

# IRAN TODAY

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ALI DIZBONI

#### ◆ ELECTIONS

Elections in the Islamic Republic of Iran (IRI) are defined differently than in truly democratic societies. In the IRI, elections are legally controlled by the clerical ruling power via two mechanisms. First, the Guardian Council is authorized to screen the candidates before allowing them into a race. (The Guardian Council is composed of six clerics appointed by the supreme leader and six lawyers proposed by the judiciary chief and approved by the Majlis. However, only the clerics have authority to judge and interpret if a law is un-Islamic.) For example, opponents of the *Velayat-e Faqih* (clerical rule) are banned from elections as being unfit to hold office in the Islamic system. Second, all elected officials, including the president, are in a subordinate position to the supreme leader (the *walayat al-'amr* and the leader of the Ummah), who enjoys absolute power in the system. Therefore, elected officials have to obey the supreme leader's commands rather than representing the interests of their constituencies if there is a conflict between the two. According to the Article 57 of the Constitution of the IRI, "The powers of government in the Islamic Republic are vested in the legislature, the judiciary, and the executive powers, functioning under the supervision of the absolute *walayat al-'amr* and the leadership of the Ummah...." (The Constitution of the Islamic Republic of Iran, modified version in 1967.)



Iranian President Mohammad Khatami at the opening ceremony of Iran's Masjid-Suleiman dam, in Khuzestan province, 2001. (AP Photo/Hasan Sarbakhshian)

Normally, appointed individuals enjoy greater power than elected officials. For example, the legislative branch, which consists of 290 elected members, holds no legal status unless there is a (mainly appointed) Guardian Council (GC). According to Article 93 of the Constitution, "The Islamic Consultative Assembly does not hold any legal status if there is no Guardian Council in existence, except for the purpose of approving the credentials of its members and the election of the six jurists on the Guardian Council." The legislative assembly is deliberately named the "Consultative Assembly" because, in the IRI, this organ cannot make laws without the GC's approval. The GC can vote any law passed by the legislative branch as unconstitutional or un-Islamic. Such an order is articulated based on Ayatollah Ruhollah Khomeini's doctrine of *Velayat-e Faqih*, or Islamic Government.

Khomeini, founder of the IRI, believed that elections should not undermine clerical rule. He wrote that the people must accept the rule of the clerics and follow their decisions as religious duties (see Article 1 of the Constitution). More precisely, the notion of *Velayat-e Faqih* originated in the writings of several Shi'a jurists such as Mulla Ahmad Naraqi, who used the idea to legitimize the absolute rule of Fatali Shah Qajar, and Sheikh Fazlollah Nouri,

who strongly opposed constitutional rule (1906) as an anti-religious measure in Iran. Other predecessors of Khomeini include Mirza Hasan Shirazi, Mirza Muhammad Taqi Shriazi, and Kashif al-Ghita.

In his book, *Islamic Government*, Khomeini asserted that “the ulema [clerics] were appointed by the imam for government and for judgment among people, and their position is still preserved for them ... Ulema [plural of ‘alim] are the heirs to the prophets ... If knowledgeable and just jurisprudent undertakes the task of forming the government, then he will run the social affairs that the prophet used to run, and it is the duty of the people to listen to him and obey him.”

The role of the Guardian Council in elections is very crucial in the IRI. According to Article 99 of the Constitution, the GC has the responsibility of supervising the elections and the direct recourse to popular opinion and referenda. However, referring to Article 98, which gives the right of interpreting the laws to the GC, it has been developed into an unquestionable political tool for keeping the entire electoral system under the control of the conservative clerical rule.

The religious minorities of Zoroastrianism, Christianity, and Judaism are recognized as true religions in Iran, and their adherents have certain rights, including electing their own representatives to the Majlis. Article 64 of the Constitution specifies that “the Zoroastrians and Jews will each elect one representative; Assyrian and Chaldean Christians will jointly elect one representative; and Armenian Christians in the north and those in the south of the country will each elect one representative.”

Women are now allowed to participate in the election of the Majlis and the City and Town Councils, but they have been prohibited from running for the presidency and the Assembly of Experts. The percentage of women in the Majlis has varied in different terms between 3% and 5%, but regardless of their numbers, women in most cases have followed the political line of their affiliations rather than showing concern for women’s interests. The dominant view toward women in the election process has been tokenism—they can run for office and be elected, but they are not empowered.

