
Politics Quarterly
Journal of the Faculty of Law & Political Science

Volume 53, Issue 4, Winter 2024

Abstracts and References in English

Table of Contents

Fasl'nāmeḥ-ye siyāsāt (Politics Quarterly) 53, 4 (Winter 2024): 625-838

Authors	Title	Pages
Abadian, Hossein; Saman Rahmani	The Political-Social Consequences of Foreign Capital and Externalization of the Gilan's Economy in the Qajar Era	625-650
Eslami, Rohola; Elahe Valizadeh	Ideological Apparatus in Iran's Education Policy	651-679
Shafiee, Nozar	The Zero-Sum Game: An Analysis of India-Pakistan Rivalry in the South Caucasus	681-707
Qajar, Sona	Roots of the "Subject" in Genetic Structuralism	709-735
Kazemi, Hojjat; Sajjad Ahmadian	Max Weber and the Organizational-Economic Foundations of the Rise of the 'Vocational Politician	737-760
Lotfian, Saideh; Mohammad Baratian	The People-Centered Public Security and Good Security Governance: Lesson Learning for Policy Recommendations	761-790
Momeni, Farshad; Seyed Mohsen Alavimanesh	Religion, Law and Development: Studying the Performance of Forty Years of Iran's Legislative System, 1980-2020	791-817
Nazari, Ali Ashraf; Seyed Masoud Azarfam	The Concept of Legitimacy and Its Place in the Debate between Schmitt, Löwith and Blumenberg on Modernity	819-838



Research Paper

The Political-Social Consequences of Foreign Capital and Externalization of the Gilan's Economy in the Qajar Era

Hossein Abadian^{1*}, Saman Rahmani²

¹ Corresponding Author: Professor, Department of History, Faculty of Literature and Humanities, Imam Khomeini International University, Qazvin, Iran. Email: abadian@hum.ikiu.ac.ir

² A PhD Candidate in Political Science, Department of Political Science, Faculty of Law & Political Science, University of Tehran, Iran. Email: saman.rahmany@ut.ac.ir

Abstract

During the industrial revolution in Europe, foreign investors and businessmen were drawn to the numerous business opportunities of Gilan, which subsequently became one of the first regions in Iran to begin the process of integration into the global economy. Indeed, this northern territory bordering the Caspian Sea attracted foreign investment in the economic sectors of fisheries, industry, agriculture and oil, particularly in the second half of the Qajar era. The trade routes of Gilan had been among the main highways for the importation of new consumer goods, and accordingly the customs authorities in Astara and Anzali played a unique role in the country's international trade. However, due to the weakness of the Iranian government that ultimately led to the fall of the Qajar Dynasty, this accumulation of capital in Gilan led to the expansion of the power and influence of this province in relation to the central government; and to some extent, it gained more autonomy from the national economy. The two research questions to be answered are: a) What was the nature of the process of economic externalization in Gilan in the late Qajar period? and b) What were the implications of this economic externalization for the social and political conditions of Gilan in the late Qajar period? In the research hypothesis, it is argued that the foreign capital injection into the economy of Gilan gradually led to its dependency on the global economy and

***How to Cite:** Abadian, Hossein; and Saman Rahmani. (2024, Winter) "The Political-Social Consequences of Foreign Capital and Externalization of the Gilan's Economy in the Qajar Era." *Fasl' nāmeḥ-ye siyāsāt (Politics Quarterly)* 53, 4: 625-650, <DOI:10.22059/JPQ.2024.366360.1008122>.

Manuscript received: 8 October 2023; final revision received: 28 February 2024; accepted: 11 March 2024; published online: 12 March 2024



concurrently helped it to gain relative economic independence from the national economy which in turn weakened the political influence of the central government over the local economic players. Data is collected by the use of the method of qualitative thematic analysis of historical records and documents in addition to exploring the findings of previous research on the subject. As the last decades of Qajar rule approached, Gilan was well on the threshold of becoming an industrialized province with more economic independence from the government in Tehran, due to the direct ties established between foreign investors and a score of Gilan's merchants and upper-class businessmen who no longer needed to be supported by the central government.

