, they considered the support of constitutionalism to be tantamount to the support of Imam Zaman” (Ruydel, 2003: 125). Thus, “all clerics from the minor to the major voiced their opposition and as a result, a massive front of clerics and authorized religious references was formed against Shah. In mosques, schools, shrines and bazaar they began to preach against the central government and they threatened the Shah and the court by divine anger. They invited people to join the constitutionalism movement and even they promised paradise for those who become martyred in the path of freedom” (Pavlovic et al, 1979: 37). But the nature of the opposition of the religious clerics with the regime was different from that of the requests of the intellectuals of the restriction of absolute monarchy and expansion of civil freedoms and they were merely seeking to exercise justice as regards the problems and difficulties of people. In this sense, movement was nothing more than the repetition of the traditional role of clerics in leading the opposition of people with the state.

### *3- Double Notion of Religious Leaders of the Nature of Constitutionalism:*

There is no doubt that the clerics of Najaf, i.e. Akhund Khorasani, Mazandarani, Mirza Hossein Naeini, and others, understood constitutionalism as the observation of the Islamic codes. Thus, they defended constitutionalism based on the notion that they had of it. This notion was other than what was announced by the intellectual constitutionalists (Kasrawi, 1961: 286). Politics of constitutionalism or the rule of people was one of the major foundations of western civilization provided by the intellectuals who believed in the school of progress. Then, clergy turned towards this progressive element and defended it with the basic and religious interpretation of it. Seyed Mohammad Tabatabaei argues: “We had no vision of constitutionalism. But what we had heard and those who had seen it in the constitutionalist countries would say to us that constitutionalism paves the path for the security and construction of the country. Thus, we got enthusiastic and became interested in establishing constitutionalism in this country” (Ideology of Movement of Iranian Constitutionalism, 1976: 226). “Of course, Kasrawi believe that the clerics of Najaf like Sheikh Behbahani and Sheikh Tabatabaei and their disciples who insisted on constitutionalism had indeed no exact understanding of it. They saw no clear inconsistency between constitutionalism and Shia Islam” (Kasraei, 2000: 357). Modern press and educational institutes provided a secular context as an alternative for the mosque and bazaar. Such figures as Dolatabadi and Mirza Hassan Roshdiyyah were inspired by the European ideas concerning education even before the constitutionalist disputes and struggled to introduce modern schools and teachings in pure sciences and European languages. This movement was further strengthened by the early support of Sheikh Tabatabaei and Sheikh Behbahani. Establishment of semigovernmental society called “Society of Teachings” and foundation of new schools under its auspices were among the most important and efficient taken towards the development of a new association that defended constitutionalism. Intellectuals addressed the issues of constitutionalism and dangers of dictatorship through newspapers (Yar Shater, 2003: 41).

“Another group of religious clerics attacked every type of modernism within the framework of the traditionalist ideas and tendencies. The opposition of a group of them was the sign of a type



of reading of religion according to which there was no relation between religion and modernist ideas. From the perspective of this group of clerics, modernist ideas were wholly in conflict with the interests of Islam and Muslims and could be followed by the danger of the domination of the infidel strangers over the Islamic society” (Institute of Political Studies, 2007: 35). Thus, “in the era of Mohammad Ali Shah, a division occurred between the clerics. Although many clerics at the outset supported the opposition and constitutionalists in protest to the old regime and its dependency on Europe, it became clear soon that constitutionalism means departure from Sharia in some affairs and persuasion of secular legal and educational systems. It also represents certain series of economic reforms that reduces the power and influence of the clerics. Thus, although the majority of first class clerics in sacred cities of Iraq continued to support constitutionalism through telegraph and other possible ways, many other clerics preferred to support Shah. Sheikh Fazlullah Noori was among those who turned away from the constitutionalism” (Kadi, 2008: 106). “These two currents had no difference in all respects; rather both of them adopted common position in protection of Bayzah Al Islam, and devoted themselves to Islamic Honor and truthfulness of the Velayat of the Leading Saint of the age. Nevertheless, proponents of legitimacy invited the people to newly emerged political space and social ideas while they did not have the sufficient capability for extraction of the new views from the tradition. As a result, traditionalism prevented from the ignition the light of realism (Institute of Political Studies, 2007: 90). Religious current “although saw the constitutionalism a path for restriction of the power of kings had no sympathetic stance as regards its nonreligious ideologic content particularly the ideology of revolution developed by the intellectuals was impressed by the western ideas. They thought that the promotion of the modern values can provide the ground for the weakening of the social power of the clergy. This group sought to give a religious bent to the revolution and its goal was the establishment of the government based on the Islamic laws (Takmil Humayun, 2004: 202). According to jurists, the Islamic laws that have been inferred from Quran and tradition are accepted by the Muslims and observed by them. This agreement facilitates the affairs for the government. While in republicanism or constitutionalism and western democracy, the majority of those who introduce themselves as the representative of the majority impose their opinion in the name of the law and there is no regulation and measure that would restrict his jurisdiction before the minority; whether from the perspective of legislation or from the perspective of implementation of law” (Ansari, 1999: 201).

