

## THE REVOLUTION FOR LAW

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In 1906 a constitution laid down the rules and procedures for government based in law. It was the first time in Iranian history that government was 'conditioned' (*mashrut*) to a set of fundamental laws which defined the limits of executive power, and detailed the rights and obligations of the state and society. No such revolution had ever happened in Europe, because - as a rule - there had always been legal limits to the exercise of power in European societies, however powerful the government might be, and however narrow, limited and unequal the scope of the law in defining the relationship between the state and society, and among the social classes. In Europe, the law had often been unequal, and unfair to the majority of the people. But, even in the four centuries of absolutism or despotism which reigned over the continent from England to Russia - although absolutism survived for so long only in Russia - there had been limits to exercise of state power, but they were considerably less in Russia than in the West. Revolts and revolutions in Europe had never been fought for law as such, but for changing the existing law to increase its scope of application, or to make it fairer.<sup>12</sup>

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<sup>1</sup>See further Homa Katouzian, 'Arbitrary rule, A Theory of State, Politics and Society in Iran', *British Journal of Middle Eastern Studies*, 24, 1, 1997, reprinted in *Iranian History and Politics*, London and New York: RoutledgeCurzon, 2003; 'European Liberalisms and Modern Concepts of Liberty in Iran', *Journal of Iranian Research and Analysis*, 15, 2, 1999., reprinted in *ibid*; *State and Society in Iran, The Eclipse of the Qajars and the Rise of the Pahlavis*, London and New York: I. B. Tauris, 2000, chapter 1.

The constitutional movement began slowly in the latter half of the nineteenth century. The defeats of Iran by Russia, and greater contact with Russia and other European powers, especially Britain, had opened a completely new window to the Iranian elite. Defeating and being defeated, even ruled, by foreigners had been quite familiar occurrences in the country's history. So had the imposition or importation, since ancient times, of foreign traditions, habits, religions, products and commodities. The puzzle of the Qajar rulers, and the soul-searching of the enlightened elite who served them - be it Abbas Mirza, the Prince Regent in the 1820s, or Amir Nezam Farahani (Amir Kabir) in the late 40's, or Mirza Hossein Khan Sephsalar and his men in the 60's - was not just about defeat in war and failure in peace. It was about the possession, by their new adversaries and competitors, of techniques and institutions which had never been known before, and which gave them such superiority over the Iranians that it looked as if no amount of traditional power and technology might equal. It almost looked like magic, if not to them, certainly to large numbers of people in towns and cities.<sup>3</sup> The tales that were spread about Europe, European cities, European science and technology, European armies, European wealth, European liberties and, not least sexual habits, were mostly magical and highly exaggerated. As late as the 1880's, outside of a small elite, almost all those who had heard of Malkam Khan, knew him as a magician, who, in one anecdote had brought dead sparrows back to life, and in another, had taken his right leg off and then put it back in its place. It was virtually believed that European countries were run as if by a magic wand.<sup>4</sup>

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<sup>3</sup>See further Homa Katouzian, *A History of Modern Iran*, forthcoming, chapters 2 and 3.

<sup>4</sup>See Mohammad Tavakkoli -Targhi, *Refashioning Iran, Orientalism, Occidentalism and Historiography*, Basingstoke and New York: Palgrave, 2001, *Tajaddod-e Bumi va Baz-andishi-ye Tarikh*, Tehran: Nashr-e Tarikh-e Iran, 2003.

The early modernizers had focussed their attention on the acquisition of modern techniques and military organisation. They sent a few state students to Europe, and later founded the Dar al-Fonun or *Politechnique*. The concern with the technological gap reached its height, perhaps, when Mostashar al-Dawleh declared that construction of railways would be the key to Iranian development. But later he came to the belief that (while he still believed that railways would play an important role) he declared Law – i.e. the abolition of arbitrary rule - as the most fundamental requirement. The importance of law had been emphasised both in Malkam's writings and in Sephsalar's constitutional framework. But it was from the mid-1870's perhaps that the reformers' thoughts definitely turned to the necessity of Law - of *Qanun* - as the pillar for the reform of government, and the panacea for modernization, or - as they described it at the time - 'civilisation'. The matter, of course, had been implicit in the central idea of ministerial and collective cabinet responsibility, which was the kernel of Sepahsalar's reform. Nevertheless, the idea of 'the rule of law' clearly looked a good deal more radical than mere ministerial responsibility, especially as law is not just constitutional and administrative but also judicial.

Naser al-Din Shah was aware of the importance, perhaps necessity, of reform. No longer did he think, like his grandfather Fath'ali Shah, that loss of arbitrary power would necessarily result in chaos, which had always been the case in Iranian history. He himself had seen Europe and its orderly and efficient government and society, three times. Indeed, upon returning from his third visit to European countries, he declared that the whole of the European 'order' and 'progress' was due to law and law alone, and charged a high council of the notables to sit and make laws for the land.

But this came to much less even than the Sepahsalar experiment, indeed to hardly anything at all.<sup>5</sup>

It did not take long for the campaign for law and modernisation - which, as noted, were believed to be directly connected together - to take a definitely rebellious form. Malkam Khan (Nazem al-Dawleh) began to publish the newspaper *Qanun* in London against the Shah and for constitutional government, which was smuggled into Iran and was potent in spreading the idea among the elite. He was the son of an Armenian convert to Islam who had studied in Paris for many years (mostly under Napoleon III), and had been a prominent figure among Sepahsalar's reformers. In the 1860s he had founded a secret society (*Faramush-khaneh*, or House of Oblivion) as a centre for reformist discussion with the Shah's knowledge. Some leading mullahs soon began to campaign against this. The Shah ordered its dissolution after a couple of years, and honourably discharged Malkam by sending him on foreign missions. The reformist government of Sepahsalar, 1871-1873, having failed Malkam was once again sent on diplomatic missions. He was Iranian minister in London, at the time of the Shah's state visit there in 1889. After the Shah's return they fell out apparently over matters of financial propriety and the Shah dismissed him from his post in London. Malkam's role in selling the lottery concession in the City of London cannot be adequately dealt with in such a short account of his career. But assuming that he would be found guilty of corrupt behaviour, it would be of no more relevance to a study of his reformist

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<sup>5</sup> See especially Abdolhossein Nava'i (ed.) *Sharh-e Hal-e Abbas Mirza Molk Ara*, Tehran: Babak, 1982, p. 175; Homa Katouzian, 'Liberty and Licence in the Constitutional Revolution of Iran', *Journal of the Royal Asiatic Society*, 1998, reprinted in *Iranian History and Politics*.

views and impact as are similar charges laid against Mirabeau and Danton in regard to their role as leaders of the French revolution.<sup>6</sup>

Malkam stayed in London and began to publish his highly effective newspaper *Qanun* or Law, while his disciple Mosatashar al-Dawleh wrote a book entitled One Word (*Yek Kalameh*), the one word which would solve all of the country's main ills was thus dramatically revealed to be LAW. Mirza Yusef Mostashar al-Dawleh, was another one of Sepahsalar's reformists, a high state official, who upon discovering that he was the author of *Yek Kalameh* was put in chains, his home was looted, his property confiscated, and his pension stopped.<sup>7</sup>

In circa 1860 Malkam had submitted his long and comprehensive constitutional

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<sup>6</sup> Malkam has been and still remains a controversial figure among historians and intellectual observers of the period. See for example, Hamid Algar, *Malkum Khan, A Study in the History of Iranian Modernism*, Berkeley: Californian University Press, 1973; Fereshteh Nura'i, *Mirza Malkam Khan Nazem al-Dawleh*, Tehran: Jibi, 1973; Khan Malek-e Sasani, *Siyasatgaran-e Dawreh-ye Qajar*, Tehran, n. p., n. d., date of preface, 1959; Ehtesham al-Saltaneh, *Khatemat-e Ehtesham al-Saltaneh*, S. M. Musavi (ed.), Tehran: Zavvar, 1988; Mahmud Katira'i, *Feramasoneri dar Iran*, Tehran: Eqbal, 1968.