The authors' theoretical framework is based on Eric Wolf's study of the peasant revolts in the 20th century. His main argument is that the peasant revolts had occurred in the situations where the local economy-global economy linkage had resulted in the relative strengthening of the villagers and the creation of a large middle-class and wealthy peasants. At the same time, this linkage has led to the foreign powers' support for the 'rebel' region and consequently to the weakening of the central government's hold on that region. In the conclusion, it is stated that the foreign investors, notably Russia, created the economic dependency of merchants, peasants and artisans of Gilan by importing capital goods, establishing several factories and commercial offices, purchasing fertile land from the local. Russia also provided extensive military support for its loyal local allies in Gilan, and thus the central government's power in this province was severely weakened politically and militarily. As a result, the groundwork was put in place for the activities of opposition forces in Gilan in the period of 1905-1925.

Keywords: Capital Goods, Extroversion, Foreign Investment, Global Division of Labor, National Economy



Research Paper

Ideological Apparatus in Iran's Education Policy

Rohola Eslami^{1*}, Elahe Valizadeh²

¹ Corresponding Author: Assistant Professor, Department of Political Science, Faculty of Law and Political Science, Ferdowsi University, Mashhad, Iran. Email: eslami.r@um.ac.ir

² MA in Political Science, Department of Political Science, Faculty of Law and Political Science, Ferdowsi University, Mashhad, Iran. Email: elaheh.valizadeh@mail.um.ac.ir

Abstract

In any political system or government, there are conflicting forces composed of a multitude of actors (e.g., politicians, activists and other stakeholders) with diverse ideologies that are vying for power to influence the public policy process at all stages from policy formulation and policy execution to policy assessment. Certainly, one of the most significant government policy areas is in the field of education. Contrary to the positivist approach, education policies and strategies are not formed in a vacuum. Outside all political systems, there are individuals and institutions that expectedly endeavor to set the agenda for national education policies. These external actors are often powerful enough to have a determining impact on education policies based on their worldviews and rigid ideological thinking about education. Even though they might not necessarily oppose policies aimed at improving the quality of education in order to confront both the traditional and emerging challenges of building and maintaining efficient, equitable and forward-looking education systems.

The authors try to find suitable answers to the following research questions: 1. Which actors greatly influence Iran's decision-making and policymaking process in the field of education? 2. What are the ideological thinking and typical demands of each major group of actors influencing Iran's education policies? In the hypothesis, it is claimed that the weaknesses of competitive mechanism by which political parties, labor unions and non-governmental organizations often crucially influence policymaking in the public sphere have led to a situation in the existing political arena that the demands of stakeholders and actors who are aligned with the dominant

***How to Cite:** Eslami, Rohola; and Elahe Valizadeh. (2024, Winter) "Ideological Apparatus in Iran's Education Policy," *Fasl'nāmeḥ-ye siyāsāt (Politics Quarterly)* 53, 4: 651-679, <DOI: 10.22059/JPQ.2024.366946.1008130>.

Manuscript received: 18 October 2023; final revision received: 5 March 2024; accepted: 11 March 2024; published online: 12 March 2024



political ideology are predominantly considered by the policymakers' agenda-setting efforts in the field of education. For the purpose of hypothesis testing, the authors use a composite theoretical framework based on Habermas' theory of public space, Althusser's theory of ideology (and ideological state apparatuses), and Bourdieu's field theory. They relied on the works of these prominent scholars because Habermas's theory of the public sphere offers valuable lenses through which one might be able to examine the intricate interplay between the external actors and the broader public domain. Althusser's concept of ideological apparatus serves as a critical tool for understanding how ideologies are disseminated and mobilized in the education policy arena. Furthermore, Bourdieu's theory of the field provides valuable insights into the power dynamics that shape the education policy landscape.