#### ***4- Harmonization of Modernity with Religion by Modernists:***

In fact, “regardless of rare exceptions, the first defenders of political reforms had the concern of harmonization of Islam with constitutionalism” (Yar Shater, 2003: 32). For “in traditional Iranian society the ruling body resorted to the religious and sacred origin in order to justify its authority whether rightly or wrongly, the battle with that culture and belief without paying attention to the social origins and economic factors of its formation was not right (Ruydel, 2003: 260-261). Thus, some constitutionalist intellectuals being informed of the traditional and religious context of Iranian society due to the impossibility of the acceptance of the new western notions in Iranian society, reduced the western concepts to religious factors in order to set the scene for rereading democracy and formation of modern civil society in underdeveloped Iranian society. “Although Mostashar Al Dawlah was a proponent and defender of constitutionalist regime and hugely emphasized on law, freedom, legal equality and rule of nation, he took some



actions for harmonization of the constitutionalism and democracy with Islam and Sharia laws in order to impede the opposition clerics and attract the collaboration of some of them for development of the idea of progress, reform and constitutionalism in Iran. Thus, as he sought to reduce modern notions in western political philosophy, his discussions failed to be secure enough due to certain failures (Ajdani, 2006: 49). Then, some disparities and essential conflicts between Islam and western democracy were neglected and remained hidden and this unavoidably led to the result that a considerable part of the defense of Mostashar Al Dawlah of the political system of parliamentarian western constitutionalism became void of democratic values. Moreover, Malkam Khan who during the whole of his lifetime was struggling for the rule of law and in his “Book of Law” that reflects his early political thoughts, he introduces rule of law as the best possible option in view of the existing political, social, cultural and religious conditions of Iran. Of course, he knew well that western democracy due to its content would be criticized by the religious clerics. Then, in his “Hidden Short Book” he sought to harmonize the western democratic ideas with Islamic Sharia (Ajdani, 2006: 51-53). Not only there was no connection between what Malkam Khan had proposed of ruling in his political theory, rather there was fundamental differences and conflicts (Ajdani, 2006: 56).

Therefore, results and outcomes of the effort of such intellectuals as Mostashar Al Dawlah and Malkam Khan in the field of harmony of Islam and western democracy caused a group of religious clerics in the age of constitutionalism as the people in charge of the religion and Sharia for enjoying the right of higher jurisdictions in respect of supervision and control of constitutionalism and new institutions to discuss the similarity between Islam and democracy and seek to reach legitimized constitutionalism which was of course in conflict with the secularist goals and challenged them (Ajdani, 2006: 62). “Akhund Khorasani and Mulla Abdullah Mazandarani define constitutionalism as follows: constitutionalism in every country consists of restriction and conditionality of will of monarchy and governmental centers. Keeping with the limits and statutes based on the official religion of a country is the content of rule of law while authoritarianism consists of boundless freedom of the monarch” (Kermani, 1985, vol. 1: 267).

