RE-EVALUATION OF SHAYKH FAZL AL-LĀH-E NŪRĪ'S POSITION IN THE CONSTITUTIONAL REVOLUTION IN IRAN

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Among the most controvertial figures during the Constitutional Revolution of 1905–1911 was Shaykh Faẓl al-Lāh-e Nūrī (d. 1909), who has been regarded as a central figure trying under the banner of Islam to hinder the introduction of a constitutional system into Iran, the symbol of modernization of the country. In general until recently the assessment of him by the Iranians has been negative. This is chiefly because at certain period Nūrī had played a significant role in fierce opposition to constitutionalism and parliamentalism. Besides this, he is said to have had a close connection with a despotic ruler, Moḥammad 'Alī Shāh, who was an arch enemy to the constitutionalists.

Whether these contentions are plausible or not, however, we must not fail to take into account the fact that when his image is formulated as such, we cannot help but make use of the records by pro-constitutionalist writers, such as Aḥmad Kasravi, Mehdi Malekzādeh, Yahyā Dowlatābādi, and so forth.(1) Though these documents are of crucial significance, they are highly biased in that the authors attempt to persuade the readers to believe their political standpoint or ideal, i.e. introduction of European political thoughts and customs.

In contrast to this, recently there has appeared yet another viewpoint concerning Nūrī, chiefly because of the success of Islamic Revolution in 1979, in which the ulama played a critical part and the idea of velāyat-e faqih (deputyship by the jurisconsults during the absence of the Hidden Imām) was realized. In particular, many a new fact has been disclosed by use of the documents concerning the Constitutional Revolution which have been relatively unnoticed until recently.(2) As a result, a new light has been cast upon the position of Nūrī, which makes it almost inevitable to realize that just to label him as reactionary, anti-modernist, or anti-constitutionalist, etc., is not sufficient, and

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re-evaluate him from yet another angle. True, the treatment of Nūrī hitherto done is full of prejudices and as far as historical circumstance is concerned, there are many vague points and sometimes obvious errors. Therefore it is urgently required to rectify those points.

On the other hand, when Islamic values are overemphasized under the present regime, his role might also be emphasized excessively. Thus it is all the more necessary to approach the issue from less biased viewpoint. For the purpose, it is incumbent upon us to re-examine the sources in which such points are taken for granted as introduction of European constitution, political struggle by the Iranians for their natural rights, supremacy of the political societies to which the authors belonged, on the one hand, and a negative role of Islam and its scholarly class (ulamā) in modernization of the country, on the other.

Now we have come to realize that the study on the role of Nūrī during the Constitutional Revolution implies not only the study of his role, but also the re-evaluation of the Constitutional Revolution itself. In addition, the study also implies a new field of study on Islamic modernism in Iran for his consistent contention on Islamic ideals presents us one of the unique responses to westernization, a response which any developing nations more or less have to make. Since the re-evaluation of the Constitutional Revolution is far beyond the scope of this paper, the author will make an attempt to re-examine the historical conditions under which Nūrī took his anti-parliamentalist stance, thus making clear some points hitherto undiscussed, and re-evaluate his position in the light of Islamic modernism in Iran.

(I)

Before we discuss Nūrī, it might be useful to deal with the studies already done, which will help understand the point of this paper.

As is pointed out above, the fact that the students of the Constitutional Revolution cannot help referring to the works written by those devotees of European political ideas, say, constitutionalism, parliamentalism, etc., has inevitably led them to more or less biased interpretation concerning any anti-constitutionalists like Nūrī. Despite the fact that those documents are the vivid records of hard struggle by the Iranians and of significant value in themselves, at the same time there is no denying that those authors had been convinced
of their mission to persuade the readers to accept their political goals, creating not a few prejudices against the view contrary to their standpoint. Therefore the studies heavily relied on these works should be made careful use of. We shall make clear some of the concrete points in the process.

As an example of these records on the Constitutional Movement, we shall make a brief mention of Aḥmad Kasravi's *Tārīkh-e Mashrūṭeh-ye Irān* since this is the work which is not only the most famous, but probably the most widely read history of the movement. As is proclaimed in the introduction of the book, since Kasravi tries to look upon the Constitutional Movement as a struggle by the Iranian people to obtain their natural rights and estimate high the role played by the *anjomans* of Tabrīz, his native town, his position as a historian is not always unbiased. In particular, his personal dislike toward the religious scholars, ulamā is too obvious. Although he rightly points out the crucial role played by the three mojāhedān, i.e. Behbehānī, Ṭabāṭaba’ī and Nūrī at the early stage of the Movement, in general we never fail to observe his consistent position that constitution and Islam are basically contradictory. We more often than not come across the statements showing his strong dislike or rather scorn toward Islam. For example, as to the event in mid-June and after, 1907, i.e. Nūrī and his followers took sanctuary at Shāh ʿAbd al-ʿAzīm, Kasravi says, “Thus a group of ulamā have separated themselves from the people (*tūdeh*),” or “... and this indeed a significant turning point of the Constitutional Movement. Untile now only the court and its supporters have been showing enmity toward constitution, but from this time on we have entered a new stage of constitution v. s. religion.”(8) In this way Kasravī understood religion as something fundamentally opposed to modern (Western) ideas, completely ignoring the positive aspect of religion in life: Islam has been accepted by the Iranians as an almost inseparable part of their daily activities, social, economic, political as well as religious.