Using the method of critical analysis, the demands related to the material interest, socio-economic needs, and politico-cultural preferences of the key activists and stakeholders (e.g., the Ministry of Education, administrative authorities, professional associations for teachers, student councils, parent-teacher association, seminaries and theological institutions, etc.) as the factors influencing the education policymaking process will be examined. By subjecting these demands to a careful scrutiny within their chosen theoretical framework, the authors attempt to reveal the ideological forces that underlie Iran's education policies. In the hope of overcoming the shortcomings of the country's education policymaking efforts, a few policy recommendations are ultimately presented in the concluding section, for instance, the necessity to base the education policymaking on an inclusive participatory approach, strengthening the role of all relevant governmental and non-governmental actors working cooperatively in the public sphere, and optimally using the capacity of all major stakeholders' scientific associations, organizations and labor unions in the field of education in Iran.

Keywords: Educational Policymaking, Field, Ideology, Iran, Public Space



Research Paper

The Zero-Sum Game: An Analysis of India-Pakistan Rivalry in the South Caucasus

Nozar Shafiee *

Associate Professor, Faculty of Law & Political Science, University of Tehran, Iran. Email: Nozarshafiee@ut.ac.ir

Abstract

This article is based on the premise that the South Caucasus has often been the scene of competition between regional and extra-regional powers. In the distant past, this rivalry was predominantly limited to three major powers: the Ottoman Empire, the Persian Empire and the Russian Empire. After a period of near-total Soviet rule over this region, other contenders (e.g., China, Europe and the United States) were provided with opportunities to get actively involved in the region in the aftermath of the USSR collapse. At the same time, Iran and Turkey also decided to enter the regional competition to benefit from the power void. The military conflicts between Armenia and Azerbaijan which occurred soon after the Soviet government fell, gradually enabled some new rival players (e.g., India and Pakistan) to gain a foothold in the South Caucasus. The main reasons for the involvement of the great powers and the other extra-regional players in the South Caucasus are diverse, ranging from mainly economic ones (as in the case of China) to predominantly political ones (as in the case of Iran, Turkey, the U.S. and Russia). Of course, they are all interested in the economic potential of establishing closer trade and investment ties with the regional states.

The primary research question is as follows: Why have India and Pakistan been intervening in the conflict zones in the South Caucasus which is located at a distance from their own territories? In the hypothesis, it is argued that the decisions of Pakistan and India to get involved in the interstate conflicts of the South Caucasus is a reflection of the protracted conflict between these two countries over Kashmir. The two South Asian rivals appeared on the scene after the war broke out between Azerbaijan and Armenia, and resulted in Pakistan's decision to send military forces and weapons to help the war efforts of Azerbaijan. This in turn led to India's deep concerns about Islamabad's adventurous moves to improve its power and influence abroad. The victory of Azerbaijan in the war increased New

***How to Cite:** Nozar Shafiee. (2024, Winter) "The Zero-Sum Game: An Analysis of India-Pakistan Rivalry in the South Caucasus," *Fasl' nāmeḥ-ye siyāsāt (Politics Quarterly)* 53, 4: 681-707, <DOI:10.22059/JPQ.2024.360280.1008076>.

Manuscript received: 29 August 2023; final revision received: 28 February 2024; accepted: 11 March 2024; published online: 12 March 2024



Delhi's worry because the victory of Azerbaijan meant the victory of foreign policies of Pakistan and Turkey, which had unfavorable relations with India. This matter was important from the point of view that the adventures of Islamabad and Ankara were not limited to the South Caucasus, and might have been extended to Central Asia and from there to South Asia. The main concern of India's foreign policymakers was about the expansion of Pakistan's power and influence among the regional states that might then take side with Pakistan in its Kashmir conflict with New Delhi. Furthermore, the geostrategic location of the South Caucasus has been deemed important as a suitable corridor for creating a north-south transport corridor to connect India to Russia and Europe through Central Asia and Iran. The region has the potential to meet some of India's raw material and energy needs, including oil and gas.

