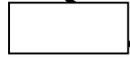




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Iran: The Growing Role of the Consultative Assembly

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A Research Paper

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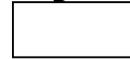
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Iran: The Growing Role of the Consultative Assembly

A Research Paper

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*NESA 85-10008
January 1985*



Iran: The Growing Role of the Consultative Assembly

Key Judgments

Information available as of 3 January 1985 was used in this report.

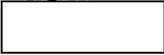
The Consultative Assembly has become one of the most influential political institutions in Iran under Ayatollah Khomeini. As Khomeini's health deteriorates, an increasing number of policy questions are likely to be sent to the Assembly for resolution. 

During the past four years the Assembly has passed much important legislation, strengthened its control over parts of the executive branch, and helped tighten regime control over independent revolutionary organizations and paramilitary forces. Effective leadership of the Assembly by Speaker Hojat ol-Eslam Ali Akbar Hashemi-Rafsanjani has helped it acquire more institutional power at the expense of the presidency and judiciary. The only effective political check on Assembly decisions—aside from Khomeini—comes from the conservative Council of Guardians, which must approve all legislation before it can become law. 

A conservative coalition strong enough to block proposals by Islamic radicals is emerging in the recently elected second Consultative Assembly. If the coalition continues to gain adherents, it will increase pressure on the government to chart a more conservative course. The new coalition also will help ease the strained relations between the Assembly and the Council of Guardians. 

The conservatives face stiff resistance from the radicals in defining the Islamic Republic. Both radical and conservative leaders sense that Khomeini's time may be short, and they are likely to press hard during 1985 to impose their views on land reform, the economy, and the division of power among regime factions and organizations. 

Highly placed Iranians believe the Assembly will become even more important in the power vacuum that will follow Khomeini's death. Limited information about members of the emerging conservative coalition in the Assembly suggests its leaders are interested in making it the centerpiece of a parliamentary theocracy after Khomeini. Radicals also favor a more powerful Assembly because it offers the best opportunity to achieve at least some of their goals in restructuring Iranian society. 



Assembly Speaker Rafsanjani is well placed to encourage and exploit any increase in the Assembly's authority. Skilled at maneuvering among Iran's diverse political factions, Rafsanjani is second only to Khomeini in power. Once Khomeini dies, he could become the most influential political figure in the country, although he is too young and too junior a cleric to succeed Khomeini directly. 

The emergence and survival of a conservative majority in the Consultative Assembly would benefit Western interests and reduce Soviet opportunities to bring to power a leftist government in Tehran. An Assembly led by such a coalition would continue to impose Islamic values in Iran and remain critical of Western policies affecting the Third World, but it would also be likely to give primary importance to strengthening the economy and establishing a stable social structure. Conservatives would encourage working relationships with the West—eventually including the United States—and with the non-Communist Third World, especially Iran's neighbors. 

Dominance of the Assembly by the radicals would allow it to override legislative review by the conservative Council of Guardians, enact extreme social and economic programs, and press for a hardline foreign policy. Such a regime is more likely to look to the USSR for assistance. 

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**Radical and Conservative Views
on Selected Issues^a**

Radical and conservative disagreements are most clearly defined on economic issues such as land reform, management of trade and industry, and the tax structure. Radicals favor redistributing private property to benefit the lower classes, strong central control and planning over the economy, and increasing taxes through higher rates and a broadening of the tax base. Conservatives want no limitations placed on amassing private property, a wider role for the private sector, and no increased tax burden. They charge that radicals in the regime do not properly manage the assets they now control.

Divisions between the factions blur on many other matters. Most radicals, however, are hawkish on the war with Iraq and are suspicious of the loyalty of the regular armed forces. Most conservatives, on the other hand, want to end the conflict and to improve Iran's economy. They oppose strengthening the paramilitary Revolutionary Guard at the expense of the regular forces. Conservatives believe that the Guard is controlled by trigger-happy radicals willing to eliminate rival interest groups by force.

Radicals favor a hardline foreign policy in association with other regimes and organizations opposed to "imperialism"—that is, the United States—and seem less hostile to the USSR.

radical and conservative leaders to terrorism and planning to export the revolution to other Muslim communities. Many conservatives are as concerned as radicals about the Western cultural

impact on Islamic societies, but the conservatives' economic interests contribute heavily to their interest in continued contacts with the West and a less aggressive foreign policy.

Conservatives and some radicals are strong supporters of the Islamization of Iranian society. The most extreme proponents of Islamization are the ultraconservatives. Conservatives, however, do not strongly support the political and religious domination of Iran by a supreme jurist and hope to reduce the authority of that post after Khomeini's death. Many radicals support a view of Islam consonant with socialist principles and hope eventually to push the clerics into the background. Meanwhile, however, radicals support Khomeini's dominance, realizing Iran's need for a strong leader at the helm and hoping that he will allow their views to prevail.

^a This paper uses the terms radical, conservative, and ultraconservative to indicate general divisions in the Iranian political spectrum. Pragmatist is used to characterize individuals like Assembly Speaker Hashemi-Rafsanjani, whose views seem to be driven mainly by opportunism. These terms are intended only to define Iranian viewpoints relative to each other and not to suggest similarities with foreign political groups. Moreover, political figures may fit into one part of the spectrum on some issues and other parts of the spectrum on other issues. Iranians tend not to be troubled by vague and shifting alliances or by simultaneous participation in groups with opposing goals and ideologies, according to Western scholars.