Sheikh Mirza Mohammad Hossein Naeini in his “Tanbih Al Ummah va Tanzih Al Millah” struggles to show the parallel between the structure of constitutionalist government and Islamic teachings. He writes: “Freedom of pen and expression as a level of the God-given freedom consists of being delivered from the restrictions and possible impediments of the awakening and enlightenment of a nation that would open their eyes and ears of the principles of progress, dignity, independence and their efforts for preservation of the religion and so on and so forth” (Naeini, 1909: 124).

Sheikh Naeini by restriction of the limits of the function and jurisdictions of parliament to nonscriptural affairs showed lesser respect towards the constitutionalism and democracy and as a result few space remained for establishment of a truly constitutional regime (Haeri, 1981: 293). This was indeed a regime that would more reflect a spiritual government (theocracy) than a democratic constitutionalism. Having said these, ambiguous interpretations of Islam and democracy made Iranian constitutionalism deprived of having a clear ideology and mechanism (Ruydel, 2003: 152). The effort of the intellectuals for presentation of their ideas in a religion friendly form impeded the realization of civil society and its social functions.



##### ***5- “Freedom” and “Equality” in the Juncture of Sharia and Secularism:***

In the authoritarian society of Iran in Qajar era when there was no law or fundamental tradition according to which no life, property or work would be violated (Katoozian, 2010: 116), the idea of liberalism was the common feature and goal that with different degrees included all different social groups who were against the Qajar dictatorship (Ajdani, 2006: 69). But interpretations of freedom were different based on the individual worldviews. Intellectuals offered a secular interpretation of freedom that would lead to human deliverance from the servitude. Even some religious elements had an interpretation closed to secular intellectuals. Insofar as among the clerics of the age of constitutionalism Mulla Abd Al Rasul Kashani can be regarded as the most important liberalist cleric who relatively manages to go beyond the framework of traditional notion of freedom particularly in the domain of freedom of thinking and freedom of religious ideas (Ajdani, 2006: 72-73). “By recognizing freedoms of pen, expression, job, commerce, industry, thought and religious beliefs, Kashani has understood freedom as natural requirements of human existence and the border that distinguishes humanity from animal due to the observation of law in order to ensure the individual freedom” (Ajdani, 2012: 41). However, proponents of legitimacy considered the global phenomenon of freedom and equality from the perspective of Islamic jurisprudence and law and from this perspective, the followers of different religions and creeds enjoyed unequal rights. Thus conceived, freedom was limited to the borders of Sharia and divine law. Constitutionalism from the perspective of the proponent of legitimacy is tantamount to infidelity and his interpretation of freedom and equality was based on absolute freedom and equality” (Ruydel, 2003: 149). The battle of Sheikh Fazlullah Noori to a greater extent was the result of the ideological conflict with constitutionalism. The opposition with the principle of equality was so that “many conservative clerics under the leadership of Sheikh Fazlullah started to express their dissatisfaction with the Article 8 of the law that highlighted the principle of equality (Yar Shater, 2003: 75-76). In his critique of the principle of equality, he argues: “Eliminate the word equality from the Constitution that would make the rights and limits of the Muslim and the infidel one. If this principle lasts, the belief and infidelity will be on the same scale” (Torkaman, 1984: 260). Intensive opposition with this legal article has been mentioned by the pro-legitimacy cleric in the essay “Tazkirah Al Ghafil va Ershad Al Jahil” whose author is anonymous and raises hard criticisms against two principles of freedom and equality (Ideology of Movement of Iranian Constitutionalism, 1976: 260-263). Allama Mohammad Hossein Naeini who is considered to be one of the greatest theoreticians of Shia world in the age of Iranian constitutionalism has considered the division of freedom into freedom from political dictatorship and freedom from religious Sharia and supported the latter one.

##### ***6- Opposition of Clerics with Constitutionalist Government:***

Special notion of Shia Islam of illegitimacy of every type of secular (non-immaculate) government during the occultation era was one of the impediments before the formation of civil society in Iran. “Traditional notion of nation in the sense of Sharia and the followers of Sharia and application of every type of conflict between Sharia/clerics and government towards the conflict of nation with the nation was one of the most important causes and factors that obstructed the creation of civil society in Iran that is connected with the theory of nation in its new sense” (Ajdani, 2006: 38). Ahmad Kasrawi has regarded the Shia Islam to be inconsistent with the Constitutionalism and insists on the point that Shia Islam considers secularism –



including constitutionalism – to be illegitimate and warns its followers against committing themselves to the civil liability before this government” (Yazdani, 1997: 29).