Within the above-stated rationale and restrictions, however, elections for the Islamic Consultative Assembly, the President, and the Assembly of Experts have been routinely held in the IRI since the 1979 revolution. A few special elections (referendums) have also been held. Elections for the City and Town Councils, though specified in the Constitution, were delayed until 1999, but since then they have also been held as scheduled.

The first special election (referendum) was held on March 30–31, 1979, to decide the type of regime after the downfall of Monarchism. Voters had one option to choose: the Islamic Republic of Iran, yes or no. The turnout in this

referendum was very high, so that 20,440,108 people, or 98.2% of eligible citizens, voted in favor of the IRI.

The second special election was held on August 3, 1979, to elect members of the special Assembly of Experts (AE) to review the draft of the constitutional law. There were a total of 428 candidates for 73 seats. This assembly was held instead of a Constitutional Assembly. In this election 10,784,922 people, or 51.71% of the eligible people, participated in the election.

The third special election (referendum) was held from December 1–3, 1979, to vote for the final draft of the Constitution. In this referendum, 15,690,142 eligible people or 70.42% participated to approve the Constitution. However, it is not clear what percentage of the participants voted in favor of the proposed Constitutional Law.

The first presidential election was held on January 25, 1980, during a period when the national mood was revolutionary. Out of 20,993,643 eligible voters, 14,152,887, or 67.42%, voted; and out of 124 candidates, Abol Hasan Bani Sadr was elected as the first president of the IRI. Bani Sadr was forced to flee into exile in France after two years in office in the midst of the Iran–Iraq War as the conflict between the hardliners (supported by Khomeini) and moderate factions increased.

After the elimination of the “moderate faction,” consensus among leaders behind the scenes became both more common and more important than elections in choosing the president. Usually, the various factions would reach agreement on who would be the main candidate, then a few other candidates would accept invitations to enter the race to make the election look real and to pull more people to the ballot boxes.

The first legislative election, the election for the first “Islamic Consultative Assembly” or the Majlis, took place on March 14, 1980. A total of 10,875,969 people or 52.14% of eligible voters turned out to elect 270 parliament members out of 3,694 candidates. The first assembly was rather diverse and included some moderate (liberal) members. Ali Akbar Hashemi Rafsanjani, a close adviser to the Ayatollah Khomeini, was elected as the Speaker of the House.

The second presidential election was held on July 24, 1981. In this election 14,572,803 people, or 64.24% of eligible voters, participated, and Mohammad Ali Rajaei, a conservative hardliner, was elected to the presidency during societal tension, with opponents, particularly the Mojahedeen, supporting Bani Sadr. Rajaei and his prime minister Bahonar, a clergyman, were assassinated two months after the election, and thus Iran entered into its third presidential election in less than three years after the revolution.

The third presidential election took place on October 2, 1981. In this election, 16,847,717 people, or 74.26% of the eligible voters, participated, and

Ayatollah Seyyed Ali Khamenei was elected as the new president with Hussein Mousavi elected by the Majlis as the Prime Minister. This was in the midst of the Iran–Iraq War, and the situation was still revolutionary. President Khamenei represented the conservative Right, and Mousavi was associated with the Hezbollah (the Left).

On December 10, 1982, the first election for the Assembly of Experts (AE) was held, with 18,013,061 people, or 77.38% of the eligible voters, participating to elect 82 assembly members. For every seat, there were only two carefully screened candidates, and all candidates were clergymen.

The second legislative election was held on April 15, 1984. In this election, in which 24,143,498 people, or 64.64% of the eligible voters, participated, 270 Majlis deputies were elected. There were 1,592 candidates in the race, and after the election the second Majlis was dominated by the radical Left, known as Hezbollah. Ali Akbar Hashemi Rafsanjani, who appealed to both the Left and Right factions, was reelected as the Speaker of the House.

The fourth presidential election was held on August 11, 1985, and, as expected, Ali Khamenei was reelected as the fourth president, although he drew 10% fewer voters to ballot boxes this time. A total of 14,238,087 eligible voters, or 54.78%, participated in the 1985 election. Although there were 50 candidates, as in his first term a consensus was reached among political factions over Khamenei's presidency.