Utilizing the method of qualitative thematic analysis for hypothesis-testing, the findings revealed that the rules of a zero-sum game overshadow the bilateral relations of the countries that are engaged in a protracted conflict over their vital national interest. Pakistan's support for Azerbaijan in its conflict with Armenia was aimed at expanding its influence in a strategic region in the hope of ultimately strengthening its position vis-à-vis India in the Kashmir conflict situation. Not surprisingly, India has acted in a reactionary manner to neutralize Pakistan's foreign policy initiatives by taking side with Armenia.

Keywords: India, Kashmir Crisis, Pakistan, South Caucasus, Zero-Sum Game



Research Paper

Roots of the “Subject” in Genetic Structuralism

Sona Qajar * 

Assistant Professor, Faculty of Islamic Revolution Studies Research Group,
Islamic Revolution Document Center, Tehran, Iran. Email: sqajar@ut.ac.ir

Abstract

The main purpose of this paper is to investigate the position and role of the subject—in terms of influencing or being influenced—in relation to the structure from the perspective of genetic structuralism that was proposed in the field of sociology and literary criticism by a Romanian philosopher and sociologist Lucien Goldmann. His theory of genetic structuralism has been widely applied in the sociology of literature. Using the basic elements of structuralist theory and at the same time understanding its weaknesses, Goldmann tried to save this theory from stagnation, inflexibility and inefficiency in explaining historical changes and developments by applying the theory of historical evolution in structuralism that increases its ability to explain social phenomena. By adding the concept of “genesis” to structuralist theory, an attempt is made to understand the dynamics of subject-structure and objective products of this relation. In Goldmann's theory, among these objective manifestations, literary creation is particularly emphasized.

Genetic structuralism sees literary creation as the product of the transcendental agent, which is represented in this form by its author. The meaningful structure of a literary creation is dialectically related to the mental structure of this transcendental actor, which is in a dialectical relationship with the political, social and economic structure and is constantly evolving and changing in the persistent cycle of construction-deconstruction. For Goldmann, structures have no idealistic or neo-Kantian element, and it is human being who acts collectively and along class lines in order to create or change these structures. Therefore, the structures have a non-historical and subsequently non-functional character, and there is no need for metaphysical levels to analyze them.

In the research hypothesis, it is argued that the subject of genetic structuralism, as a transcendental agent with inevitable gradual distancing from the absolute agency and non-active structural subordination, has

***How to Cite:** Sona Qajar. (2024, Winter) “Roots of the “Subject” in Genetic Structuralism,” *Fasl' nāmeḥ-ye siyāsat (Politics Quarterly)* 53, 4: 709-735, <DOI:10.22059/JPQ.2024.243621.1007157>.

Manuscript received: 13 October 2017; final revision received: 9 March 2024; accepted: 11 March 2024; published online: 12 March 2024.



reached a dialectical relation with structure and in the course of the formation of class consciousness and its objective manifestations, in a successive cycle of construction-deconstruction is always evolving and changing. In an attempt to understand human and social phenomena in general and cultural creations in particular, Goldmann borrows certain macro-analytic categories (such as wholeness, worldview, form, transcendental agent, possible consciousness, and object consciousness) from Georg Lukács and combines them with a series of anthropological and positivistic categories derived from Piaget (such as meaningful structure, function, the process of construction and deconstruction, the epistemological loop of subject and object, and equilibrium).

The author uses the method of textual analysis for hypothesis testing. The most notable work of a critical theorist, Georg Lukács (i.e., *Theory of the Novel* and *History and Class Consciousness*) as well as Goldmann's books and essays (i.e., *the Hidden God*, and *The Human Sciences & Philosophy, Lukács and Heidegger*) are examined. The findings show that in the transition from structuralism to poststructuralism, the dialectical field of genetic structuralism combines Lukacs's sociological theory with Piaget's psychological theory, using the legacy of thinkers such as Hegel and Freud, Nietzsche, etc. and seek to find a middle ground to liberate the subject while accepting the influence of structural constraints.