As to the early agreement of the religious leaders with the constitutionalism and their later disagreement with constitutionalism, one should note that “incentives of the battle of the clerics with the foreign domination and its agents inside the government are more of a national color rather than the religious bent. They considered the opposition with constitutionalism to be opposition with Imam Zaman not merely due to the danger that is posed against the national interests rather more due to the fact that constitutionalism prevents from the annihilation of religion. But some years after the formation of constitutionalism, the constitutionalist clerics gradually understood that Islam within a constitutionalist government is in danger (Ruydel, 2003: 124-125). For “constitutionalists sought to control the power of religious conservatives by implementation of reforms in the judicial and educational system” (Yar Shater, 2003: 29). “Sheikh Fazlullah Noori and Mirza Ali Esfahani wrote that legislation is against Islam and the parliament was supposed to handle the administrative and bureaucratic affairs and codify certain laws that would restrict the power of the King and close the path of oppression. However, today we see that parliament has turned to a vehicle of westernization and this will challenge the primordial rules of Islam” (Ansari, 1999: 195). After the codification of constitutionalist laws, the clerics made use of their own influence and power in traditional society and took certain actions in opposition to the antireligious constitutionalist government. The main cases related to the constitutionalism that the proponents of legitimacy found to be against Islam and jurisprudential argumentation consisted of freedom, equality (man and woman, Muslim and non-Muslim), rule of majority, legislation and change in law, criminalization of the individuals based on law not according to the Fatwa of the top clerics, replacement of the parliamentary government with Velayat system, taking judicial affairs from the clerics and giving them to the ordinary judges (Ruydel, 2003: 127). “It was not the opposition of Allah with social reforms and connection of the nature of Sheikh with dictatorship that led him towards the battle with the constitutionalism of Sheikh Fazlullah, rather in fact, his battle with constitutionalism was a result of ideological conflict with it (Martin, 1989: 185). “Accordingly, he believed that his intention of participation in the movement of 1906 was the establishment of parliament not constitutionalism” (Arjomand, 1989: 180).

## CONCLUSION:

The movement of constitutionalism consists of efforts and events that occurred in the era of Muzaffar Al Din Shah Qajar and then in the era of Mohammad Ali Shah Qajar for changing the authoritarianism to constitutionalism and led to the formation of national parliament and adoption of the first constitution of Iran. At the first sight, due to the anti-dictatorial essence of constitutionalism, all groups and political currents including the intellectuals, religious leaders and people had a common view of the liberalist goals of constitutionalism which were in conflict with the authoritarian nature of the Qajar government and formed a unique front. But the factors derived from the western political thought in constitutionalism and emphasis on freedom, law, equality and creation of civil society in line with the western rights were so colorful that a considerable opposition with constitutionalism took place on the behalf of the religious leaders. Constitutionalism due to its debt to the western notions that were presented by



the intellectuals was criticized by the clerics. Its reason was the possibility of domination of foreign culture and dilution of Islamic culture due to the colonialist actions of the western governments and lack of political independence before them that gave rise to the doubts of clerics of the destiny of constitutionalism.

The conflict between the religious clerics and modernists showed itself through the mobilization of the people. This would slow the process of political and social modernization and lead to its failure. Moreover, the effort of some intellectuals for harmonization of constitutionalism with the Islamic notions led to the deviation of the intended goals of the constitutionalists. Thus, constitutionalism was successful in weakening the authoritarian Qajar system and changing it to the constitutional monarchy. However, Iranian society due to the lack of the required social and political contexts did not have a correct understanding of the results of constitutional movement and the rule of law in national affairs in the form of the strengthening and expansion of civil society. The chaos resulted from the failure of constitutionalism paved the path for a new dictatorship and authoritarian system for protection of the citizens and gave rise to the emergence of Reza Khan.

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