<sup>7</sup> Mostashar al-Dawleh was much more a reformist than a revolutionary. It is illuminating that after the severe persecution to which he had been subjected, and as late as 1893, in a death-bed letter to Mozaffar al-Din Mirza, the heir-designate, he still laid the emphasis on orderly government. The letter was expressly intended to be delivered after the author's death by no less a person than the aged, grand and highly respected Hasan Ali Khan Garrusi, Amir Nezam, whom no one could suspect of revolutionary aspirations. This was to prove, as he said at the outset, his selfless motive. He wrote that the country was in danger in the face of European progress and power, and because of the lawless behaviour of State and court officials; that law was necessary so that state officials 'whether of high or low rank' would be bound 'by legal rules and articles' in their sphere of action; that European governments were strong because 'their ground rules were based in law, which is occasionally changed to suit the times...and for this reason the rights and obligations of the people are defined', whereas 'the ground rules of Iranians exist in the minds of our enlightened courtiers, such that whatever suits their wills and whims is right, and whatever does not is wrong'. And he pointed out that without the establishment of law and orderly administration, all pretension to the reform of government was no more than 'window dressing'. See for his long, reasoned as well as impassioned letter, Nazem al-Islam Kermani, in Ali Akbar Sa'idi Sirjani (ed.) *Tarikh-e Bidari-ye Iraniyan*, vol. 1, Tehran: Agah, , 1983, pp. 172-177. See also, Abdollah Mostawfi, *Sharh-e Zendegani-ye Man*, , vol. 1, Tehran: Zavvar, 1981.

frame to Naser al-Din Shah, apparently at the Shah's own bidding, shortly after the collapse of the siege of Herat, and the resulting Paris peace treaty, which further exposed Iran's weakness vis-à-vis Europe once again since the Russo-Iranian wars of decades before. This was the first constitutional frame ever written in Iranian history. Its most striking feature is the distinction he makes between absolute monarchy and arbitrary rule. There were two types of monarchy, he said at the outset: Absolute Monarchy, such as those of the Russian and Austrian empires, and Moderate Monarchy, such as in England and France. He then distinguished between two types of absolute monarchy, one that he called, 'organised and orderly absolute monarchies' - giving the examples of Russia, Austria and Ottoman Turkey. The other type of absolute monarchy, he described as 'disorganised and disorderly absolute monarchies'. He gave no example of this, though it was obvious that he meant arbitrary government. He said that Moderate Monarchy - by which he meant one that was both lawful and representative - was irrelevant to the case of Iran. What was needed was an *orderly* absolute monarchy, that is, one that was based in law: an absolute monarchy in which the crown laid down the law, and it was observed as well as executed by an organised, disciplined and responsible administration.<sup>8</sup>

It was an extremely clever scheme, given that it had been intended for constitutional reform from above by an arbitrary ruler. It made the fundamental distinction between absolute government and arbitrary rule, arguing that absolute government is in reality more powerful than arbitrary rule. When it came to the legislative and executive functions of the state, however, he proposed the formation of a legislative and an executive council to which the Shah would delegate his absolute

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<sup>8</sup> See Malkam Khan, '*Ketabcheh-ye Gheibi ya Daftar-e Tanzimat*', in Mohammad Mohit-e Tabataba'i (ed.) *Majmu'eh-ye Athar-e Mirza Malkam Khan*, Tehran: 1948, pp. 1-52.

powers for the legislation and application of the law. There then followed a comprehensive draft constitution which required the entire state and religious law to be organised and written by the legislative council. Ministers must be independent and responsible. Administrative regulations must be consistent with the law. No one could be arrested except by order of the law. Nothing could be taken from anyone except by order of the law. No-one's home could be entered into without the authority of the law. Taxes must be collected on a basis laid down by the law. And, in the reassuring guise of 'orderly absolute monarchy', he even managed to slip in the rule that 'the people of Iran would enjoy freedom of thought.' This is a large and elaborate document, although all the other articles follow from these basic precepts and principles.<sup>9</sup>

Seyyed Jamal al-Din Asad-Abadi (better known in other Muslim countries and Europe as Al-Afghani) was even more influential at the time than Malkam, certainly among the people at large. He was a charismatic figure, a religious type and a Freemason who posed as an Afghan in Sunni lands and who campaigned for Islamic unity, and modernisation of Islamic countries within the spiritual call of Islam. He got close to the Shah and the Ottoman Sultan Abdol-Hamid II, but fell out with both of them, especially with the Shah who had him arrested and expelled from Iran in a humiliating manner. He played a role in the Tobacco Revolt of the early 90s. Mirza Reza Kermani, who assassinated the Shah in 1896, was a disciple and devotee of Asad-Abadi / Afghani, and was apparently encouraged by him in his plan to kill the Shah.<sup>10</sup>

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<sup>9</sup> See also his other essays in Mohit-e Tabatab'ei, *Majmu'eh-ye Athar*.

<sup>10</sup> See for example, Nikki R. Keddie, *Sayyid Jamal al-Din al-Afghani*, Berkeley and Los Angeles: California University Press, 1972; Albert Hourani, *Arabic Thought in the*

The Revolt of 1890-92 over the concession of Iran's tobacco trade was a prelude and dress rehearsal for the Constitutional Revolution. The Shah had given the monopoly concession of both domestic and foreign trade in the production and sale of tobacco to the British company Talbot. The merchants and traders were upset partly due to the direct interest of those of them involved in the tobacco industry, but also because of their collective interest since this could open the door to foreign concessions being granted in other profitable areas of trade as well. The fact that it covered domestic trade and production as well was particularly alarming. Most of the ulama accepted the call of the protestors for support, and this came to its climax when a *fatva* by Hajj Mirza Hasan Shirazi, the Senior Marja', who lived in Samerra, Mesopotamia, was published prohibiting the consumption of tobacco. It was doubted even then if the *fatva* had indeed been issued by the Marja' himself. Its importance lay, first, in the fact that it was in line with the people's wishes, and, secondly, that it was subsequently acclaimed by the highly respected divine. The people responded with full vigour, and this was a blow to the Shah and his chief minister Amin al-Solatin in particular. The Shah tried to save part of the deal by offering to withdraw the concession for domestic trade, but it did not work, and the conflict reached its climax in the bloodshed that followed the gathering of a crowd of protestors outside the royal compound. Finally, the Shah cancelled the entire concession and agreed to pay the compensation to Talbot of 500000 tomans. A concession that had been granted for the Shah's profit resulted in a big loss.<sup>11</sup>

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*Liberal Age*, London: Oxford University Press, 1967. Iraj Afshar (ed.) *Ruznameh-ye Khaterat-e E'temad al-Saltaneh*, Tehran: Amir Kabir, 1966.

<sup>11</sup> See Homa Katouzian, 'Liberty and Licence in the Constitutional Revolution of Iran', *Journal of the Royal Asiatic Society*, 3, 8, 2, July 1998 reprinted in *Iranian History and Politics*, London and New York: Routledge-Curzon, 2003; Nazem al-Islam Kermani *Tarrikh-e Bidari-ye Iraniyan*.

As noted, the Tobacco Revolt was a dress rehearsal for the Constitutional Revolution, just as the revolt of June 1963 was for the Revolution of 1979. Both these revolts had the sympathy of most of the people, and if they had persisted they would have spread to the whole of the society, as in all such cases in Iranian history. The Tobacco Revolt did not go any further because the state backed down at various stages. The 1963 Revolt did not spread further because the state was strong enough to suppress it within a couple of days, and before the less daring crowds had been encouraged to join the movement.

