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Iran's 2017 Election

WANING DEMOCRATIC HOPES

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On 19 May 2017, Iranian voters went to the polls to choose their president. In the absence of independent observers, we can only cite the unverifiable official results that come from the Interior Ministry of the Islamic Republic of Iran. These figures claim, for starters, 73 percent participation by eligible voters. If true, that is not the highest turnout ever asserted by the Islamic Republic, but it is high by Iranian standards. It is also high compared to turnout in typical democratic countries, and thus provides fodder for boasts about the superiority of Iran's "Islamic democracy" to systems (such as that of the United States) in which turnout is chronically low.

Certainly, the Islamic Republic's leadership has been content to cite the 73 percent figure as proof that the Iranian people strongly support the Islamist regime and buy into its notion of Islamic democracy.¹ The landslide winner, say the official figures, was incumbent president Hassan Rouhani. He carried 57 percent of the vote. His main challenger, a fellow Shia cleric and former revolutionary prosecutor named Ebrahim Raisi, usually described as a conservative populist, finished far behind with 38 percent. Mainstream international media saw in the election results the victory of "reform" and "opening" and the defeat of ideological conservatism, populism, and policies that would increase Iran's isolation.²

Such accounts, however, ignore the true function of elections in the Islamic Republic. Voting there is not meant to be what Western observers generally think of it as being: a mechanism that actualizes the sovereignty of the people within the body politic while broadly translating their preferences into public policy.

Instead, the Islamic Republic's 1979 Constitution lays out a very different conception. God is the unique and exclusive sovereign, and his sovereignty is exercised by a Supreme Leader whose power, reflecting God's sovereignty, is absolute. God's sovereignty is actualized by unelected bodies (such as the twelve-man Guardian Council established by Article 91) that have the power to vet and disqualify candidates for election and to veto bills produced by elected bodies such as the national Majlis (parliament).³

The unelected vetting power is so extensive that it has been used to disqualify not only numerous oppositionists and dissidents, but also hundreds of members of the ruling oligarchy who were previously deemed qualified. In other words, this power can be used to purge "insiders" who run afoul of other groups of insiders. It is a weapon in the bitter factional struggles that rage just below the surface of the regime.

Given the Islamic Republic's theory of divine sovereignty and its essentially oligarchic nature, it should not be surprising to find, in Article 6, that elections are treated as mere manifestations of "public opinion" to be used in administering the country's affairs. In such a system, how much can election results tell us about the state of prodemocracy forces—and hence of democratic prospects—in today's Iran?

Perhaps elections can tell us something. During the lifetime of the Ayatollah Ruhollah Khomeini, the Islamic Republic's founder and original Supreme Leader, presidential balloting meant nothing. The president was effectively appointed by Khomeini. He would arbitrate between regime factions and choose someone, and then there would ensue a sham campaign involving several other nominal candidates. Khomeini's de facto nominee would always win.

Things changed dramatically with Khomeini's death in 1989, the successful democratic transitions in various parts of the world that took place during the 1990s, and the digital revolution of the early twenty-first century. The Islamic Republic's internal power struggles became sharper and harder to hide, and the state lost its monopoly on what counted as "truth" as new technology sapped its ability to control information.

Although the main levers of power remain in the hands of the unelected Supreme Leader and his appointees, consulting public opinion through elections has become crucial for the regime. It is how rival factions within its ranks settle their political and ideological disputes without violence. Equally if not more important is the ideological function of elections, which is to strengthen the state's position both at home and abroad. By voting, citizens effectively condone a regime that deprives them of their sovereignty. They become, whether or not they intend to, part of the very system that oppresses them. Iran's rulers, as noted above, consider this ritual a renewed popular profession of faith in the whole system.⁴ The higher the turnout, therefore, the stronger the

regime becomes with regard to its citizens, the more confident it grows on the world stage, and the more assertive it dares to be in its long-term struggle against liberal democracy.

This remarkable perversion of a key democratic institution into a tool of antidemocratic cooptation is not without risk for the regime.⁵ For elections give civil society leverage, however small. Over the last twenty years, Iran's prodemocracy forces have tried to use this leverage to promote human rights and democracy. They have become involved in the bargaining that goes on between the competing factions of the oligarchy. Thus, while we cannot view elections in the Islamic Republic as manifesting Iranian citizens' free choice, we nonetheless need to attend to them for what they tell us about the regime's inner tensions as well as the strength and vitality of civil society.

What Was at Stake in 2017?