The third legislative election was held on April 8, 1988. A total of 16,714,281 people, or 59.72% of eligible voters, cast their votes. A total of 1,999 candidates entered the race for 270 seats in the Majlis. Mehdi Karoubi, then a radical Left clergyman, was elected as the Speaker of the House.

A Referendum for the draft of the new Constitutional Law was also held on the day of the fifth presidential election on July 28, 1989. Official figures show that almost every voter who participated in the presidential election, or 54.51% of eligible voters, also voted in the referendum that ratified the new Constitution. The initial Constitution was modified to a more conservative one that solidified the power of the supreme leader as *absolute authority*, which had been established before the death of Khomeini. Khomeini knew that after his death there would be no single person powerful enough to control all of the factions and secure the stability of the system, and so it was necessary to empower the position of the supreme leader through a legal mechanism. To Khomeini, nothing was more important than the existence of the IRI. He appointed 20 prominent figures from different factions, mainly conservative clerics, to redraw the new Constitution. Another major change in the new Constitution was to remove the position of the prime minister and strengthen the power of the president as the head of executive branch.

Ayatollah Khomeini, the unquestionable supreme leader, died on June 3, 1989. After a brief internal dispute over his successor, the Assembly of Experts elected Ayatollah Ali Khamenei, the president at the time, as the new supreme leader. After the death of Khomeini, traditional conservative clerics gained a stronger position.

The fifth presidential election was held on July 28, 1989, and Ali Akbar Hashemi Rafsanjani, the former Speaker of the House, was elected as the new president. The election was held after the war had ended, and so the new government's principal mission was the reconstruction of society. A total of 16,452,277 (54.59%) of the eligible voters participated in the election. As in previous presidential elections, there was no serious contender, and consensus over Rafsanjani's presidency had been reached among the factions before the election was held. Rafsanjani invited both the Left and the Right to participate in his cabinet, but the Right prevailed.

The election for the second Assembly of Experts was held October 8, 1990. This election had the lowest turnout in the history of the IRI, with only 11,202,613 people, or 37.09% of the eligible voters, participating. In this election, 180 clergymen competed for 83 seats. The society had become indifferent to the election of the AE, in which the campaign competition was not serious. The only known function of this assembly is to reaffirm the leadership of the supreme leader at its annual meeting.

The fourth legislative election took place on April 10, 1992. A total of 18,796,787 people, or 57.81% of eligible voters, participated in this election, in which 3,233 candidates competed for 270 seats. Ali Akbar Rafsanjani, the president, was shifting from a more radical political player to a more pragmatic leader. He realized that the IRI could not continue to function without some changes in both social and economic institutions, but the real changes were left to be done in his second term. The supporters of Rafsanjani, the moderates, held only thirty seats in the fourth Majlis. While the Right had 150 seats, the radical Left and radical Right each had 15 seats, and the rest were either swinging or independent votes.

The sixth presidential election was held on June 11, 1993. The situation was different at this election as Rafsanjani took a moderate position. Ahmad Tavakoli, the candidate of the Right, entered the race to challenge him. Even though Tavakoli drew 24.3% of the votes, Rafsanjani was still at the peak of his power and the whole system favored him. As expected, he won the election with 62% of the votes. The turnout in this election was rather low—a total of 16,796,787, or 50.66% of the eligible voters, participated. More real social and economic reforms, such as privatization of the economy and more social openness, were on Rafsanjani's agenda in his second term.

Consequently, the state grip on society decreased. Expatriates were encouraged to return to Iran and invest in the economy, and the ruling conservatives used their influence in promoting the privatization of the economy and paid less attention to the consequences of the social reforms Rafsanjani was trying to institute. With these changes, the radical and ideological factions (Left and Right) lost more base supporters because the radical Left and Right were against both privatization and social reforms.