The tobacco concession was obviously against the economic interest of merchants and traders, who were more active than any other social class in the revolt. Yet the matter went well beyond that, since it provided an important focus for all the discontented groups, reformist or no. Most of the ulama supported the cause, which incidentally gave it a religious aspect, especially as it was against a concession given to blue-eyed christian foreigners. The *fatva* which was published in the name of Mirza Hasan Shirazi, declared the consumption of tobacco as being equal to waging war against the Twelfth Imam - The Imam of the Time – and this made it all the more effective in spreading the public boycott. The campaign dragged and resulted in bloodshed, but, in the end, the Shah gave in completely and cancelled the concession both for domestic and for foreign trade in tobacco.<sup>12</sup>

It was an almost unprecedented event in Iranian history. For the first time the public had revolted peacefully, and for a clear and well-defined purpose. For the first time also, the arbitrary state had given in to a public demand, rather than either suppressing it or being overthrown violently. It was the nearest thing to the European practice of politics perhaps that had ever been experienced in Iranian history. The

Constitutional Revolution also started and succeeded peacefully at first, fifteen years later, although later developments led to violent confrontation, and civil war.

The death of Naser al-Din Shah was followed by increasing disorder and chaos both at the centre and in the provinces, just as it had always happened after the fall of an able and strong ruler. Mozaffar al-Din, his son and successor, was a well-meaning but feeble and weak man, easy to manipulate by his entourage, especially those close to him. He once said to some of them that the only things he valued in life were eating, hunting and copulation.<sup>13</sup> Revolutions normally occur when the state is weak, even though the revolutionary ideas and agenda may have been advanced over a period of time. In Iranian history, at any rate, weakness of the state always ran the risk of rebellion. For, even at seemingly peaceful times, the state was normally unpopular and the society potentially rebellious.<sup>14</sup> The aim of traditional Iranian rebellions was to overthrow an 'unjust' ruler and replace him with a 'just' one, since otherwise arbitrary government was regarded as a natural, therefore both necessary and inevitable phenomenon.<sup>15</sup> This time, as noted, the window of Europe had offered the very attractive alternative of lawful and responsible government. It was such that Prince Zel al-Soltan, the Shah's elder brother who was not at all noted for democratic sentiments, said, after visiting Paris, 'Although they say there is freedom and republic [in France], and there is absolute licence, this is not the case. In this country it looks

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<sup>12</sup> See for example, Nazem al-Islam Kermani, *Tarikh-e Bidari-ye Iraniyan*; E'temad al-Saltaneh, *Ruznameh-ye Khaterat*, Keddie, *Sayyid Jamal al-Din*.

<sup>13</sup> See Katouzian, 'Liberty and Licence'.

<sup>14</sup> See, for example Homa Katouzian, 'The Short-Term Society, Problems of Long-Term Political and Economic Development in Iran', *Middle Eastern Studies*, January 2004; 'Legitimacy and Succession in Iranian History', *Comparative Studies of South Asia, Africa and the Middle East*, December 2003.

<sup>15</sup> See further Katouzian 'Towards a General Theory of Iranian Revolutions' in *Iranian History and Politics*.

as if everyone...has the book of law under his arm and in his mind, and knows that there is no escaping from the claws of the law.'<sup>16</sup>

This was the other side of the coin. Lawful government was not just the opposite of arbitrary rule, but the opposite of chaos as well. Chaos had always been seen as the natural alternative to arbitrary rule, just as absolute and arbitrary rule had been regarded as the only alternative to chaos. Arbitrary rule (*estebdad*) was identified with stability, and chaos - *fetneh*, *ashub*, *enqelabat*, etc. - with generalised lawlessness. Now it looked as if there was a magic wand - and it was seen as a magic wand, except by a very few most sophisticated intellectuals - that was certain to rid the country of its traditional habits, arbitrary rule and chaos, at a stroke.

The end of the 19<sup>th</sup> century was a moment of great weakness for the Qajar state. A strong ruler had died, a weak ruler had replaced him, most of the officials at the centre were - even more than usual - cynical and largely concerned with gaining or retaining power and lining up their own pockets; provincial governors, no longer being afraid of the stick of the centre, were behaving even more unjustly than before, and nomads, tribes and other clans were responding in like manner wherever they found an opportunity to so respond. In his diaries for the years 1897 to 1905, which have come to light in recent years, Malek al-Movarrehkin details the growing chaos both in the centre and in the provinces. There are loud complaints of governors-general confiscating private property and raping women, while at the same time nomadic people attacking and looting villages and taking their people into slavery.

Significantly, the contemporary historian's account contains reports of chaos in the centre as well as the provinces. To give but two examples of a long list of chaotic events, in August 1899, Aziz Mirza, a ruffian as well as Qajar nobleman, causes a

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<sup>16</sup> Quoted in Ebrahim Bastani Parizi, *Zir-e In Haft Asman*, Tehran: Javidan, 1983.

great public mischief, and is brought before the governor of Tehran, who - perhaps not knowing he is a *shazdeh* - orders the soles of his feet to be beaten with a stick in his own presence. While being thus beaten, the culprit pulls out a revolver from his pocket and fires at the governor, but misses. The governor reports the incident to the Shah and the latter orders them to cut off his hand. This causes unrest among the very large community of other *shazdehs*. The Shah sacks the governor and orders him to pay pecuniary compensation to the mutilated man. He also orders the expulsion from town of the officer who had arrested him. In April 1903, Ain al-Dawleh, Tehran's governor (who became chief minister later in the same year) receives a regular bribe of about a 1000 tomans a day from the bakers and butchers. Both bread and meat are short and expensive. Some women stop the Shah's and the governor's carriages and complain. The governor orders them to be beaten up.<sup>17</sup>

Such was the informal history. At the formal level, Atabak (Amin al-Soltan) took two large government loans from the Russians during the five years – 1897-1903 - that he ran the government after Amin al-Dawleh. The loans were partly used to finance the Shah's costly and wasteful tours in Europe. But they were also helpful to save the state from bankruptcy, although many people believed that they had been entirely squandered, and Atabak took much of the blame for it. He also took the blame for the rising resentment against the operations of the new team of Belgian officials who were employed to run Iran's customs. There were campaigns against him especially in Tehran, Tabriz, and Isfahan

The Belgian customs officials were led by Joseph Naus, who was hired by Amin al-Dawleh, shortly before his fall, as Director of Customs, but was quickly given other

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<sup>17</sup> See *Yaddasht-ha-ye Malek al-Movarrehin va Mer'at al-Vaqaye'-e Mozaffari*, Abdolhossein Nava'i (ed.), Tehran: Zarrin, 1989, and Karouzian *State and Society in Iran*, chapter 2.

and higher posts, including that of minister of customs. The re-scaling of tariffs by the Belgians led to the charge that they were biased in favour of the Russians and against both the British and the Iranians. The charges were fairly well-founded, and though they took some steps to redress British grievance, the resentment of Iranian merchants turned into hatred, not least for Atabak who was seen as little more than a Russian agent. On the eve of the revolution in 1905 the discovery of a fancy dress party photograph which showed Naus and other Belgians in the mullahs' attire, though it belonged to two years earlier, added fuel to an anger which had essentially political and economic roots.