Iran: The Growing Role of the Consultative Assembly

In the four years of its existence, the Consultative Assembly (*Majles-e Shura*) has grown from a fledgling institution to Iran's single most important decisionmaking center—aside from Ayatollah Khomeini. It has become the main arena in which Iranian power struggles are waged. Khomeini has made clear publicly that the Majles is the regime's link with the people and the forum in which different factional views will be melded into policy. Leaders of major political factions responded to this mandate by competing strongly in the 1984 election for the Assembly.

If we look at the executive and judicial powers in relation to the legislative, it is clear that the Majles is at the head of affairs.

*Editorial in government-controlled
Kayhan newspaper
March 1984*

The increased power of the Majles results mainly from provisions in the Constitution that weaken the executive branch. The Constitution divides the government into executive, legislative, and judicial branches—apparently with balanced powers as in many Western countries. But it imposes on the government a supreme jurisprudent—Khomeini. Although Khomeini has not become involved in day-to-day policymaking, his presence has prevented the emergence of a strong president.

This has allowed the Assembly to occupy center stage. As the Iranian power struggle unfolds, now and after Khomeini dies, decisions made in the Majles will be important indicators of whether conservative or radical Islamic ideology is becoming dominant.

Growing Power and Constraints

The 270-member Consultative Assembly has evolved into the political institution most representative of Iran's diverse political spectrum. With Khomeini's blessing, the Majles has been the primary beneficiary

The Iranian Consultative Assembly (Majles-e Shura)

The Iranian Constitution establishes a single-chamber, 270-member Consultative Assembly elected every four years. The Majles is "consultative" because, strictly speaking, it does not legislate—all law having been revealed by God. Three seats are reserved for representatives of Christian sects and one each for the Jews and Zoroastrians. The Assembly:

- *Introduces "resolutions" and legislation.*
- *Enacts laws and ratifies treaties, contracts, and accords negotiated by the executive branch.*
- *Approves appointment of the prime minister and Cabinet and censures or removes the prime minister, Cabinet, or a single minister through votes of no confidence. The Majles may require the president, the prime minister, or any individual minister to answer questions in person.*
- *Investigates any aspect of national affairs.*
- *Approves employment of foreign nationals.*

The Assembly cannot:

- *Authorize changes—except minor adjustments—in national borders.*
- *Grant foreign concessions for commercial, agricultural, or mineral "affairs or services"—a reaction to concessions to Western interests granted by the Shah and his predecessors.*
- *Impose martial law. "Restrictions" lasting 30 days are allowed during wartime but are not known to have been implemented during the present conflict with Iraq.*

Assembly Sessions

No Majles debate is official unless Council of Guardians members are present, and no proposal is considered law until the Council has reviewed and accepted the text—usually within 10 days after passage of a bill. The Assembly must amend any proposal that the Council of Guardians considers in violation of Islamic or constitutional principles unless two-thirds of the Assembly's members vote to override the Council. The Constitution forbids the Majles from even debating an urgent item—one that must be implemented without a 10-day review—unless Council members participate in the debate.

Representatives who propose "bills resulting in a reduction of public income or increase of general expenses" must offer provisions to restore an equilibrium in the budget. Members cannot transfer their individual responsibilities to substitutes, and the Assembly as a whole cannot delegate its powers. Members who want to resign have 15 days to reconsider.

Majles members are authorized to address all domestic and foreign issues—although the Majles has had greater impact on domestic than on foreign policy. Representatives are not liable to prosecution or arrest for remarks made during debate or for their votes. Khomeini has recently ruled, however, that anyone libeled by a Majles member can exercise a right of reply.