Keywords: Dialectics, Lucien Goldman, Post-structuralism, Subject's Agency, Theory of Genetic Structuralism



Research Paper

Max Weber and the Organizational-Economic Foundations of the Rise of the “Vocational Politician”

Hojjat Kazemi^{1*}, Sajjad Ahmadian²

¹ Corresponding Author: Assistant Professor, Faculty of Law & Political Science, University of Tehran, Iran. Email: hkazemi@ut.ac.ir

² A PhD Candidate in Political Science, Faculty of Law & Political Science, University of Tehran, Iran. Email: Ahmadian.sajjad@ut.ac.ir

Abstract

Legitimate rule is widely regarded as Max Weber's main contribution to political sociology. The predominant interpretation of Weber's account of the legitimate rule puts a one-sided emphasis on belief systems. Using a descriptive-explanatory approach, the authors try to establish the limitations of this predominant interpretation. An argument put forward is that for the purpose of understanding the variations in the forms of legitimate rule which had emerged across time and space one needs to understand the values and beliefs of the people in question. The legitimate rule in this interpretation is (or is expected to be) a direct reflection of people's values. In this study, the authors tried to investigate the limits of the predominant interpretation, and did not intend to find an alternative for the one-sided emphasis of the cultural interpretation, or for an equally one-sided emphasis on organizational and financial factors. Basically, the main objective had been to shed light on the proper place of the belief system explanation of the legitimate rule.

The primary research question is as follows: In Weber's understanding of legitimate rule, what is the relationship between the type of legitimacy claims, that is presented to achieve or maintain dominance, and the external apparatus of the rule? In the hypothesis, it is postulated that the form of the claimed legitimacy is not imposed by the external factors, but the probability of success of the claim of legitimacy is contingent on the external factors. The way of organizing the external mechanisms of domination (especially

***How to Cite:** Kazemi, Hojjat; and Sajjad Ahmadian. (2024, Winter) "Max Weber and the Organizational-Economic Foundations of the Rise of the ‘Vocational Politician’," *Fasl' nāmeḥ-ye siyāsāt (Politics Quarterly)* 53, 4: 737-760, <DOI: 10.22059/JPQ.2021.315774.1007721>.

Manuscript received: 26 December 2020; final revision received: 18 February 2024; accepted: 11 March 2024; published online: 12 March 2024



the administrative apparatus) is contingent on the chance of success of the claim of legitimacy, which is itself determined by the economic factors (especially the method of financing the expenses of the domination apparatus). Of the external constraints, the organizational and financial factors are more important to Weber. The former concerns the organizational structure of the external apparatus of rule, especially the administrative organization, and the latter focuses on the ways by which the financial costs of the administrative staff are met. These two factors determine the likelihood of the success of legitimacy claims by influencing the balance of power between the rulers, the administrative staff and the society. To test the research hypothesis, the method of qualitative textual analysis is used. First, Weber's account of the legitimate rule in *Economy and Society* is carefully examined to demonstrate how each of three forms of legitimacy are explained in close association with the organizational-financial factors. Then, the significance of the organizational-financial factors as manifested in Weber's account of the rise of vocational leaders is described. The analysis of Weber's *Politics as a Vocation* demonstrate that the rise of vocational politicians depends on an exceptional bureaucratic order, which is professional enough to dispossess the local contenders of power, but is not too professional to strip the political leaders of the actual power in favor of the top bureaucrats.