The fifth legislative election was held on March 8, 1996, with a total of 24,682,386 or 71.10% of the eligible voters participating. Competition in this election was high among two main factions—the conservative pro-market economy (about 130 seats) and the pragmatist pro-market economy (about 100 seats). Both the radical Left and radical Right lost their positions of influence and were reduced to about 15 seats each. This election showed the trend of the future—the traditional conservative groups kept their majority in the Majlis, and Ali Akbar Nateq Nouri remained the speaker of the house. Nateq Nouri, a clergyman, represented the bazaar interests and the conservative/traditional clerics. Some individuals, such as Faezeh Rafsanjani, the daughter of the president, who entered the race with reform agendas, were elected by large majorities. Thus, the fifth Majlis became the springboard for the reformists to gain a strong majority for the next presidential election and the sixth Majlis, which became known as the government and Majlis of reforms.

The seventh presidential election of 1997 became a turning point in the history of the IRI. Internal consensus was lost following a disagreement over Rafsanjani's running for a third term. At the end of his second term, he tried to change the constitutional law so that he could run for a third term, but this effort was strongly opposed by the rival conservative group, including Khomeini, who wanted Nateq Nouri to become the next president. Therefore, the election entered into a real competition between the pro- and anti-reform factions, with the radical Right joining conservatives in opposing Rafsanjani. Sensing the mood of society, Rafsanjani joined his former rival groups of the radical Left, forming a reform coalition to oppose the conservatives. The radical Left had fundamentally changed after defeats in several elections, and the new coalition chose Seyyed Mohammad Khatami, a former cabinet member in Rafsanjani's government who had resigned from his post because of objections to government policies. Khatami at the time had been sitting aside, working in a non-political position as the head of the national library.

Khatami was hesitant to accept the nomination, because the ruling system and the supreme leader wanted Nateq Nouri to be the president. Khatami met with the supreme leader and received affirmation to run and his assurance that he was not going to dismiss him if elected.

The people were fed up with the regime and wanted real change. Realizing this fact, the Leftist reform coalition promised drastic change, including rule of law, democratization of the system, free press, and formation of civil society. Up to a week before the election, no one could have predicted victory of Khatami. The conservative faction had great confidence in their ability to win, but they did not recognize the new mood of society. While they continued to stick to the revolutionary slogans, the reform coalition proposed change, which was exactly what the people wanted.

The turnout was the highest in history of the IRI. A total of 29,145,754 people, or 79.93% of the eligible voters participated in the election, and Khatami achieved a landslide victory. Out of every four votes, three were cast for Khatami. Young people and women particularly played determining roles in the election—the youth could not relate themselves to the revolution, and women, who were under the severe pressures of restrictive Islamic laws, welcomed Khatami's promised reforms. This election set a landmark in the modern history of Iran, and the date of the election, the second of Khordad (May 23, 1997), is still associated with reforms and reformists.

The third election of the Assembly of Experts was held in the second year of Khatami's presidency, on October 23, 1998. After the victory of the reform coalition in the presidential election, two factors were playing roles in the political atmosphere of Iran. First, the mood of society was positively in favor of the reformists, and second the conservatives badly lost their confidence. While the radical Left joined the reform coalition and won both the executive and legislative branches, the radical Right went underground and formed a shadow government that began terrorizing society by murdering several prominent political figures and pro-reform writers, known as "chain murders," and published a list of 160 other poets, writers, and political opponents to be murdered soon as enemies of Islam. Khatami stopped them as they were acting within the Intelligence and Information Ministry. The minister Dori Najafabadi, a prominent clergyman, was dismissed, while a group of 19 others, including the vice minister Saeed Imami, were arrested. Imami committed suicide while in jail, and his wife was tortured to confess that she was an agent of Israel.

The reformists needed to win a majority of the seats in the AE to be able to implement their promised reforms. Khatami, however, did not realize this. Instead, he urged the electorate to actively take part in the elections, although he himself did little to ensure the victory of reformist candidates to the body. The conservative right was thus assured of an electoral victory, which it got. In turn, the new AE set out to undermine the reform efforts of the presidents and the larger reform movement, which soon began to grind to a halt.

Despite the reformists' best efforts at voter mobilization, voter turnout was low, with only a total of 17,807,869, or 46.32% of the eligible voters participating. This meant that more than 50% of the supporters of the reforms ignored Khatami's request and did not participate in the election. The reformists could have used this opportunity to trade their votes for better positions in the AE, but unfortunately they did not. By this time, the Guardian Council no longer had its absolute power to limit the number of candidates, and so, unlike the previous election in which the GC had allowed only 180 candidates to enter the race, 396 candidates were allowed to compete for 86 seats. Out of the total, fifteen reformist candidates, mainly lower-rank clergymen, succeeded in entering the AE, and these elected reformist clergymen were among the conservative reformists whose ultimate goal was to retain a more genuine Islamic regime, not to change it into a democratic system.