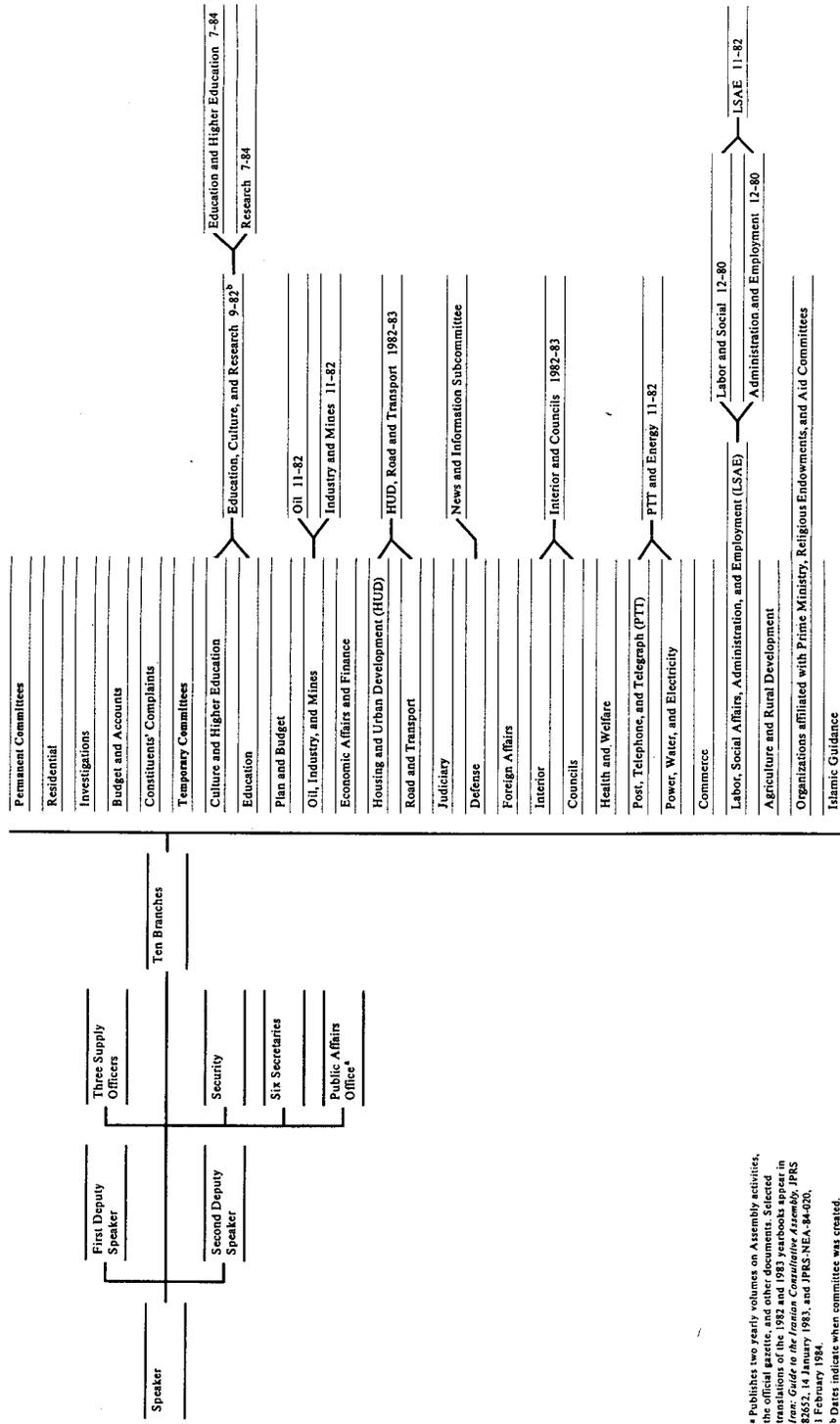
The Constitution provides that Assembly sessions should be open to the public and press, except when the prime minister, a Cabinet minister, or 10 Assembly members call for a closed session.

indicate that the Majles routinely goes into closed session during debate on controversial issues, if only to mask heated exchanges between members. Representatives of religious minorities allege that they have been excluded from closed debates on defense issues. Three-fourths of the members must approve measures adopted in closed session, two-thirds in open session.

The Assembly elects officers—a speaker, two deputies, six secretaries, and three "supply" officers, who apparently arrange for all the equipment needed by the Majles and its members—and divides itself by lot into about 10 equal "branches" twice a year. Heads of the branches, in consultation with the other Majles officers, determine committee assignments of members. Special committees are often set up to consider special issues, for example, how to deal with the US hostages and the qualifications of prime-ministerial candidates. The Defense Committee has a "news and information" subcommittee that tries to obtain for Majles members "correct and accurate" reports on the war with Iraq.

The Majles meets Sunday, Tuesday, and Thursday for debate, according to Speaker Rafsanjani, and other days for committee work. Friday is a religious holiday. A typical Majles session opens with announcements and speeches that raise parochial issues or allow members to endorse the regime's position on an issue not under debate. It continues with readings from the Qoran, remarks by the Speaker, and the items scheduled for debate.

Figure 1
Majles Organization



⁸ Publishes two yearly volumes on Assembly activities, the official gazette, and other documents. Selected translations of the 1982 and 1983 yearbooks appear in *Iran: Guide to the Iranian Consultative Assembly*, JPRS 28552, 14 January 1983, and JPRS-NEA-84-020, 1 February 1984.

⁹ Dates indicate when committee was created.

of regime efforts to institutionalize its power. Almost all the formerly independent revolutionary bodies such as the Revolutionary Guard and Construction Crusade are now accountable to the Majles. Reining in the few remaining independent bodies is on the agenda of the newly elected second Assembly. []

*Today the Majles is the home of the nation—
(It) is the government of the oppressed who
inherit the earth.* []

Assembly Speaker Hashemi-
Rafsanjani
November 1984

Majles records detail how individual members and committees have become persistent watchdogs over other government organizations and officials, [] [] These records and commentary in Iranian media indicate that the Assembly has passed hundreds of bills defining domestic and foreign policy and responding to constituents' needs. Majles activity has focused on budgetary, defense, judicial, agricultural, and ideological affairs, according to these records. []

As far as I know, such a hard-working Consultative Assembly does not exist anywhere else in the world. []

Speaker Rafsanjani,
May 1984

The first Assembly, which sat from May 1980 to May 1984, also defined policy by failing to legislate on several contentious issues. Radical proposals for land reform, for example, were blocked by conservatives even though the radicals constituted a majority in the first Assembly. This, in effect, established the preeminence of conservative demands that agricultural policy be based on respect for private property. []

Evidence of varying reliability suggests a close link between the fortunes of the Majles and its Speaker, Hojat ol-Eslam Ali Akbar Hashemi-Rafsanjani. Rafsanjani is a pragmatist who allies himself with conservatives or radicals depending on the issue and his perception of his own best interests. He lacks impressive clerical ancestry and credentials as well as

the authority of age but has parlayed his leadership of the Majles into nationwide influence second only to Khomeini's. In turn, Rafsanjani's skills have helped the Majles emerge as the focus of political activity in Iran. Both have gained power primarily at the expense of the executive branch. []