Key Words: Legitimate Rule, Organizational Structure, Professional Politician, Vocational Politician, Weber



Research Paper

The People-Centered Public Security and Good Security Governance: Lesson Learning for Policy Recommendations

Saideh Lotfian^{1*}, Mohammad Baratian²

¹ Corresponding Author: Professor, Department of Political Science, Faculty of Law & Political Science, University of Tehran, Iran. Email: slotfian@ut.ac.ir

² A PhD Candidate in Public Policy, Department of Political Science, Faculty of Law & Political Science, University of Tehran, Iran. Email: mbaratian@ut.ac.ir

Abstract

Public policy-makers and public sector managers are often faced with high-stakes situations while they must ensure the well-being of their people, but they essentially base their decisions on national security from the perspective of regime's stability, as well as on their own self-interested considerations. Policymaking to defend against traditional military threats has remained a top policy priority of most (if not) all governments which are giving priorities to huge budget allocation for military spending. While we know a lot about national security consequences of military threats, we know much less about the implications of the current and future non-military threats to human security. The twin purposes of this paper are, a) to identify and examine the factors that influence security policy-making aimed at combating traditional and emerging public security challenges and threats; and b) to examine the merits of different models of governance with an emphasis on security sector governance as an effective means of decision-making and implementing policies to address equitable redistribution of income and wealth, just social security policies, power sharing, and peaceful conflict resolution techniques. Thus, this study is designed to gain insight into the determining factors influencing public security in the changing world from the perspective of people-centric policy-making. Urgent issues of outmost importance for public security include public healthcare, mental health, emergency preparedness for natural disasters, environmental

***How to Cite:** Lotfian, Saideh; and Mohammad Baratian. (2024, Winter) "The People-Centered Public Security and Good Security Governance: Lesson Learning for Policy Recommendations," *Fas'lnāmeḥ-ye siyāsāt (Politics Quarterly)* 53, 4: 761-790, <DOI:10.22059/JPQ.2024.370801.1008154>.

Manuscript received: 15 June 2023; final revision received: 7 March 2024; accepted: 9 March 2024; published online: 11 March 2024.



dimensions of human security, the consequences of militarization of law enforcement, cyber-crime prevention, public safety implications of technological advancement. The emergence of new technologies might be detrimental to public security in two ways: First, the new communication and surveillance technologies might facilitate the actions of the governments that plan to restrict personal liberties and political freedoms of their citizens. Second, criminal and terrorist groups may exploit new technologies (e.g., artificial intelligence) to expand their activities which generate threats to public security.

The primary and secondary research questions are as follows: 1. How can the advancement of public security and human security be achieved within the theoretical framework of good security governance and the people-centered approach to sustainable development? 2. Why should the security-development-democracy nexus be considered in people-centered public security policymaking? 3. What lessons can be learned from different governance models to confront security challenges and threats in the unstable global security environment? In the research hypothesis, it is postulated that good security sector governance leads to greater success in the people-centered public security policymaking. In order to reduce the level of military and non-military threats to the security of its citizens, a forward-looking government will adopt good governance model of decision-making. With a qualitative and explanatory approach, the authors seek to answer these questions, test the hypothesis, and outline the findings by means of an in-depth analysis of the arguments and evidence presented by the scholars in the existing political science and governance studies, which could foster lesson-learning from past experience of the success and failure of security policymaking. The results suggest that the potential consequences of the poor quality of governance for people-centered public security are highly dependent on the economic and political attributes of development. On the one hand, socioeconomic vulnerability contributes to mistrust in government leaders, public institutions and their civil servants. On the other hand, most people value transparency, good performance management, and opportunities for public participation in politics and policymaking. Thus, the quality of governance influence people's views of the legitimacy of political leaders, and might adversely affect their trust in government. Finally, the paper concludes with a summary of key policy recommendations for proactive people-centric policy-making and good security governance for confronting public security challenges.

Keywords: Good Security Sector Governance Human Security, Models of Governance, New Security Challenges



Research Paper

Religion, Law and Development: Studying the Performance of Forty Years of Iran's Legislative System, 1980-2020

Farshad Momeni^{1*}, Seyed Mohsen Alavimanesh²

¹ Corresponding Author: Professor, Faculty of Economics, Allameh Tabataba'i University, Tehran, Iran. Email: F.Momeni@atu.ac.ir

² A PhD Candidate in Economics, Department of Economics, Allameh Tabataba'i University, Tehran, Iran.