Since the late 1990s, the ruling oligarchy has split three ways over ideology. "Reformists" took the stage from 1997 to 2005 during the presidency of Mohammad Khatami. Without openly questioning the Supreme Leader's absolute power, they called for a more free and tolerant society; promoted a drastic reduction of censorship in cultural affairs and the press; permitted the existence of quasi-independent civil society organizations; and pushed for the reduction of legal discrimination against women. They also recommended greater tolerance for political and religious dissidence and restrictions on the power of the Guardian Council (which tightly controls who can run for parliament).

In short, the reformists sought to promote proto-democratic policies within a proto-totalitarian theocracy. Their failure at this quixotic mission was predictable. Toward the end of Khatami's second term, the custodians of regime orthodoxy struck back. They massively disqualified reformist candidates from the 2004 parliamentary elections and the 2005 presidential balloting, and evicted reformist figures from decision-making positions within the state.

The reformists did not give up, however. In 2009, they rallied behind the presidential candidacy of former prime minister Mir-Hossein Mousavi. He called for continued reforms, transparency, accountability, tolerance, and more social freedom. When the official results declared hard-line populist incumbent Mahmoud Ahmadinejad to be the winner, millions took to the streets in protest against vote-rigging. The regime lashed out against this "Green Wave" movement with violent repression that left scores dead and thousands more jailed and tortured.

Mousavi and another prominent reformist candidate were placed under house arrest without trial. Other reformist leaders were given show trials and long jail terms. The Guardian Council banned those reformists who remained at large from running for office, thereby dramatically reshaping

ing Iran's oligarchic political landscape. The campaign of repression, intimidation, and exclusion turned the once energetic and powerful reform movement into a shadow of its former self. Its most genuine activists gave up on the idea of somehow "fixing" the Islamic Republic and went over to outright opposition. Those who remained reformists shelved their democratic demands, and with their own candidates comprehensively disqualified, they chose in both 2013 and 2017 to rally behind a set of political figures whom advocates of reform had once shunned.

These were the "realists" (sometimes also described as pragmatists or moderates). This group had once been led by the late Akbar Hashemi Rafsanjani (1934–2017), who had been president of Iran from 1989 to 1997. They were willing to ease religious restrictions and grant a measure of social and cultural freedom while calling for direct talks with the United States and a less fiery approach to international affairs in general. The realists rejected any idea of a political opening within Iran, however, and continued to back the absolute power of the Supreme Leader.

Rafsanjani had tried to run for president again in 2013, but the Guardian Council disqualified him. This led to Rouhani's candidacy. The founder and leader of the Moderation and Development Party, he had been involved in nuclear negotiations for years and enjoyed the trust of both Rafsanjani and the Supreme Leader. In domestic terms, the most that Rouhani would pledge was moderation in the use of state violence against society, along with adherence to the rule of law within the Islamic Republic's restrictive and discriminatory constitutional framework. Rouhani has never supported democratization or defended political freedom. As if to underline this, he named as his minister of justice Moustafa Pourmohammadi, who along with Ebrahim Raisi had served on the infamous four-man "death committee" that in mid-1988 had sent almost three-thousand political prisoners to the gallows on Khomeini's secret orders.⁶

In 2017, Rouhani could claim success at keeping his main 2013 electoral promise: He had managed to lift the international sanctions related to Iran's nuclear program and to end the country's isolation from much of the community of nations. He had also made good on his pledge to boost internet speeds, and had resisted hard-liners' pressure to block Telegram, a secure-messaging application that is used by about a fifth of Iran's eighty-million people.

Rouhani did not, however, make good on his vow to uphold even the very limited citizens' rights recognized by the 1979 Constitution. His first term saw a surge in the number of executions without due process.⁷ The Majlis impeached his science minister for defending the independence of universities. (Rouhani regretfully accepted the impeachment and appointed the man as his science and education advisor.)

In running for his second term, Rouhani backed continued talks with the West, and demanded that limits be placed on the vast role played in the economy by the Iranian Revolutionary Guard Corps (IRGC), as this

role is a major driver of international sanctions.⁸ He called for a less aggressive foreign policy, a more strongly competitive private sector, more social and cultural freedom, and more tourism. He criticized those who would impose violent religious restrictions on the populace. From the outset, Rouhani was considered the favorite in a race against his main rival, Raisi.

Raisi was the candidate of the regime faction known as “principlists” (also often called conservatives). This subset of the oligarchy vehemently opposes any democratic change and supports the Supreme Leader’s absolute power. They promote a strict religious rule and the control of citizens’ social and cultural life in accord with that rule. After his stint on the “death committee,” Raisi carried on his judicial career, eventually becoming Iran’s top prosecutor before Khamenei made him head of the country’s biggest religious endowment. Geoffrey Robertson, the international human-rights lawyer, has accused Raisi of having committed crimes against humanity.⁹ For Raisi and his fellow principlists, any ideological dissent is a form of corruption and a sacrilege against the holy Islamic Republic.¹⁰ He campaigned as a populist, pledging public financial aid to various classes and descriptions of people. In foreign policy, he criticized Rouhani’s nuclear talks as having weakened the Islamic Republic’s defense posture, and pledged to restore its position of strength in international relations.