Some important religious dignitaries began to support the merchants, and the great ulama in Najaf provided further encouragement. As noted, there was a campaign for the overthrow of Atabak in which the forged letter of his excommunication by Akhud Mullah Kazem Khorasani, Hajj Mirza Hossein (*najl-e*) Mirza Khalil Tehrani, etc., played an important role. The document turned out to be a forgery, although it is true that the ulama in question were opposed to Atabak. Another *fatva* from Najaf was also forged in Tabriz, which led to the expulsion of the head of customs there, though, upon discovering the fabrication, Hajj Mirza Hasan Mojtahed who had been suspected of being involved was driven out of the city. The anti-Babi 'pogroms' or *Babi-koshis* in Isfahan and Yazd, with 120 killed in Yazd alone, was in part aimed at Atabak, though they were other motives behind them as well. Atabak fell in September 1903, and Ain al-Dawleh replaced him within a couple of months.<sup>18</sup>

There was a deadly 'competition' between Ain al-Dawleh and Amin al-Soltan. Even after the former replaced the latter and he went for a journey round the world, his

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<sup>18</sup> See further, E. G. Browne, *The Persian Revolution*, London: Frank Cass; Mohammad Ali Jamalzadeh *Sar va Tah Yek Karbas*, Tehran: Ma'refat, 1955; Homa Katouzian, "All of the Same Cloth, Jamalzadeh's reminiscences of his boyhood in Isfahan", *Ianshenasi*, winter 2000.

party was still quite active against Ain al-Dawleh. Given the highly decentralised nature of the Shi'a institutions, vigorous competition and/or destructive conflict among the ulama was a familiar tradition. After the death of Mirza Hasan Ashtiyani, who had been the most prominent *mojtahed* in Tehran, followed by that of Seyyed Ali Akbar Tafreshi, both Sheikh Fazlollah Nuri and Seyyed Abdollah Behbahani wished to be recognised as the chief *mojtahed* in the city. Nuri, Seyyed Abolqasem Imam Jom'eh, and a few other important divines tended to support Ain al-Dawleh. Behbahani's circle, which opposed him, included the Ashtiyanis and the Tabataba'is, except that Seyyed Mohammad Tabatab'i himself was other-worldly and did not have a personal stake in the conflict. Some of the conflict related even to who should have the control of one or two colleges – especially Madreseh-ye Marvi - in Tehran.<sup>19</sup>

The personal rivalry between Nuri and Behbahani began to take shape along political lines, although Nuri acted in concert with other ulama at the crucial moments before the campaign for the constitution bore fruit. Ain al-Dawleh's first major friction with Behbahani was in fact in 1901 and as governor of Tehran, when Behbahani had intervened to save some college students (*talabehs*) from being banished for a misdeed which they had committed against himself. But the governor had replied with contempt, saying that the men had not been arrested for his sake so that they could be set free by his intervention.

Two international events which played important psychological roles in strengthening the cause of constitutionalism and emboldening its partisans in Iran

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<sup>19</sup> For a recently published contemporary account of such conflicts see Mohammad Ali Tehrani Katouzian, *Tarikh-e Enqelab-e Mashrutiyat-e Iran*, Naser Katouzian (ed.) Tehran: Enteshar, 2000. This hitherto unknown primary source which contains over a thousand pages and has been published from the original manuscript is an important new addition to the few primary sources which exist on the Constitutional Revolution. It surpasses many of them in relative objectivity and contains details not found in other sources.

have not received the emphasis they deserve. First, the defeat of Russia in the Russo-Japanese war of 1904-1905. Iranian constitutionalists literally believed that 'Japan defeated Russia, because the former was a constitutionalist regime, the latter a despotic one'. The outbreak of the 1905 revolution in Russia - itself encouraged by that defeat and humiliation - was even more potent, both in providing a model from the dreaded big bear itself, and by spreading radical ideas and campaign methods - sometimes embodied in fighters arriving from the Caucasus - especially among the modern intellectuals, many of whom - e. g. Taqizadeh, Dawlat-Abadi, Mosavat - were still in religious attire. Young radicals - democrats and social democrats, particularly in Tehran, Tabriz, Gilan and Mahsad - began to form groups, and launch campaigns for radical revolutionary programmes.<sup>20</sup>

As noted above, there were reports, from the four corners of the country, of tyrannical behaviour by governors-general. More recently, there had been reports of injustice to the people of Fars by the governor-general, Sho'a' al-Saltaneh - one of the Shah's important sons - and by the governor-general of Kerman. Although in the latter case matters were a good deal more complicated, and sources of blame numerous, nevertheless, the news arriving from Tehran put the whole blame on the government. On the other hand, Sho'a' al-Saltaneh, who was the Shah's second son and a favourite of Ain al-Dawleh for succession after his ailing father, had definitely been confiscating the people's property in Fars.<sup>21</sup>

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<sup>20</sup> The influence of events in Russia may be seen clearly in the public statements put out by Iranian Social Democrats (*Ejtem'iyun-e Amiyun*), which vehemently supported the constitutional movement and, incidentally, were highly respectful of Tabatab'i. For the full text of the statements, see Nazem al-Islam Kermani, *Tarikh-e Bidari-ye Iranian*, Ali Akbar Sa'idi Sirjani (ed.), Tehran: Agah, 1983. See also, Janet Afary, *The Iranian Constitutional Revolution, 1905-1911*, New York: Columbia University Press, 1996

<sup>21</sup> See Tabatab'i's sermon from the pulpit in *Tarikh-e Bidari* where he details the grievances against Sho'a' al-Saltaneh and argues their case.

What triggered off the first explosion was the increase in the price of sugar. The governor of Tehran, Ala al-Dawleh, suspected the sugar merchants of hoarding, and had the soles of the feet of a few of them - who included an old and much respected Seyyed - heavily beaten. Next day the bazaar shut down, and large numbers of merchants, ulama and others joined a congregation in the central Shah Mosque to protest against the governor's arbitrary behaviour. A leading preacher and radical constitutionalist, Seyyed Jamal al-Din Isfahani attacked the government from the pulpit, Imam Jom'eh who was a friend of the chief minister denounced him, and his men broke up the meeting. It ended in confusion, fear and flight.<sup>22</sup>

The event led to the departure of many ulama, students, merchants and shopkeepers, etc., to the shrine of Hazrat-e Abdol'zim, in a traditional demonstration of great anger against the government. The 'migration' happened in December 1905, and was led by Behbahani, Tabataba'i and a few other important divines, whom Nuri joined a couple of days later. The *bast* was financed by various sources, especially merchants and traders, but also some important enemies of Ain al-Dawleh who otherwise cared little for lawful government. They included Mohammad Ali Mirza, the heir designate, and his unbalanced and pitiless brother Salar al-Dawleh, sons of the Shah who were to fight against constitutionalism for as long as they could. This demonstrates in a particularly clear and unambiguous way the discordant and intrigue-ridden nature of the arbitrary society, where - seen from the angle of the European tradition - some of the biggest pillars of the establishment were apparently conjoining with those that wished to bring it down. Phillippe d'Orléans ('Phillippe Égalité') had played a similar role in the French revolution, but - rather like Zel al-Soltan in this

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<sup>22</sup> For a first hand account of the incident see Tabtab'i's recently published notes in *Yaddasht-ha-ye Montasher Nashodeh-ye Seyyed Mohammad Tabatab'i*, Hasan Tabtab'i (ed.) Tehran: Nashr-e Abi, 2003.

case - he had been a pretender to the throne, not heir to it. And further than that, although a few enlightened members of the aristocracy (e.g. Marquis de Condorcet, not to mention Lafayette) supported the French revolution in its earlier stages, there was no onrush of the nobility, high or low, to abandon the ship in the way that Orléan had done almost to all of his peers' disgust or disapproval. But this was not a feudal-aristocratic system such as France under the Bourbons. It was the ancient Iranian arbitrary state and society.