Abstract

A country's level of gross domestic product (GDP) per capita over time has frequently been used as an indicator of economic development. Iran's per capita income in 1977 (shortly before the 1979 revolution) has been higher than its average income earned per person recorded for all the years of the post-revolutionary era thus far. Therefore, a question is raised whether the country's lower level of economic development (as measured by its per capita income) has been a result of the religious nature of the key governing bodies of the Islamic Republic of Iran established on the basis of Article Four of the Constitution. It is crucial to investigate the accuracy of the assertion that these institutions might have indeed contributed to the vicious cycles of underdevelopment of the country in order to find alternative solutions to the slow-down in Iran's economic development process.

The authors attempt to answer the following two research questions: 1. In accordance with Douglas North's chain of belief-institution-transformation, how has Iran's level of national development been influenced by the religious nature of its key political institutions established after the revolution based on Article Four of the Constitution? 2. To what extent have the Guardian Council (*Shorā-ye negahbān*) and the Expediency Discernment Council (*Majma' tashkhis-e maslehat-e nezām*) influenced Iran's economic development in the 1980-2020 period? A careful investigation of this issue is important in order to facilitate the policymakers' better understanding of the underlying causes of the persistent vicious cycles of the country's underdevelopment in the hope of averting a worsening of the

*How to Cite: Momeni, Farshad; and Seyed Mohsen Alavimanesh. (2024, Winter) "Religion, Law and Development: Studying the Performance of Forty Years of Iran's Legislative System, 1980-2020," *Fasl' nāmeḥ-ye siyāsāt (Politics Quarterly)* 53, 4: 791-817, <DOI: 10.22059/JPQ.2024.362924.1008090>.

Manuscript received: 18 August 2023; final revision received: 7 February 2024; accepted: 4 February 2024; published online: 11 March 2024.



situation. Based on the theoretical framework of Douglas North's notion of the belief-institution-economic performance, the authors hypothesize that religious beliefs have had an impact on the enactment of laws and ultimately on economic development in Iran in the 40-year period from 1980 to 2020. Thematic analysis is used to collect and interpret qualitative data pattern on themes in the data set provided by the Guardian Council (GC) Research Institute related to the GC's decisions and opinions on the laws introduced and forwarded by the Islamic Consultative Assembly (*Majles-e shorā-ye eslāmi* or Iran's parliament) since 1980 (i.e., the starting year of the GC's function). The main focus of this paper is on the role of the Guardian Council which is an influential institution—because its members perform the task of screening each legislation concerning its constitutionality—and thus has veto power over legislations introduced by the unicameral parliament (*Majles*). The Expediency Discernment Council (EDC) also has a significant impact on the legislation process by settling disagreements between the Majlis and the GC over laws and deciding which of the two political institutions is right.

The findings revealed that a total of 3339 legislation were screened by the GC during the 40-year period, only 175 legislations (5.24 percent) were disapproved, 12 legislations (0.36 percent) remained ambiguous, and 3152 legislations (94.40%) were finally approved. 171 cases (14.73 percent) had also been referred to the EDC at the request of the Majlis. 175 legislations had been rejected by both the GC and the EDC because they were deemed as non-congruent with Islamic law as emphasized in Article four of the Constitution. Among all the rejected legislations, no important piece of legislation with economic implication was observed, with the exception of the case related to the Financial Action Task Group (FATF). However, the impasse on the FATF legislation as well as the other undecided legislations—particularly on the most challenging foreign policy issues—can be seen as the weaknesses in the political institutions' decision-making processes. Only the accrued cost of the month-long delays caused by the drawn-out process of screening the legislations might be considered a monetary factor with adverse impact on economic performance of the country, but there might be less evident factors which have indirect development implications. Considering the impact of these issues on the country's national interest, it is the duty of the experts to further examine the economic and political implications of these delayed legislations and persuade the policymakers to work towards conflict resolution and reach a consensus.