Thus the Islamic Republic’s oligarchy faced a choice in 2017 between confrontation and conciliation. That was true both in the domestic arena and on the world stage. Should the regime make concessions to Iranians’ desire for fewer social and cultural restrictions? Should it temper its international ambitions lest it solidify the creation of an anti-Tehran regional bloc and even risk war? Rouhani, while no democrat, was willing to answer both questions with a conditional yes; Raisi was not.

Prodemocracy Forces Today

After the failure of reformism under Khatami, Iran’s democrats realized that without profound constitutional changes, elections were a dead end. Even if reformists were allowed to run and win, the Guardian Council would stymie them. Iran’s democrats therefore decided to cut all ties with the oligarchy, reformists included. Instead, democrats began organizing independent civil society organizations (CSOs) in order to promote human rights and democracy from the grassroots up. From 2003 to 2006, groups devoted to advancing rights—of women, various minorities, and citizens in general—bloomed across the social landscape.¹¹

During the 2005 presidential campaign, students and activists for women’s rights—the two groups at the forefront of the prodemocracy movement—rallied to reformist candidate Mostafa Moin, the former

science minister. He did poorly in the official first-round tallies, however, and activists boycotted the runoff, in which Ahmadinejad defeated Rafsanjani. Harsh repression during Ahmadinejad's first term left little space for maneuver within society, which is why the 2009 presidential campaign came to loom so large: The regime customarily eases speech limits for a few weeks leading up to the vote, and democrats were trying to leverage this modest opening in order to advance their cause.

A comparison of the 2009 and 2017 elections reveals the devastating impact that relentless state persecution has had on prodemocracy forces within Iran. In 2009, democrats were able to organize; to reach out to the citizenry at large; to meet openly with candidates and their representatives on college campuses; and to air their calls for gender equality, human rights, and democracy. So successful were they that they became the *de facto* leaders of public debate and affected the agendas of reformist candidates.¹²

Eight years later, after its successful repression of the Green Wave, the Islamic Republic's security apparatus was far less lenient. It was working from a position of strength, and it knew it. Already in December 2016, students were complaining that Rouhani and his administration were doing nothing to protect them and their organizations from the security services. Rouhani himself expressed regret at his failure to make good on his promises to students.

Persecution made the cost of activism very high. This was true not only within society at large but, more crucially, on those traditional breeding grounds of opposition to the regime in this youth-heavy society: college campuses. As the 2017 election neared, the pressure on students, rights activists, reform-minded journalists, and dissidents rose to excruciating levels.¹³ It arguably reached its peak in mid-March, when reformist and pro-Rouhani Telegram channels were shut down and their administrators arrested.¹⁴ A group of 35 student associations complained to Rouhani about his passivity in the face of the security services' intimidation of student activists. Editors of student periodicals held a few quiet meetings with officials to ask about the fate of imprisoned journalists and dissidents, but there was little activism beyond such discreet measures.

The same discretion and caution characterized activists for women's rights, the other vanguard of prodemocracy forces. They largely contented themselves with publishing a summary of their demands regarding discriminatory laws against women, equality in the job market, and the appointment of more women to high political offices.¹⁵ They too recognized that the enduring persecution has weakened their mobilization capacities.

What the 2017 elections reveal is the degree to which rights activists have lowered their sights. The phrase "universal human rights" was not heard during the campaign. Moin, who as a candidate in 2005 had promised to create a state secretariat for human rights and gender equality,

would say in 2017 only that he hoped Rouhani would appoint competent people, continue normalizing Iran's international relations, and issue more permits for NGOs.¹⁶ In 2009, Mousavi's campaign had chosen green as the reformist color. In 2017, Rouhani opted for purple. At his rallies, supporters chanted: "We were all green; police batons turned us purple!"

When facing the choices on offer at election time, democratically minded Iranians have typically asked which is the least of all the evils from which they must pick. In 2017, there was no unanimity regarding this question: Secular parties joined a number of CSOs in boycotting the vote, arguing via social media that, with no prospects for democratization in view, participation would only strengthen the regime by allowing it to claim legitimacy. The election's long-term outcome, they argued, would disappoint those who did vote and lead to more apathy and hopelessness regarding political activism.¹⁷ The boycott campaign was banned inside Iran, but that was not the sole reason for its failure to make an impact. A large majority of the eligible populace decided to vote, and among them were many with prodemocracy leanings.