It would be necessary at this point to make a few remarks about the old theory that the Constitutional Revolution was a bourgeois revolution; the alternative theory that it was plotted and organised by Britain merely to weaken Russian influence in Iran being no longer in fashion, it does not deserve serious discussion. Iran's arbitrary state and society were far from a feudal entity, the decline of which along well-known Marxian lines might have been associated with the rise of a commercial and industrial bourgeoisie, who would then have launched a revolution to extend their own social and political power. Furthermore, a study of the Iranian economy in the 19<sup>th</sup> century has shown that in some fundamental ways there was economic regress rather than progress, and that modern technology was acquired largely for the purpose of minority luxury consumption, with the major exception of the telegraph which had a wide ranging social and economic impact, not least in facilitating the spread of protest and revolt. Shifts in foreign trade – especially the continuing rise in the import of European consumer goods and the massive decline in the export of Iranian textiles - were not economically beneficial, although they increased the fortunes of big foreign merchants and enhanced their social position. There had been no capital accumulation worth talking about, there were virtually no roads other than animal tracks, and the economy was in a very poor shape with rampant inflation, continually widening

balance-of-payments deficits and the vicious circle of foreign concessions and foreign indebtedness.<sup>23</sup>

At the turn of the century, rather than giving any impression of accumulation of finance and technology pressing for revolutionary change along the theories of bourgeois revolutions, the country was displaying signs of chaos and disintegration, familiar from similar situations throughout Iranian history. The constitutionalists campaigned, not for less legal restriction à la European bourgeois revolutions. Indeed, there was hardly any government in that sense, which they might have wanted to reduce. Not less government, but arbitrary government was their target.

It was not just the merchants and shopkeepers, but virtually the whole of the (urban) society which rose, not against the landlords but against the sate. Religious dignitaries who in terms of rank and influence were even higher than cardinal archbishops, tribal leaders and provisional khans who ruled their own territories more powerfully than the average duke or marquis or count, and state officials, the high mandarins who were running the government apparatus, joined the movement. The ranks and leadership of the revolution were packed with royals, royals' relatives, and other Qajar clansmen like Ehtesham al-Saltaneh, Zahir al-Dawleh, Abolhasan Mirza (Sheikh al-Ra'is), etc., who openly despised the system of arbitrary rule.<sup>24</sup>

And the revolution's triumph did not result in a bourgeois government, democratic or dictatorial. It rapidly led to the onset of the traditional Iranian chaos in new forms, where replicas of ancient tribal warfare were being enacted on the floor of the Majlis and through the pages of the newspapers, in the provinces and among ancient

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<sup>23</sup> For a detailed documentation for economic change in the 19<sup>th</sup> century see Katouzian, *The Political Economy of Modern Iran*, London and New York: Macmillan and New York University Press, chapter 3.

<sup>24</sup> See further, Katouzian 'Towards a General Theory'.

nomadic tribes.<sup>25</sup> Clearly then, this was a revolution that answered to virtually all the features of traditional Iranian revolts, the important exception being that it aimed for law and against arbitrary rule rather than mere injustice, and it used modern European forms and devices in trying to achieve it.

By January 1906 the protesters had returned from their *bast* to Tehran on the Shah's agreement to meet their demands, including the central one of instituting independent judicial courts, which they called *Edalat-khaneh*. Prior to this, the most dramatic attempt to try and persuade them to return, was the mission of Amir Bahador-e Jang, a simple-minded devotee of the Shah and of arbitrary rule, who was sent by Ain al-Dawleh both to plead with them and intimidate them into breaking sanctuary, but if anything, it had backfired.<sup>26</sup>

The triumphal return of the *bastis* strengthened the cause of the opponents of the chief minister and the campaigners for constitution. As of this time the Persianised term *qonstitusiun* still had a strong currency, although, certainly since the Russo-Japanese war, *mashruteh* was also being used for constitutional government. This is worth mentioning because later Mohammad Ali Shah would argue that he and his father had not agreed to *mashruteh* - simply to *qonstitusiun* - although Mokhber al-Saltaneh warned him that the implications of the latter could be even more radical.<sup>27</sup>

Ain al-Dawleh resorted to tactics familiar to the situation from many times and places: stalling, bribery and intimidation. But the point - both long and short - had been reached that such tactics would not work. In February, he drove two Constitutionalist activists out of town; in March, he tried to banish none other than Seyyed Jamal al-Din, the radical preacher, although here Behbahani's intervention

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<sup>25</sup> See further, Katouzian, *State and Society*, chapter 3.

<sup>26</sup> For the most recent first hand account of this, see Tabtaba'i *Yaddasht-ha*.

<sup>27</sup> See Hajj Mokhber al-Saltaneh (Mehdiqoli Hedyat) *Gozaresh-e Iran: Qajariyeh va Mashrutiyat*.

avoided another confrontation. In April, he called a counsel of the state to shore up support for his own stalling tactics. It was in this meeting that Ehtesham al-Saltaneh (a high official and diplomat of the non-royal branch of the Qajars) clashed with the inimitable Amir Bahador, who was dead opposed to the establishment of independent judicial courts. Meanwhile there were protests in Fars once again from landlords whose properties had been confiscated by Sho‘a‘ al-Saltaneh, the Shah's son and (now) former governor-general, and riots in Mashad over the eternal problem of bread shortage.

Tabataba'i, politically not the most sophisticated, but the most disinterested leader of the movement, wrote to the Shah himself, and in it he spoke of the need for a *Majlis-e Edalat*, and no longer just an *edalat-khaneh* 'that is, a society consisting of all classes of people, which would see to the people's complaints, and where shah and beggar would be equal.'<sup>28</sup> But the Shah never saw the letter, and Ain al-Dawleh replied in his name.

In June 'the two seyyeds', Behbahani and Tabatab'i, held congregations almost every night in different mosques which thus became the main popular assemblies of the movement. It was early in the following month<sup>29</sup> that Ain al-Dawleh ordered the arrest of Sheikh Mohammad Va‘ez, a leading constitutionalist preacher who was relentlessly attacking him from the pulpit. Attempts by students and others to rescue the Sheikh led to the death of a *talabeh*, whom the campaigners saw as the first martyr to the cause. Shops struck, and the people and ulama gathered in the Friday Mosque, also in the main bazaar, just behind Shah's Mosque. Troops were sent for their

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<sup>28</sup> See for the full text of the letter, Ahmad Kasravi, *Tarikh-e Mashruteh-ye Iran*, Tehran: Amir Kabir, 1996, p. 86.

<sup>29</sup> E. G. Browne, *The Persian Revolution*, dates this incident to have occurred two weeks earlier

dispersal resulting in more bloodshed, especially when the leaders replied to Ain al-Dawleh's message that, not only there must be '*majlis-e adl*', but that he himself must go. The *bast* ended by the ulama being given safe conduct to leave town, who, together with many of their adherents, 'migrated', this time to Qom, where, a couple of days later, they were joined by Sheikh Fazlollah, despite Ain al-Dawleh's efforts to dissuade him.

Public agitation in Tehran spread further and resulted in large numbers of people led by big merchants taking *bast* in the British legation compound. At the same time, Mohammad Ali Mirza, the heir designate seated in Tabriz (who, as noted, opposed the chief minister) encouraged that city's religious dignitaries to appeal to the Shah, attacking 'arbitrary' and 'traitorous' ministers, and supporting the cause of the ulama of Tehran. The pressure was such that the Shah, who personally had no stomach at all for the prolongation of the conflict, agreed both to the demand - this time clearly - for a constitution creating an independent legislature, and for the dismissal of Ain al-Dawleh, who, upon further pressure from the public, was sent off to Khorasan.

This was August 1905, and the constitution which was hurriedly written to ensure it would be in time to be signed by the Shah and the heir designate (since there were rumours that the former was unwell) was signed late in December. Five days later the Shah died, and was succeeded by his son, whom certainly the younger, radical and modernist intellectuals of the movement both disliked and distrusted.<sup>30</sup>

The first Majlis, as it came to be known, represented the six classes of people defined for this particular purpose, the ulama, men of royal descent (*shazdehs*), notables (*a'yan*), merchants, ordinary traders and artisans, but not peasants; nor

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<sup>30</sup> For detailed descriptions of events see Kasravi, *Tarikh-e Mashruteh*, Tehrani Katouzian, *Tarikh-e Mashrutiyat*, Nazem al-Isalm *Tarikh-e Bidari*, Yaha Dawlat-

women, who at the time did not have the vote in almost all Western countries. Its first and foremost task was the preparation and approval of the constitution that was later endorsed by the Shah and Mohammad Ali Mirza. Many of the future Iranian politicians found their ways to this Majlis, including Vosuq al-Dawleh, Taqizadeh, members of the Hedayat clan, Amin al-Zarb, and others. Mosaddeq was elected but could not meet the mandatory age qualification.