Weak President

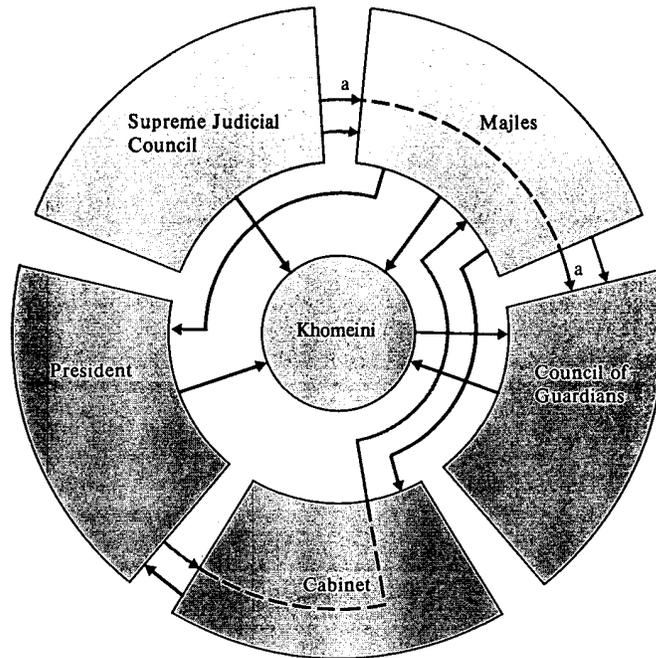
The presidency has been overshadowed by Khomeini and is unable to provide the checks on legislative power common in Western countries. The Constitution vests Khomeini with supervisory powers over the entire government, thus gutting the presidency. Moreover, in 1980 the clerical-controlled Majles was angered by then President Abol Hasan Bani-Sadr and passed legislation severely limiting the powers of the president. The executive lost its power to frustrate the Majles by refusing to sign bills. The Majles also gave some of the president's appointive powers to the prime minister, who must retain the Assembly's confidence. []

The current President, Hojat ol-Eslam Ali Hoseini-Khamenei, a major rival of Assembly Speaker Rafsanjani, has been unable to revitalize the presidency. In contrast to the vigorous Assembly Speaker, President Khamenei's health has been weakened by the aftereffects of the serious wound he suffered in an assassination attempt in June 1981. Moreover, according to diplomatic sources in Tehran, his personality is more suited to the seminary than to the rough-and-tumble of Iranian politics. []

Khamenei announced in mid-October 1984 that he planned soon to introduce legislation increasing the powers of his office. This move reflects his desire to weaken Rafsanjani and curtail the increasing power of the Majles before Khomeini dies. We believe the President will not gain the power he wants. According to the exile press, Rafsanjani curtly responded that "real power rests with the Majles Speaker, who . . . can accept or reject any minister and supervise all legislative, administrative, and judicial activity." []

Figure 2
Iran: Institutional Relationships

- Responsible to
- Reviews competency
- Names members
- Proposes bills
- Reviews bills



^a Majles chooses the six lay members of the Council of Guardians from a list of nominees prepared by the Supreme Judicial Council.



Constraint—The Council of Guardians

The Council of Guardians is the only political institution serving as a check on the Majles. To ensure that the Majles could not subvert the Islamic revolution, the clerics established a body of experts in Shia law—the Council of Guardians (*Shura-e Negabandan*) composed of six clerics appointed by Khomeini and six laymen named by the Majles—to review all legislation for conformity with Islamic tenets and the Constitution. In effect, the Council of Guardians performs

judicial review functions akin to those of the US Supreme Court. It answers only to Khomeini

Conservatives have controlled the Council of Guardians since its formation in 1980. They are careful to check excesses by radicals, Westernized politicians, and technocrats in the Assembly and executive branch. Iranian press accounts detail how the Council

of Guardians ordered significant modifications in bills, making them unacceptable to the radicals in the first Assembly. As a result, during the past four years the radicals have been unable to pass legislation on land reform, labor relations, civil taxes, and management of trade and industry. Because the Majles has been unable to address controversial issues in omnibus bills, it has dealt with them piecemeal.

The 1984 Election

We believe the general perception that Ayatollah Khomeini's health is seriously deteriorating intensified the desire of diverse political groups to win seats in the Majles during the election in May 1984. They wanted to protect their interests in the post-Khomeini era by securing legislation while it could still be blessed by Khomeini. Many highly placed Iranians also seem to believe that the Majles will become the focus of the post-Khomeini power struggle. In addition, we believe they see the Assembly as a major forum for airing and institutionalizing views, making alliances, winning adherents, and thereby gaining national prominence. Provincial figures hope in addition to parlay influence in the capital into more clout back home.

So many provincial clerics, government officials, and members of revolutionary organizations wanted to run for Assembly seats in 1984 that the regime discouraged them. A new election law required anyone holding an official position to resign a month before he or she could be considered as a candidate.