So why did they participate and give the regime the satisfaction of a (seemingly) high turnout? A faster internet, a little more cultural freedom, a little less inflation—these were among the most widely cited reasons given by people who backed Rouhani. His main appeal, however, was likely the capacity that he had shown to cool international tensions and project an air of stability in an uncertain time and a tormented region. Rouhani, in other words, benefited from fear—of repression, sanctions, war, and chaos. Fear has caused the Iranian public to see democracy as a luxury that is too costly to afford in the current international context. Here we can see the correlation that exists between the relative setbacks which liberal democracy has undergone worldwide in recent years, and its setback in Iran.

Repression and state violence alone cannot explain the prodemocracy forces' surrender to the status quo. They have endured worse—in 1999, 2003, and 2005, for instance.¹⁸ What has changed is the situation of liberal democracy in the region and worldwide. Regionally, hopes that democracy might take root in neighboring Iraq and Afghanistan have given way to fear that civil war and a failed state will be the fate of any country in the broader Middle East whose regime is destabilized. Globally, the worldwide "democratic recession" and increasing Western reluctance to criticize authoritarians have demoralized Iranian democrats, giving them the dispiriting impression that the world has become less friendly to their cause.

NOTES

1. Hossein Ashtari, the head of the Islamic Republic's security services, hailed the election as "a splendid expression of religious democracy that has shone light on the people's

glory and the strength of the Islamic regime's foundations." Iranian Students' News Agency, 31 May 2017 (in Persian, translated by the author), www.isna.ir/news/96031006309.

2. See, for example, Mick Krever, Mohammed Tawfeeq, and Joe Sterling, "Iranian President Hassan Rouhani Wins Re-election in Victory for Moderates," CNN, 20 May 2017, <http://edition.cnn.com/2017/05/20/middleeast/iran-rouhani-election/index.html>.

3. Ladan Boroumand and Roya Boroumand, "Is Iran Democratizing? Reform at an Impasse," *Journal of Democracy* 11 (October 2000): 114–28.

4. Ayatollah Ahmad Jannati, the chairman of the Guardian Council, said that the purported turnout signaled "people's trust in the regime." Iranian Students' News Agency, 10 June 2017 (in Persian, translated by the author), www.isna.ir/news/96032011057.

5. For a legal analysis of the Islamic Republic's electoral system, see Farid Hekmat (F. Peykan), "Neither Free Nor Fair, Elections in the Islamic Republic of Iran," Abdorrahman Boroumand Foundation, June 2009, www.iranrights.org/library/document/604/Neither-free-nor-fair-elections-in-the-islamic-republic-of-iran.

6. *The Massacre of Political Prisoners in Iran, 1988: Report of an Inquiry Conducted by Geoffrey Robertson QC* (Abdorrahman Boroumand Foundation, 2011), 114.

7. According to the Abdorrahman Boroumand Foundation, the numbers executed in Iran in 2014, 2015, and 2016 were, respectively, 970, 1,055, and 576, "Reported Executions in Iran," www.iranrights.org/newsletter.

8. The IRGC controls Iran's nuclear program.

9. Robertson, *Massacre of Political Prisoners in Iran*.

10. "Iran's Prosecutor General: We Are Holy Our Judiciary Is Holy and Our Regime Is Holy," Iranian Students' News Agency, trans. Abdorrahman Boroumand Foundation, 26 February 2015, www.iranrights.org/library/document/2911.

11. Ladan Boroumand, "Iran's Resilient Civil Society: The Untold Story of the Fight for Human Rights," *Journal of Democracy* 18 (October 2007): 64–79.

12. Ladan Boroumand, "Iran in Ferment: Civil Society's Choice," *Journal of Democracy* 20 (October 2009): 16–20.

13. See the joint statement by 35 student groups, "Iran Under the Threat of Arrests," 19 March 2017 (in Persian), www.iran-emrooz.net/index.php/news/1/2017-03-19_2342.

14. "Iran: Arrests and Intimidation of Telegram Administrators and Journalists Ahead of the Elections," Article 19, 17 March 2017, www.article19.org/resources.php/resource/38678/en/iran:-arrests-and-intimidation-of-telegram-administrators-and-journalists-ahead-of-the-elections.

15. "A Statement Regarding Women's Demands," 6 May 2017 (in Persian).

16. Mostafa Moin "Iran's Elections Neutralized Riyadh's Threats," Iranian Students' News Agency, 6 June 2017 (in Persian), www.isna.ir/news/96031608397.

17. Saleh Hamid, "Iranian Activists Launch Campaign to Boycott Presidential Elections," Al Arabiya English, 16 May 2017, <https://english.alarabiya.net/en/features/2017/05/16/Iranian-activists-launch-campaign-to-boycott-presidential-elections.html>.

18. Ladan Boroumand, "Untold Story," 72–74.