This Majlis soon came into increasingly destructive conflict, both with the new Shah and with Nuri and his followers who were critical of what they saw as Europeanising policies and legislation. There was also serious conflict between constitutionalist moderates and radicals, but this did not come into full light until after the Shah and Nuri had been defeated.<sup>31</sup> The conflict ended up with the Shah's coup in June 1908, which was supported by Nuri and his group. However, resistance to the coup began by the ulama in Najaf and the *mojahdin* of Tabriz, and in July 1909 the revolutionary armies from Azerbaijan, Gilan and Isfahan captured Tehran.<sup>32</sup>

Perhaps the victory of 1906 had been too easily won and the further conflict and confrontation was inevitable. But beyond that and beyond the mere personality traits of the chief antagonists (which were obviously important) was the more-or-less impersonal logic of the situation which had deep-seated roots in the country's history. Successful traditional Iranian revolts against absolute and arbitrary rule had invariably led to generalised chaos. This meant the division of arbitrary power among various claimants until one of them would succeed in eliminating the rest and imposing absolute rule once again. The reason for this is fairly clear. In the traditional conflicts

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Abadi, *Hayat-e Yahya*: Tehran; Ferdawsi and Attar, 1983, Browne, *The Persian Revolution*.

<sup>31</sup> For a good, though characteristically brief, account of these conflicts see Mokhber al-Saltaneh, *Khaterat va Khatarat*.

<sup>32</sup> See for details, Browne, *The Persian Revolution* and Kasravi, *Tarikh-e Mashruteh*.

there had been unity among the rebels in overthrowing the state, but no common agreement on who or what should replace it, other than 'just rule' which all of them could claim to want to establish. Hence, within a short space of time there would be deadly conflict with devastating results for the society, and not least, ordinary people.

In a superficial comparison, this would look familiar from European revolts and revolutions as well. The English civil wars and revolution, for example, led eventually to an irreconcilable conflict in which, on the whole, the Army and Independents triumphed before the onset of the movement that led to the march of General Monck's troops and brought Charles II to power. The French revolution led to famous struggles between constitutional monarchists and various republican tendencies which were followed by the Thermidor, the coup of 18<sup>th</sup> Brumaire by Bonaparte, the First Empire, and the eventual restoration of the Bourbons.

Yet the Iranian experience had been different in some fundamental ways. European revolutions were campaigns, not for law, but for changes in the law that would extend more rights to wider classes of the society. Therefore, their success did not establish law itself, which, in some form or another had existed before, but a new law or constitutional framework. Hence, conflicts after the triumph of the revolutions was about the kind of new law that was to be established, and this often reflected the conflicting interests of the social classes which had been represented in the revolution.

In the Constitutional Revolution Mohammad Ali Shah and his close advisors, if not hoping to reverse the clock completely, wished to retain as much executive power as possible. The Majlis in general did not trust the Shah, and insisted on exercising much of the executive functions as well. It saw itself as The House of the People (*Khaneh-ye Mellat*), as opposed to The State. In other words, although a constitution had apparently removed the traditional basic antagonism between *mellat* (the people

or society) and *dawlat* (the state), it still survived in actual attitudes and relationships. Historically, when the state was beaten, the society came on top, with the chaotic consequences that have been noted. Now, for the first time, law had been established to define and regulate the relationship between the state and the people. But neither the state (nor what was left of it) nor the society had sufficiently absorbed the fundamental novelty of the situation. Therefore, both the society and the state were still trying to eliminate each other as a political force, and hold the reigns of power exclusively to themselves.

Apart from that, the constitution itself had granted so much power to the legislature, which would have made it difficult even now, at the onset of the 21st century to govern Britain, despite the fact that it is one of the most governable societies in the world. Indeed, it was a more democratic constitution than that of Russia, Germany, the Austrian empire, and in certain respects, even more democratic than that of Britain at the time. And yet, there were no real parliamentary parties, which might have negotiated with each other and the Shah in an attempt to manage the conflicts. Finally, the revolutionary radicals - who were especially influential in some of the official and unofficial *anjomans* - were not in the mood for any compromise at all. Not only did they insist on virtually unlimited people's power, but at the same time, they were impatient to apply European modernisation as much and as quickly as they dreamed.

This was the sharpest end of the conflict in so far as the religious traditionalists were concerned. It certainly is true that Nuri, regarding himself as the most learned *mojtahed* in Tehran – perhaps everywhere outside the *atabat* - felt slighted by the ascendancy of Behbahani as the chief religious leader of the revolution. But the fears and forebodings of himself and a few other *mojtaheds*, especially Sheikh Mohammad

Amoli, Mirza Hasan Tabrizi, Seyyed Ahmad Tabataba'i (brother of the great Tabataba'i), the Imam Jom'eh of Tabriz and Hajj Aqa Mohsen Araqi, were not just limited to narrow private self-interest. And, in any case, they tried to make a public case for their opposition, as will be noted below, although eventually they sided with the Shah against constitutional government.

The first test was the government of Amin al-Soltan. He had been very unpopular as chief minister both before and after the death of Naser al-Din Shah, and had left the country after his fall in September 1903. Now it looked as if someone as able, pragmatic and wily as he could try and bring a compromise. He had the support of Behbahani and other moderates, but both the radicals and the Shah distrusted him, for apart from purely personal considerations, his success would have reduced the chances of total triumph either by the Shah or by the radicals, especially as it was likely to have the support of both Russia and Britain. His assassination, at the end of August 1907, was a consequence of such fears by those opposite forces. There have been lengthy discussions and debates on whether the Shah or the Democrats arranged the assassination. The balance of the argument shows that Abbas Aqa, the young radical activist from Tabriz, had shot the fatal bullet, but there is very little doubt that the Shah's party received the news with a sigh of relief, and that perhaps they themselves were pursuing the same end when they were relieved of the task by the other side.<sup>33</sup>

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<sup>33</sup> Of the contemporary sources, Mokhber al-Saltaneh (*Khaterat va Khatarat*, and *Gozarash-e Iran*) believed that Atabak had been murdered by the Shah's hatchet men - Movaqqar al-Saltaneh, Mafakher al-Molk and Modabber al-Soltan - who were certainly around when the Majlis adjourned on that fateful night; Dawlat Abadi (*Hayat-e Yahya*, vol.2.) points out that the Shah did not want Atabak and hints that he may have been planning to have him assassinated, but still believes that Abbas Aqa was the sole assailant; Nazem al-Islam, too (*Tarikh-e Bidari*, vol. 2.) says that Arshad al-Dawleh was intent on arranging Atabak's assassination on behalf of the Shah when Abbas Aqa relieved him of the task. Of the later historians, Kasravi (*Tarikh-e Mashruteh*) insists that it was the work of the young revolutionary and none other, although he too is aware of the Shah's hostility towards Atabak; Shaikholeslami ('Majera-ye Qatl-e Atabak' in *Qatl-e Atabak va Shanzdah Maqaleh-ye Tahqiqi-ye Digar*, Keyhan: Tehran, 1988) also believes that it was the work of the young man and the secret