During the election, members of each faction complained bitterly—as they had during the 1980 election—that their rivals were blatantly ignoring election regulations:

- Members of political groups and revolutionary organizations intimidated voters and clashed with each other, according to sources of varying reliability. Disputes in some cities became so intense that there was almost a breakdown of general order.
- Clerics and government officials exploited their positions to endorse their candidates and attack opponents. Election officials wrote in the names of

Islamic Elections

Iran's strict Islamic election regulations are designed to eliminate Western-style politicking and encourage an atmosphere of unity and local initiative. The election law:

- *Permits only a two-week campaign after review of candidates' backgrounds by election and security officials and clerics.*
- *Forbids critical statements about candidates by prominent clerics and laymen, attacks on rivals by candidates, or the destruction of others' publicity materials. Influential clerics are specifically ordered by Khomeini to maintain a "fatherly" neutrality even at the cost of allowing the election of less well-qualified candidates.*
- *Encourages candidates to voluntarily withdraw in favor of more qualified rivals.*
- *Bans use of mass media for electioneering or publicizing candidates' rallies or meetings.*

their proteges on the ballots of illiterate voters, according to Iranian press accounts.

The general populace did not demonstrate much interest in the election. Sources of varying reliability suggest the low turnout reflected popular disgust with the unending war and the regime's economic mismanagement.

Reacting to an even smaller turnout in subsequent runoff elections, the Majles amended the election law to allow the election of any candidate who won a plurality of at least one-third of the votes.

1984 Election Results at a Glance

- Nearly 1,600 candidates registered to run, including 25 women; 152 withdrew, and 271 failed the review process, according to election officials.
 - In the first and second rounds in April and May, 251 members were elected. The remaining 18 were elected—or reelected if their victories had been successfully challenged—in byelections held in August, September, and October. One seat, that of Bandar Lengeh, remains empty because of repeated election violations.
 - Only one of the candidates identified as a hostage taker at the US Embassy was elected. Almost all of those elected were active in the anti-Shah movement. None held office under the Shah.
 - Of the new deputies 36 are 26 to 30 years old, 117 are 31 to 40 years, 70 are 41 to 50 years, 23 are 51 to 60 years, and four are 61 to 70 years, the upper age limit established by the election law, according to the Iranian press. Four—all from Tehran—are women. Four are Sunni Muslim clerics, and an unknown number are Sunni laymen.
 - Incomplete statistics released by the Iranian media indicate that 1.4 percent of the new Assembly members can only read and write (the minimum educational qualification allowed by law), 9.3 percent completed elementary school, 26 percent have two years of college-level work, 26 percent have undergraduate degrees, 4 percent have doctorates, and 25 percent attended a seminary but are not necessarily all clerics.
 - According to Speaker Rafsanjani, about 120 representatives are associated with the Islamic Republic Party, which encompasses almost all factions, and 107 members served in the first Majles. Other regime spokesmen have indicated that about 100 members are clerics, slightly less than in the first Majles.
-

Throughout the world, this is the only parliament that truly represents the masses, who have elected it free from the influence of feudal overlords, politicking, and so on.

Ayatollah Khomeini
May 1984

Western observers found the process corrupt, but others had quite different perspectives. Two Third World officials have told that the Iranian election was impressive by their standards. One emphasized, in addition, that Khomeini had scored a propaganda coup by holding the election during war-time.

A New Conservative Coalition

Conservatives with links to bazaar associations and their clerical allies waged an effective campaign to challenge radical domination of the Majles. They were motivated by the same concerns that spurred bazaari members' opposition to the Shah—increased taxes, concentration of economic power in the hands of state enterprises and a few favored individuals, and bazaaris' inability to protect their personal property. Many were concerned over the radical economic proposals considered by the first Majles.

Pragmatists in the Majles, like Speaker Rafsanjani, and some radicals—such as Dori-Najafabadi, a prominent Tehran representative—were prompted by the activities of the bazaar political committees to accommodate the conservatives, according to sources of varying reliability. An Iranian political digest has suggested that Rafsanjani cleared candidate lists with the conservative Grand Ayatollah Golpayegani—a critic of the regime—during a visit to Qom this spring. []

Our society must become more moderate. []

Speaker Rafsanjani
September 1984

Radicals—fearing they would be swamped by the conservatives—turned to Khomeini for support during the election. Some radical spokesmen argued strongly that provincial clerics and their proteges—who tend to be conservative—should not abandon their local responsibilities by seeking seats in the Majles. Just weeks before the election, radicals based in Tehran universities obtained their own ruling from Khomeini that “students”—a codeword for radicals—should feel free to participate fully in the election.

[]

The Radical-Conservative Power Balance

We do not believe the conservatives won absolute control of the Majles in the election.

[]

In practice, this means that the conservatives must be able to count on a core of slightly more than one-third of the Assembly necessary to block passage of legislation. []

[]

[] that 32 are radicals, 24 are conservatives, and one is an independent. The remaining 213 members cannot now be labeled with assurance. We believe these data underrepresent conservatives, who generally work behind the scenes, and

overrepresent radicals, who tend to be more flamboyant. []

We estimate that the radicals probably also have a core of about 90 members in the new Majles. One of the most obvious casualties of the election was the Islamic Republic Party (IRP), often referred to in the Western media as Iran’s “ruling party.” The IRP was a key vehicle for radical power in the first Majles.