The first election of the City and Town Councils (CTCs), 20 years after the 1979 revolution in 1999, could be considered one of the achievements of the reformists and a showdown for true elections without the interference of the Guardian Council. City and Town Councils were considered in the Constitutional Law as local authorities, but elections were not held because they represented a potential challenge to the very centralized political system in the IRI. Regarding the CTCs, Article 100 of the Constitution reads as follows:

In order to expedite social, economic, development, public health, cultural, and educational programs and facilitate other affairs relating to public welfare with the cooperation of the people according to local needs, the administration of each village, division, city, municipality, and province will be supervised by a council to be named the Village, Division, City, Municipality, or Provincial Council. Members of each of these councils will be elected by the people of the locality in question.

The first elections for the CTCs were held on February 26, 1999. A total of 23,668,739 people, or 64.42% of eligible voters, in 65,277 cities, 450 suburban areas, and 270,411 villages participated in these elections. These were the first democratically held elections in the 28 year history of the IRI, and most of the elected officials favored reforms.

The sixth legislative election was held on February 18, 2000, one year after the landslide victory of the reformist candidates in the CTCs and while the executive branch was still moving toward political reforms and social openness. The turnout in the election was also high, with 26,082,157 people, or 64.42% of the eligible voters, participating. For the first time, the number of members in the legislative branch increased from 270 to 290 because the

size of the population was now 50% higher than at the beginning of the revolution. According to Article 64 of the Constitution, every ten years 20 members should be added to the total number of members in the legislative branch.

The reformists achieved a huge victory in the 2000 legislative elections. Two-thirds of the elected members were from the reformist coalition; however, only about 100 of these deputies were supportive of a genuine reform of the IRI. The reformists still had no unified definition of reforms and no clear strategy to achieve their objectives. Many of these deputies used the coalition to win and did not truly believe in reforms.

The first action of the Majlis to pass a new law in support of a free press was stopped by a direct order of Khamenei, the supreme leader. This was the first open confrontation between the conservative faction and the reformists. Thereafter, the GC halted almost any reform law passed by the Majlis as being non-Islamic. Even though the conservatives had lost both the executive and legislative branches, and along with them the hearts and minds of the people, constitutionally they still had the upper hand. The supreme leader enjoys absolute power and appoints his allies to key military, judiciary, and security positions.

The sixth Majlis, known as the reform Majlis, ended in a month of sit-ins in protest by 120 reform deputies inside the building after the GC rejected the applications of 80 Majlis deputies for the upcoming election as being “unfit.” At this time, Ms. Fatemeh Haghighatjoo, one of the youngest members of the parliament, resigned in protest.

The eighth presidential election was held on June 8, 2001. Several factors need to be considered in this election. First, the conservatives were not yet regrouped to take over the executive branch from the reformists. Second, Khatami was still popular despite his inability to move on the promised reform measures in his first term. Third, supporters of the reforms had no alternative, as the reformists were a coalition rather than solid political parties, and Khatami was the center of this coalition. All things considered, Khatami remained the main candidate of the eighth presidential election. Khatami himself was hesitant to run because he felt he was unable to meet the demands of his supporters.

In the 2001 presidential election, participation dropped 13% compared with Khatami’s first term election. Overall, 28,081,930 people, or 66.59% of eligible voters cast their votes, and Khatami won the election with more than 70% of the votes. His second term did not witness any significant reforms but instead was characterized by frustration and disappointments. This was part of the conservatives’ strategy—to prove that the reformists were not capable of fulfilling their promises. Lack of achievement decreased popular support for the reformists, and consequently their sense of solidarity was lost.

During his second term, Khatami gradually learned that his reform platform contradicted the existing religiously dominated system. He had to choose between the promised democracy and the existing theocracy. He was not mentally and intellectually ready for such a radical change, and the system was not structurally prepared to accept such transformation easily. Khatami was also not a man of confrontation. Thus, he chose to keep the Islamic system almost unchanged and gradually moved away from his initial plan. He ended his second term with no significant legacy.