Perhaps the fate of Naser al-Molk's cabinet demonstrates the problem of the moderate, compromise-seeking parties in a less ambiguous way. Atabak's assassination had been followed by a ministry led by Mirza Ahmad Khan Moshir al-Saltaneh, a man of the Shah's party. Predictably, his term of office was short lived, giving way to Naser al-Molk's, which was largely made up of politically moderate and sophisticated, and financially honest constitutionalists such as the brothers Mirza Hasan Khan Moshir al-Dawleh, and Mirza Hossein Khan Mo'tamen al-Molk, and the brothers Mortezaqoli Khan Sani' al-Dawleh and Mehdiqoli Khan Mokhber al-Saltaneh. It only lasted a few weeks, while the Shah was preparing his first open assault on the Majlis and the radical newspapers *Ruh al-Qodos* and *Mosavat* would not even stop short of publishing invectives against the person of the Shah and his mother.<sup>34</sup>

In mid-December, large numbers of ruffians took to the streets shouting slogans against constitutional government: 'We follow the Qur'an, we do not want *mahsruteh*; We want the Prophet's faith, we do not want *mashruteh*'. It is little known that the Jewish community had been forced to join the demonstrations, but - being distinct in their community attire - they explained that it would look farcical for them to shout, 'We want the Prophet's faith'. Hence they followed the Muslim crowd shouting, 'On behalf of the Muslims we do not want *mashruteh*'. At the same time as the mob set up tents in the Artillery Square, not far from Baharistan, the parliament square, the Shah summoned, beat up, dismissed and arrested his ministers, threatening to kill Naser al-

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committee behind him but emphasises - along Nazem al-Islam's lines - that the Shah, too, was intent on ridding himself of Atabak. The argument between him and Taqizadeh over this subject has been published in full, where the latter has emphatically and categorically denied any previous knowledge of the assassination of Atabak, and - somewhat unconvincingly - added that he even disapproved of it when it happened.

Molk, who was saved by the intervention of the British legation on the condition that he would leave Iran, as he duly did, next morning. This shows clearly how the moderates were caught between the radicals of both right and left.<sup>35</sup>

As things turned out, the Shah was not yet ready to go the whole length of the way against the Majlis. His hesitation, in fact, helped to turn the situation, and he himself had to sue for reconciliation, however flimsy it in fact was. But in retrospect, it is clear that Naser al-Molk's ministry was the last chance for a compromise, if a compromise would have been at all possible in a situation where most of those concerned did not want one.

The Shah was more determined and better prepared next time round, but he went into action after an unsuccessful attempt on his life, when it looked as if the Majlis was not too keen to let the suspects be pursued. This was the coup of June 1908 in which the Shah's Cossack Brigade led by Russian officers bombarded the Majlis, attacked and looted the homes of constitutionalists and their sympathisers, and arrested a large number of younger leaders and activists, which included a couple of Qajar noblemen. Some, including Seyyed Hasan Taqizadeh and Ali Akbar Dehkhoda took refuge in the British legation compound and later obtained safe conduct to go abroad. Others such as Jahangir Khan, the editor of *Sur-e Esrafil* and Malek al-Motekallemin, the popular preacher, were killed by the Shah's order. So was Seyyed Jamal al-Din Isfahani whom they caught in the west of the country while being on the run. These were dastardly acts by a deceitful arbitrary ruler. But the part of the radical constitutionalists in helping him bring about the situation was not lost on an old leader

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<sup>34</sup> On the coarse or obscene language of some of the newspapers and *shabnamehs* see especially Tehrani Katouzian, *Tarikh-e Enqelab-e Mashrutiyat* and Kasravi, *Tarikh-e Mashruteh*.

<sup>35</sup> See Mokhber al-Saltaneh's fist hand account in *Khaterat va Khatarat*, and Kasravi, *Tarikh-e Mashruteh*.

with such impeccable credentials as Abdorrahim Talebof, who wrote to Dehkhoda in exile condemning zealous and excessive behaviour by the idealists and unruly alike.<sup>36</sup> The Shah was destined to fall in July 1909 when the revolutionary armies captured Tehran and deposed him.

The coup led to numbness at first, but the people of Tabriz rose and took over their town and through heroic resistance led by the legendary folk leader Sattar Khan held the revolutionary fort until other provinces - Gilan, Isfahan, Fars, in particular - also began to move against the Shah's unlawful government. The government laid siege to Tabriz, and almost brought it to its knees by blocking food supplies. At one stage there was a real scare that Russian troops would go to the help of the government forces on the excuse of protecting European lives. The threat was there most of the time, but when in the end they did go (in April 1909), they went to relieve the town from certain famine and the government had to lift the siege.

On 31 August 1907 the Anglo-Russian Convention, subsequently known as the 1907 agreement, was signed in St. Petersburg. This had been actively canvassed and brokered by the French, anticipating 'the triple entente' between the three countries when World War I broke out. It divided Iran into three Russian and British spheres of influence and a neutral zone, although it made the usual, but largely spurious, professions of safeguarding Iran's independence and integrity. This was a deliberate come down by Britain from her position in Iran in anticipation of a European war which everyone expected. Yet while it visibly reduced the level of official British sympathy for the constitutionalists, it later became known that Sir Edward Grey, the Foreign Secretary, had played a role in discouraging the Russians from overt intervention on the Shah's behalf. This was largely due to pressure brought from

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<sup>36</sup> See for details, Katouzian, 'Liberty and Licence'.

within the British government and politics by those, headed by Lord Curzon, who were opposed to the 1907 agreement. Therefore, as the Shah continued to behave tactlessly and inconsistently, and lose support in the country, even the Russians began to lose confidence in him, so that in the end, the two great powers publicly demanded that he restores a form of constitutional government and sues for compromise.<sup>37</sup> They did not wish to help bring down his government, but their joint statement was helpful in boosting the morale of the revolutionaries who had believed that the Russians would defend Mohammad Ali to the bitter end.

Strangely enough the turn of events was somewhat similar to those of the revolution in 1979, when the Shah was constantly a step or two behind events, not taking the right step at the right time, acting indecisively thus emboldening his radical opposition, and losing the confidence of Western powers, who, though they did not wish him to be deposed, were no longer prepared to commit themselves totally to his defence. It is difficult to know whether it would have been possible for the opposition to sell to the people a peaceful settlement with Mohammad Ali, or, if possible, for the settlement to be long lasting in view of Mohammad Ali's duplicitous and untrustworthy character, rather reminiscent of Charles I of England. Yet it is very instructive that, of all the people, Taqizadeh, the then tribune of the radical revolutionaries, expressed profound regret, in his old age, to a close friend for his total rejection of the Shah's offer of a return to constitutional regime short of his deposition.<sup>38</sup>

Nevertheless, if the constitutional restoration had led to a relatively peaceful and cohesive system resulting in gradual developments in politics, society and the

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<sup>37</sup> See for example, Tehrani Katouzian, *Tarikh-e Enqelab*.

<sup>38</sup> See Homa Katouzian, 'Seyyed Hasan Taqizadeh: Seh Zendegi dar Yek Omr' in *Iran-Nameh*, special issue on Taqizadeh (guest ed. H. Katouzian),

economy, only die-hard reactionaries, who had very few well-wishers at the time, would have harked back to Mohammad Ali's hated reign. It was because the ideals of political development were quickly lost that hopes gave way to despair, and harsh government came to be valued over persistent chaos, a change of attitude which has occurred in similar situations everywhere.

The forces of Gilan were led by Mohammad-Vali Khan Tonokaboni, entitled Sepahdar (later elevated to the higher title of Sepahsalar), and Fathollah Khan Akbar, entitled Sardar Mansur (later Sepahdar). Neither of them was a radical, though unlike Sardar Mansur, Sepahdar-Spehsalar had a fiery temper. But their armies included a notable contingent of militiamen from southern Caucasus - especially Baku - almost all of whom were radical democrats or social democrats. The greatest single military leader of the Gilan *mojaheds* was without doubt Ephrem Khan, the Perisanised revolutionary leader from Armenia and probably a military genius. Morgan Shuster wrote of Ephrem that 'he was the real head and shoulders of the expedition from Resht [Gilan]'.<sup>39</sup>

The forces of Isfahan were made up largely, but not entirely, of Bakhtiyari riflemen, led by their khans headed by Aliqoli Khan Sardar As'ad (II). Earlier, and in his absence in Europe, his brother Najafqoli Khan Samsam al-Saltaneh had already captured Isfahan.