[]

The Majles is “a place, not of rational discussions between rational men, but a place of humdrum accusations and counteraccusations pouring on members from all sides.” []

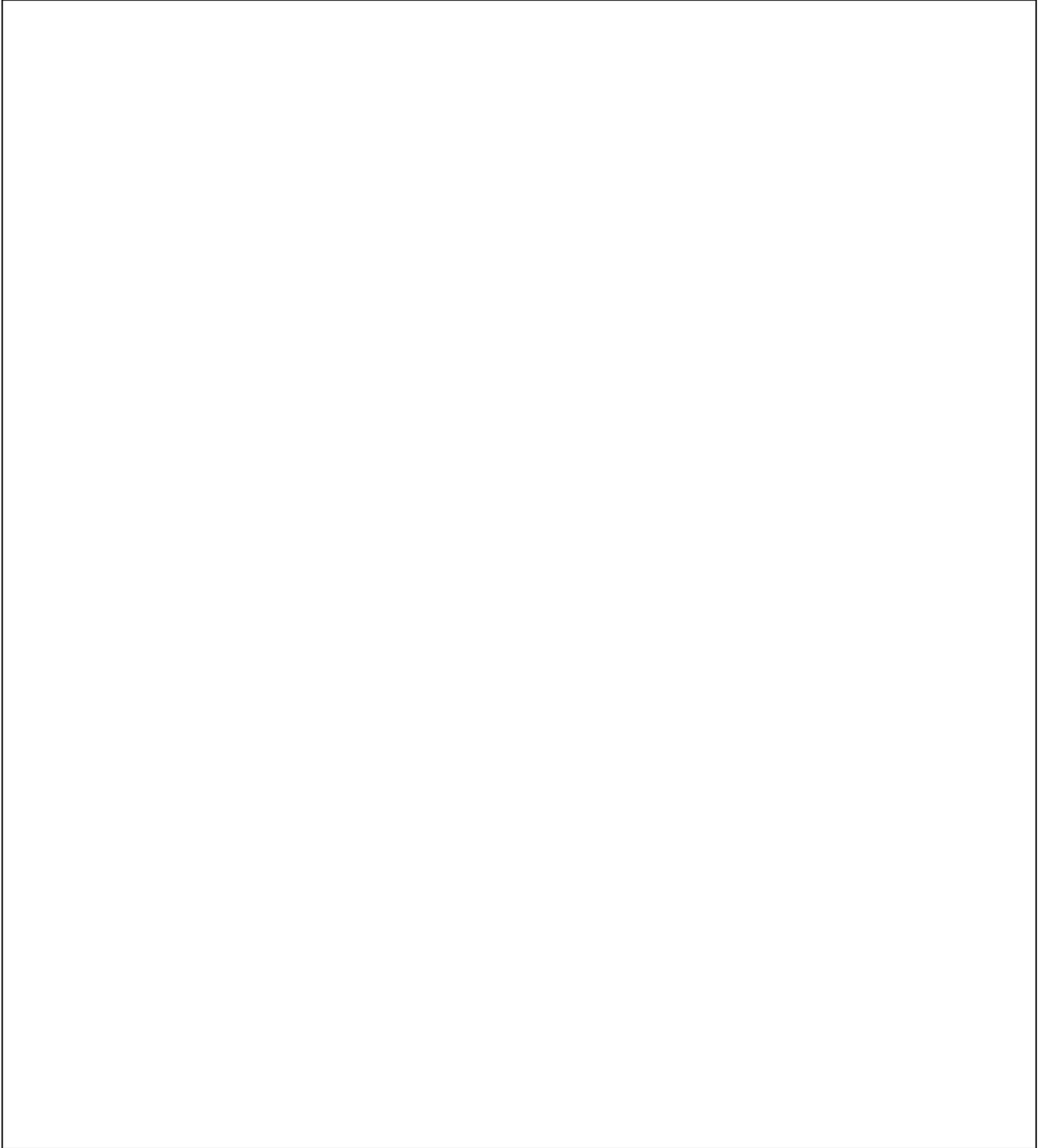
A centrist representative, 1980.

[]

Radicals can also appeal to Khomeini—who has an emotional attachment to some radical leaders and to their ideology, according to the Iranian media—to urge that radical views be heeded. []

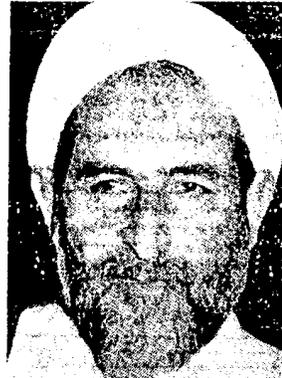
The conservative coalition is probably capable of mustering the simple majority needed to pass compromise bills addressing limited elements of major controversial issues. Nonetheless, radicals will still attempt to block such bills by using parliamentary maneuvers to require a two-thirds vote. []

Khomeini and other leading figures have indicated publicly their expectation that the second Majles will





Hojat ol-Eslam Ali Akbar Hashemi-Rafsanjan [redacted]



Hojat ol-Eslam Mohammad Yazd [redacted]



Hojat ol-Eslam Mohammad Mehdi Rabani-Amlash [redacted]

pass legislation acceptable to the conservative Council of Guardians. Such hopes may not be fulfilled directly, as the radicals and their conservative rivals can prevent each other from passing controversial legislation. Khomeini's fragile health, however, has made the political stakes higher, and factional loyalties and alliances may become more fluid as members less strongly committed to either side opportunistically seek links to any faction they suspect is becoming dominant [redacted]

Four More Years

When the second Majles opened on 29 May, radicals promptly clashed with the Council of Guardians over the election results in many districts. Iranian press accounts reveal that radicals vehemently protested Council certification of races lost by radical candidates and its annulment of other races radicals had won. Radicals also challenged the credentials of many conservative members who had been approved by the Council of Guardians, but in almost all cases their charges were rejected by the Majles. The conservatives won a significant early victory by gaining both of the Deputy Speaker positions in the second Assembly over strong opposition from the radicals [redacted]