The second election of the City and Town Councils was held in 2003 when the reform supporters were deeply upset with the reformist leaders, and this mood was reflected in the election results, which turned another page of Iranian modern history backward. This time, unlike in the first CTC election, disillusioned supporters of the reformists remained indifferent, which allowed the newly constituted conservative groups, named *Osoulgar-ayan*, that were centered on the radical Right and affiliated with the Revolutionary Guard and war veterans, to win the elections in major cities such as Tehran. The 15 conservative members of the city council in Tehran were elected with only 12% of the votes. The new city council selected Mahmood Ahmadinejad, a radical Right wing member, as the Mayor of Tehran and thus opened the path for him to the presidency. A total of 20,230,898 people, or 49.2% of the eligible voters in 33,774 cities, 138 suburb areas, and 185,045 villages participated in the election.

The seventh legislative election in 2004 was held in an entirely different political atmosphere. The conservative faction of the IRI was now on the offensive. Because the major candidates of the reformists, including 80 members of the sixth Majlis, were prevented from entering the race as "unfits," supporters of the reformists had even less reason to participate in the election, which allowed the conservatives to dominate. Supporters of the conservatives were also ideologically motivated to participate in the election. A total of 23,734,677 people, or 51.21% of the eligible voters, chose to send more than 250 conservative and radical Right candidates to the Majlis. In some cities, two conservative candidates were competing with each other. Many people, especially supporters of the conservatives, felt socially and religiously compelled to participate in the election to protect what they perceived as the correct historical trajectory of the revolution. Through the system of screening the reformist candidates, the conservatives won a great majority in the seventh Majlis. Moderate and conservative reformists who were allowed to run won only 40 seats. The conservatives' victory in the Majlis prepared the road for the radical Right to win the next presidency.

The ninth presidential election in 2005 was held when both the conservatives and reformists had lost their unity and consensus. The conservative

Right (represented by Ali Larijani) faced the radical Right (represented by Ahmadinejad) on one side, and a moderate reformist, Dr. Mustafa Moein, faced conservative reformists such as Mehdi Karoubi on the other side, with pragmatists such as Rafsanjani staying in the center. Despite many attempts, neither conservatives nor reformists could come up with one candidate, and so, for the first time, the presidential election was held with several serious candidates. Consequently, the election went into a second round because no candidate won 50% of the votes. The victory by Ahmadinejad in the first round surprised everyone, including the conservatives such as the supreme leader, who favored Ali Larijani. Yet, Khamenei had no choice but to rally behind Ahmadinejad. The reformists, whose candidate did not advance to the second round, eventually decided to support the pragmatists' candidate, Rafsanjani, to face Ahmadinejad in the second round. Once again, coalitions of conservatives and reformist/pragmatists faced each other. In the election, Rafsanjani, the powerful man of the IRI, was defeated by his rather unknown rival, Ahmadinejad. Like reformist candidates, Rafsanjani publicly claimed that his defeat was the result of fraud and interference of the military forces in the election, but he decided not to pursue the case when he learned that Khamenei had forcefully moved to support Ahmadinejad. In the first round of the ninth presidential election, 29,400,857 people, or 62% of eligible voters, participated; and in the second round 59,958,931 people, or 59.76% of the eligible voters, participated. Rafsanjani drew only 36% of the votes. The defeat of the reformists represented yet another turn backward for Iran in the modern era.

In the 28 years of IRI history, a total of 27 elections, including the third CTC election in 2007, have taken place. The experiences show that elections as a part of a democratic process are firmly controlled by the ruling clerics, with the support of the supreme leader and the Revolutionary Guard. Therefore, one may conclude that the election, as an institution, is at an impasse in Iran and cannot help pressure the clerical rulers to accept a real democracy. Many consider the formation of civil society organizations or reforms from outside the government as the only means of removing the obstacles.

KAZEM ALAMDARI

#### ◆ ETHNIC GROUPS

The Iranian Constitutional Revolution of 1906 ended the millennia-old imperial system and ushered Iran into the modern era. Iranian intellectuals, who contributed to the success of the revolution and authored the constitution of

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