Happily, the battles outside and inside Tehran neither took long nor heavy casualties. Nor were vindictive measures taken against supporters of the Shah's regime, but a couple of executions were allowed, including that of Sheikh Fazlollah Nuri. This would not have been possible without the approval of Behbahani and Tabatab'i in Tehran, and Khorasani and Mazandarani in Najaf, witnessed by the fact

that they did not object to it after the event. For Nuri, by his actions much more than his beliefs, had deeply hurt the feelings of the constitutionalists - and especially the leading divines among them - so that, in the process of the conflict, the three constitutionalist divines in Najaf publicly condemned him as a *mofsed*.<sup>40</sup>

Nuri had felt slighted by Behbahani's ascendancy, but the criticisms by him and his circle of constitutional government revealed fears that secularisation and modernisation along European lines would destroy the authority of Islam as they knew it. They attacked views such as private money destined for religious congregations should be diverted for investment in modern industry, and objected to clapping and cheering on festive occasions because these were European habits. He and his supporters interpreted liberty virtually as nothing but licence. They described the constitutionalists as free thinkers, Babis, nihilists, anarchists and socialists and as advocates of licentious and irreligious agendas in the leaflets they were putting out from the shrine of Hazrat-e Abdol'azim, where Nuri had taken *bast* against the Majlis.<sup>41</sup> Hence they insisted that they were not opposed to *mashruteh*, only it had to be *mashru'eh* as well, i.e. consistent with Islamic law as they interpreted it. But after the Shah's coup, their leaders, including Nuri and Imam Jom'eh addressed a letter to the Shah condemning constitutionalism without qualification, thus endorsing the Shah's restoration of arbitrary rule, which after its fall became known as the Lesser Arbitrary Rule (*estebdad-e saghir*).

The ulama in Najaf, Khorasani, Mazandarani and Tehrani (who died in 1908) supported the Majlis against the claims both of the Shah and of Nuri, and after the

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<sup>39</sup> For an extensive account of Ephrem's career see W. Morgan Shuster, *The Strangling of Persia*, New York: The Century Co., 1912.

<sup>40</sup> For the text of the great ulama's fatva see Katouzian *Stat and Society*, chapter 2.

<sup>41</sup> Kasrvi's *Tairkh-e Mashruteh* contains the text of a number of such statements. For replies to them by the constitutionalist ulama see Nazem al-Islam, *Tarikh-e Bidari*.

coup threw all their power behind the movement. It is difficult to see how the movement might have succeeded the way it did if the Najaf ulama had wavered in their support or, indeed, doubted the legitimacy of constitutionalism. On the contrary, they joined battle on the theoretical issue as well, arguing that arbitrary rule was not legitimate in Islam, and that constitutional government was not a government of licence and chaos, but one based in law, in which the government was responsible to the public, and the people were equal before the law.<sup>42</sup> Their interpretation of constitutional government was sound, but that is not the spirit in which the country, even most of its leaders, responded to the new regime. The second decade of the twentieth century was a period of growing licence rather than rising liberty.

However, at the moment of the onslaught of Mohammad Ali's Cossack force on the Majlis with Nuri's open support, a European observer (young British diplomat Walter Smart, though his identity is not revealed in the source) who described himself as being 'no friend of religion' wrote of the part played by constitutionalist religious leaders and community, that

in Persia religion has, by force of circumstances, perhaps, found itself on the side of Liberty, and it has not been found wanting. Seldom has a prouder or a stranger duty fallen to the lot of any Church than that of leading a democracy in the throes of revolution, so that [the religious leadership] threw the whole weight of its authority and learning on the side of liberty and progress, and made possible the regeneration of Persia in the way of constitutional Liberty.<sup>43</sup>

The observer's surprise was quite understandably due to his appraisal of the situation from the vantage point of European history, where revolutions were led by lower and

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<sup>42</sup> See *ibid.* And Katouzian 'Liberty and Licence'.

<sup>43</sup> This occurs in a letter from Smart in Tehran to his former teacher Edward Browne in Cambridge. See Browne's *The Persian Revolution*, p.164.

underprivileged against the upper and privileged classes, including the established clergy who were generally on the latter's side. It was very difficult from that standpoint to imagine religious pontiffs fighting the state on behalf of the people. Except that this was not a European but an arbitrary state.

It was during the constitutionalist movement that the public sphere, to use Habermas's special conception of the civil society, emerged in Iran. According to Habermas, the public sphere, as a sphere of critical association and discussion which is autonomous both from the state and the private sphere, emerged in 18<sup>th</sup> century Europe, although the origins of it may be traced to late 17<sup>th</sup> century England. In this sense, the modern public sphere, or something resembling it emerged in Iran at the turn of the twentieth century in the form of independent and critical newspapers and journals, as well as rapidly increasing voluntary associations and societies.<sup>44</sup> Indeed, it could be argued that the Majlis itself formed a part of the public sphere rather than a part of the state, since it saw itself as the tribune of the people as opposed to the state.

Modern revolutionary press, poetry and publications gave a tremendous boost to the development of prose, literature and journalism, but they also played an important role in promoting destructive conflict and licentious speech. Of the newspapers which were remarkable for their libellous and intolerant expression, *Ruh al-Qodos* (The Holy Spirit) and *Mosavat* (Equality) headed the list. Sur-e Esrafil was a more sophisticated newspaper though it too sometimes overstepped the mark, especially in some of the pieces in Dekhoda's highly effective satirical column *Charand Parand* (Charivaria).<sup>45</sup> This was edited by Jahangir Khan who was executed on the Shah's

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<sup>44</sup> See further Homa Katouzian, 'Problems of Democracy and the Public Sphere in Modern Iran', *Comparative Studies of South Asia, Africa and the Middle East*, xviii, 2, 1998, reprinted in *Iranian History and Politics*.

<sup>45</sup> On the language and conduct of the radical newspapers and publications see the text and n. 33 above.

order after the coup, assisted by Dehkhoda, who, as noted, would have met with the same fate had he not managed to find refuge in the British legation and thence go abroad. Dehkhoda's prose, especially in his satirical column has become standard reference for the model and origin of modern Persian prose, both in its use of simple language and in its application of common expressions. Naturally there were forerunners, ranging from Fath'ali Akhundzadeh through Talebof, Mirza Habib Isfahani, Sheikh Ahmad Ruhi, Mirza Aqa Khan Kermani, etc. But anyone who has read the works of Malkam Khan, written from the late 1850s onwards, would not fail to notice how distinctly modern his prose is relatively to his time, and how clear is its influence in subsequent developments, including Dehkhoda's prose.

Poetry also underwent change both in form and content. Seyyed Ashraf al-Din, the owner-editor of *Nasim-e Shomal* produced almost the exact counterpart of Dehkhoda's prose in journalistic, revolutionary, poetry, which was humorous, and even more colloquial than Dehkhoda's prose, although the latter did also write some humorous political poetry, apart from his moving *mosammat* in memory of his executed friend and colleague Jahangir Khan.

The triumph of 1909 did not and could not turn the country into paradise on earth overnight, as had been hoped by many. It could possibly have led to gradual reforms and developments resulting in long-lasting achievements. Yet, the old habits of discord and lack of social cohesion and cooperation, and the attitude of total gain or total loss - in short, the politics of elimination - was too ingrained to make that possible. The chaos that followed the revolution was such that constitutionalism quickly fell into disrepute. By the end of World War I there were genuine and largely justified fears that the country would fall apart. Such fears were the main motive

behind the 1919 agreement, and the failure of that agreement was the main cause of the coup d'etat of 1921 which brought Reza Khan Pahlavi to power.