The confidence debate for the Prime Minister and Cabinet in August provided a major test of strength between conservatives and radicals. Publication in the press for the first time of verbatim accounts of Assembly debates heightened the power struggle among the factions. Conservatives who believed the radical-dominated media had misrepresented their

remarks circulated broadsheets containing their own version of the debates [redacted]

- Conservatives compelled Prime Minister Musavi-Khamenei, who has become identified with the radicals, to seek a vote of confidence for the entire Cabinet. They also pushed through legislation requiring that the Prime Minister seek a confidence vote from each newly elected Majles. Conservatives won another victory by forcing each minister to face an individual review.
- Five ministers were eventually voted out of office by the Majles. Three had illegally endorsed a radical list of Majles candidates. According to a political news digest published in Tehran, the two other ousted ministers were close to President Khamenei and sympathetic to the ultraconservative Hojatieh Society, which is strongly opposed by radicals and by less strident conservatives as well. [redacted]

The conservative coalition also won a victory over the status of three Ministers of State in the Cabinet. During the confidence debate, the Council of Guardians ruled that such posts were unconstitutional because the incumbents were not subject to questioning and ouster by the Assembly. On 3 January the Majles passed a law that made one, the Plan and Budget Organization, into a ministry. The Social Welfare



The Consultative Assembly in session [redacted]

Organization will also become a ministry, while the third, Executive Affairs, will be abolished, according to an Iranian political digest. [redacted]

These moves further strengthened Majles—and conservative—control over the executive. The ouster of the five ministers—the most the Assembly had ever dropped at once—and the narrow approval of four others signaled that the Assembly expects policy changes from the government. The removal of all nine would have been, in effect, a vote of no confidence in the Prime Minister, according to the Constitution.

Prime Minister Musavi-Khamenei may yet be forced out, according to rumors circulating in Tehran that probably reflect the goals of the conservative coalition. [redacted]

Although apparently thrown off balance by their electoral defeats and the initial conservative victories in the second Assembly, the radicals quickly recovered. In recent months they have been able to block the appointment of a moderate as Minister of Defense. [redacted]

Choosing a Defense Minister: A Model for Gridlock

The Defense Minister—no matter which faction he represents—is caught between:

- Khomeini, who is named commander in chief by the Constitution.
- The Supreme Defense Council, which defines policy options for Khomeini and handles day-to-day decisionmaking.
- The Revolutionary Guard Minister, who is independent of the Defense Ministry.
- The Majles, which believes it does not have enough influence on defense policy—especially on the war.

[]

Defense Minister Salimi was ousted in the confidence debate in August, ostensibly because of inadequate handling of support operations for the front and other management failures. According to Iranian press accounts, he was a conservative tied to President Khomeini. Two subsequent nominees—one of whom is a retired Army colonel who has been a Deputy Defense Minister and now a Majles member—have been denied confirmation by the Assembly. []

[]

Continued Controversy

All elements of the regime claim to be satisfied with the results of the initial actions of the second Assembly. Nonetheless, we believe the second Assembly will be as controversial as the first. Regime spokesmen have indicated that the second Majles will deal with empty Cabinet posts and legislation that:

- Defines the role and relationship to the government of the komitehs, the armed semiofficial groups that

sprang up throughout Iran after the revolution. Restrictions on the komitehs would further reduce the independence of revolutionary organizations and strengthen the Majles.

- Incorporates into the Interior Ministry and the new Information and Security Ministry the Revolutionary Guards now associated with the komitehs. Both the Majles and the executive want control over these forces, which perform vital internal security functions, because they will play a critical role in the post-Khomeini era.
- Clarifies the powers of the presidency.
- Addresses controversial issues such as land reform, civil taxes, and the management of trade and industry.
- And, perhaps, endorses terms for ending the war. []

We believe Speaker Rafsanjani's recent public remark that the second Majles may address war issues suggests he is trying to persuade Khomeini to declare Iraq defeated and allow the Majles to modify his general outline for a settlement. The regime used this method in 1980 to end the US hostage crisis []

[]

One of the important issues that we hope to include in the Majles agenda is ending the war. This will be interesting work, full of incidents.

[]

Speaker Rafsanjani

November 1984

Prospects

The Assembly will be a key institution in the struggle to shape the Islamic Republic over the next four

years. Control of the Majles and the shape of future legislation will depend on the ability of rival factions to win support among the large body of loosely affiliated or independent members.

Radical power has been weakened but not ended. Neither radicals nor conservatives are likely to capture the allegiance of uncommitted Majles members unless Khomeini clearly endorses one side or the other on particular issues. At the moment, he seems to favor the conservatives. This will give the conservatives an edge on bills that come up early in the Assembly calendar. We believe, however, that Khomeini will attempt to maintain a balance among the factions to avert an intensified power struggle he realizes could threaten clerical rule. The Assembly, therefore, is likely to remain deadlocked on several important issues, such as land reform, economic policy, and labor relations. Since it is the radicals who wish a fundamental restructuring of society, deadlock will, in effect, be a defeat for the radicals.

If the Majles is harmed, the Islamic Republic is harmed.