Keywords: Expediency Council, Guardian Council, Iran, the Impact of Religious Beliefs on Economic Development, Law Making



Research Paper

The Concept of Legitimacy and Its Place in the Debate between Schmitt, Löwith and Blumenberg on Modernity

Ali Ashraf Nazari^{1*}, Seyed Masoud Azarfam²

¹ Corresponding Author: Associate Professor, Faculty of Law & Political Science, University of Tehran, Tehran, Iran. Email: aashraf@ut.ac.ir

² PhD in Political Science, Faculty of Law & Political Science, University of Tehran, Iran. Email: m.azarfam@ut.ac.ir

Abstract

The concept of crisis is rooted in German intellectual tradition, and has a long history that can be traced back to the reactions of Romantic thinkers to the philosophical ideas of Immanuel Kant. This enduring concept—as a byproduct of Kantian philosophy and Romanticism—persisted throughout the 19th century and reached its zenith in the early 20th century, and coincided with the burgeoning modernity and modernism. Carl Schmitt and Karl Löwith were the two prominent advocates of the idea of crisis during the 20th century, and presented a criticism of the fundamental principles of modernity and questioned its legitimacy by using the secularization thesis as their primary interpretive tool. The main objective of this essay is to reconstruct the debate between Carl Schmitt, Karl Löwith, and Hans Blumenberg on the legitimacy of the modern age and present an argument in its defense as Blumenberg might have done.

The Romantic scholars' reaction to Kant, which underlies much of the concept of crisis, was shaped by their dissatisfaction with what they perceived as Kant's overly rationalistic philosophy. Romantics championed a worldview that emphasized emotion, nature, and the sublime, which they saw as neglected by Kant's emphasis on reason. This led to a period of intellectual crisis that lingered and evolved as the result of subsequent philosophical developments and social changes. Schmitt and Löwith in their unique ways viewed the advent of modernity as a crisis. Schmitt as a political theorist and jurist saw the crisis in the transition from the traditional

***How to Cite:** Nazari, Ali Ashraf; and Seyed Masoud Azarfam. (2024, Winter) “The Concept of Legitimacy and Its Place in the Debate between Schmitt, Löwith and Blumenberg on Modernity,” *Fasl’-nāmeḥ-ye siyāsāt (Politics Quarterly)* 53, 4: 819-838, <DOI: 10.22059/JPQ.2024.289279.1007497>.

Manuscript received: 19 September 2019; final revision received: 3 February 2024; accepted: 11 March 2024; published online: 12 March 2024.



forms of governance and social organization to the modern liberal democratic rule. For Schmitt, the essence of this crisis lay in the perceived loss of political unity and authority, which he saw as being undermined by the pluralism and individualism of modern democratic societies.

This essay will follow the intellectual journey of these three thinkers, shedding light on their debates about the legitimacy of the modern period, and will present a defense of Blumenberg's interpretation, arguing that the secularization thesis and the associated concept of crisis rely on a form of historical substantialism. This substantialism, which views historical periods as homogenous entities with essential characteristics is problematic. It oversimplifies the complex historical processes involved in the transition to modernity and neglects the heterogeneity and dynamism within each historical period. In conclusion, the authors will argue that the defense of the modern age, as Blumenberg elaborates, is not only possible but necessary. It will challenge the foundational assumptions of Schmitt and Löwith's critiques, arguing for a more nuanced understanding of modernity that acknowledges its complexity and dynamism and recognizes its unique legitimacy. This defense will proceed on the thesis that Schmitt and Löwith's discussion, which explains modernity according to the secularization thesis, involves a kind of historical substantialism which is apparently unjustifiable.

Keywords: Crisis, Eschatology, Legitimacy, Modernity, Political Theology, Secularization