Ayatollah Khomeini
May 1984

We believe that the extent to which the Majles provides a dynamic forum for shaping policy and managing factional differences also will define, in large part, the degree to which post-Khomeini Iran can maintain its cohesion. There is no other official body in the Islamic Republic that has the authority to deal with a broad range of issues and in which all major factional interests are represented. If Iranian factions cannot work out their disagreements through the legislative process, they are likely to resort to force.

the Iranian media indicate that the conservative leaders want to increase the Assembly's independence and make it the focus of a parliamentary theocracy in the post-Khomeini era. The two conservative Deputy Speakers, Yazdi and Rabani-Amlashi, as well as other prominent Assembly members associated with the bazaar, have spoken about the structure of the government—including Khomeini's role—in ways that indicate they want a stronger Majles. Little information is available on the views of Khomeini's heir apparent, Ayatollah Montazeri.



I believe by drawing on the experience of the first Majles, the second will become even more powerful.

Speaker Rafsanjani
May 1984

Accounts of Assembly debates show that Rafsanjani and some of the radicals also want to strengthen the Majles—although not at the expense of Khomeini or his successor. They have heatedly attacked both the conservative Council of Guardians for thwarting the will of the Assembly and those ministers whom members believe have been disrespectful toward the Majles.

Majles Vulnerabilities

There are two major threats to the growing power of the Majles and the ambitions of leading parliamentary figures. The first would arise if factional disputes in the Assembly lead to its paralysis, making it irrelevant and pushing the power struggle into other arenas. We do not believe this is likely. It is in the interest of all faction leaders in the Majles to preserve its power and, hence, their own.

The second threat is the possible unraveling of the regime after Khomeini's death. The Majles controls no armed forces that could safeguard its power. At least a dozen of its members, however, are known to have close connections with paramilitary and regular forces.

We believe that the Iranian clerics and their lay allies are likely to maintain their hold on power immediately after Khomeini's death. We doubt, however, that the rivalries between Iranian interest groups can be controlled without the mediation of an unquestioned leader such as Khomeini. The prospects for political instability, therefore, are growing:

- In the first year or so of the post-Khomeini era—especially if he dies soon—we believe Speaker Rafsanjani's continued participation in the political

Abolish the Majles?

The Majles as defined in the 1979 Iranian Constitution represented a compromise between the often inconsistent views of the factions then participating in the Khomeini regime. The Assembly and its leaders have played an increasingly important role, and it has been repeatedly endorsed by Ayatollah Khomeini and his heir, Ayatollah Montazeri. But its ideological basis remains fragile both because of the idiosyncrasies of clerical dogma and because, like most Third World states, Iran lacks a parliamentary tradition

[Redacted]

Strictly speaking, and as influential Iranian ultraconservatives argue, Shia ideology has no place for a legislature—all law has been revealed by Allah and interpreted authoritatively by the Prophet Muhammad, the 12 Imams, and a long line of revered senior Shia clerics. Extreme supporters of leadership by a supreme jurispudent want power to be concentrated in that office, revolutionary organizations, and support bodies of experts in Shia law. Radical Islamic technocrats, on the other hand, look to the day when the clerics can be sent back to the seminaries, the supreme jurispudent is no more than a consultant, and the regime is dominated by the executive

[Redacted]

Extremist supporters of leadership by a supreme jurispudent, ultraconservatives, and even some conservatives could argue for abolishing the Assembly once it has enacted basic laws. We believe radicals would oppose abolition unless they could dominate the regime. If the Assembly closed:

- *The Council of Guardians could assume responsibility for interpreting the legal code to meet new circumstances.*
- *An Assembly of Experts (Majles-e Khebragan) could be called to address a specific issue if a broader consensus of legal expertise was needed. Two such Assemblies have already met—in late 1979 to draft the Constitution and since early 1983 to establish guidelines for an eventual transition to the post-Khomeini era.*

We believe it is unlikely that a majority within the Majles would vote for its closure. The possibility of continued revision of the legal code along lines preferred by their own supporters is likely to tempt all factions. Moreover, the existence of the Assembly maintains the appearance of popular participation in political activities that enhances support for the regime

process will be an important stabilizing factor.¹ If Rafsanjani were assassinated in the first months after Khomeini's demise, we believe the development of the Majles into a stronger focus of power could be slowed.

- On the other hand, if Rafsanjani were killed or permanently removed by his opponents after a post-Khomeini regime has begun to consolidate, we believe other Majles leaders will have emerged who could step into his shoes

The Majles is unlikely to play a major independent role in the political arena, however, if an Iranian

[Redacted]

strongman eventually seizes control. No single powerful leader is likely to want another institution to challenge his primacy.

Implications for the United States

We would not expect even a conservative-led Majles to advocate a dramatic improvement in relations with the United States. The factions and interest groups that would make up such a government include many who strongly support the continued Islamization of Iran and the exclusion of Western values from the Muslim world. Some are associated with terrorism.

Nevertheless, these leaders are also the most persistent advocates of a more moderate approach to the

outside world and the expanded use of Western technology. We believe that over time their interests in domestic stability and economic development would lead to an easier relationship with the United States, even if formal diplomatic relations were not reopened. Their actions also would weaken opportunities for the USSR to exploit Iranian ethnic and economic dissatisfaction in the hope of eventually bringing a pro-Soviet government to power.

On the other hand, if Iranian radicals come to dominate the Assembly, extreme social and economic legislation is likely to be passed over the objections of the Council of Guardians. Conservatives on the Council could even be replaced by radical clerics and lay jurists. We would expect a radical Majles to feel threatened by the West—especially the United States—and to press for a hardline foreign policy, possibly one that looked to the USSR for assistance.

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