Among contemporary scholars who are influenced by Kasravī (indeed there are so many!) is Said Arjomand, who contends that since the early Qajar rule, there had been no concept of a secular society and when the secular ruler (=king) failed to perform his duty as a protector of Islam or Shi’ite community, the Shi’ite ulamā thought it incumbent upon them to take the leadership of the community. Based on this basic doctrine of Twelver Imāmi Shi’ism, Arjomand continues that the religious class as a whole (hierophany) is a homogenous group and the difference of opinion among them is not final but merely tem-
porary in its character. Thus in the interpretation of the role of Nūrī, he says;

Shaykh Fazlollāh Nūrī’s last words may or may not exaggerate the importance of personal rivalry between him and two clerical sponsors of the Majles, but they very aptly emphasise the fact that the differential attitude of the three mujtaheds towards constitutionalism was secondary and of relatively minor importance compared to the basic orientation they commonly shared as Shi’ite doctors.

Arjomand’s approach seems to oversimplify the situation and minimize the difference of opinion among the ulama. Particularly his statement, “Full cognizance of every major point made by Nūrī was taken by the most constitutionalist ulama, in theory and practice” is highly controversial. At any rate, we shall deal with this point later through the use of some new documents concerning Nūrī.

In contrast with these interpretations, there is a diametrically different assessment of the role of Nūrī. This seems to have something to do with the victory of the 1979 Islamic Revolution led by the ulama. According to this view, which has been formulated mainly by Iranian scholars, Nūrī is presented as an ideological leader against the encroachment by the imperialist West (i.e. Great Britain and Russia) to defend the interests of the country. Characteristically these scholars see at every phase of the Movement a hidden hand (dast-e penhān) of Western powers.

Though it is not absolutely impossible to assess his role as such, however, taking his numerous bills and letters into consideration, we can hardly say that Nūrī had been making a conscious attempt to protect the interests of Iran against European imperialism, per se. For when he attacks European customs, it is chiefly because those customs are contradictory to Islamic principles. Certainly the most important criteria of judgement for Nūrī must have been whether things were Islamic or un-Islamic. So it did not matter much for him whether things were Jewish, Christian, Zoroastrian or European (farangi) though at the time at issue European influence had been felt most acutely.

In this way, Nūrī’s defence movement for Islamic values has sometimes been interpreted as reactionary or anti-modernist (like Kasravī), and at another as positive anti-imperialist (like Torkomān). And in most cases his activities
have been interpreted basically in political terms. It may be true that his ideas and activities, whether he liked it or not, had a wide range of political connotation, but we could not properly appreciate his role in the Constitutional Movement simply politically. Based on the documents available, we could rather get the impression that Nūrī was a sheer conservative and stern religious scholar, whose main interest had lain nowhere else but in religion, not in the sphere of politics.

In this paper, an attempt will be made firstly to clarify the background against which Nūrī resorted to such an extreme measure as taking sanctuary at Shāh 'Abd al-'Azīm to separate himself from the Movement and secondly to analyze the main characteristics of his ideas. Then we shall re-evaluate his role in the Movement, which took place at the crucial period in Iranian history when Western ideas and customs flowed into the country, creating much confusion rather than order among the Iranians. Thus we shall present Nūrī as one of the Iranian intellectuals who had been forced to respond to Western influence in the process of modernizing (Westernizing) the country. On the other hand, facing the rising Islamic power throughout Middle East, this study will help comprehend so called Islamic modernism in Iran.

(II)

Shaykh Fażl al-Lāh-e Nūrī was born in Tehran on Dhū al-Ḥejja 2, 1259 (1843)(10). His father was Mollā 'Abbas, indicating he was a religious scholar of lower rank. Nūrī, when young, moved with Ḥājj Mīrzā Ḥosein-e Nūrī, his father-in-law to Najaf, where he became a disciple of Ḥājjī Mīrzā Ḥabīb al-Lāh-e Rashtū, who himself had been a disciple of that famous Ansārī. Soon he joined the howzeh of Mīrzā Ḥasan-e Shirāzī, the most celebrated scholar of the time. In 1291 (1874) when Shirāzī migrated to Sāmarrā, Nūrī also followed the master with his father-in-law the following year. In no time, he became one of the most trusted students of Shirāzī. His close relationship with shirāzī could be known through the letters exchanged between the two. His advanced knowledge thus obtained had been acknowledged even by his rivals as well as his followers by the time of the Constitutional Revolution and indeed he was said to be the most learned scholar in Tehran.

Returning to Tehran in 1300 (1882), he came to be regarded as one of the most distinguished scholars and kept himself preoccupied with dealing
with the problems brought to him by his followers. During the Tobacco Protest Movement (1891–92), he cooperated with its leader, Mirzâ Hasan-e Āshtiyānî and other ulamā, succeeding in the nullification of the Tobacco Concession given to the foreign tobacco company. After the death of Shirāzī in the month of Sha‘bān, 1312 (1894), Āshtiyānî and Nūrî were two of the most influential religious leaders in the capital. On the death of Āshtiyānî in 1316 (1898), however, there was no rival to Nūrî as far as knowledge of religious science is concerned, thus by this time having been accepted as the most learned marja’ al-taqlid in the city.

In a series of events which were to bring about the Constitutional Revolution, such as the protest against the blasphemous costume ball held by a Belgian customs officer, Naus, in 1901, the flaggelation by the mayor of the city, 'Alā al-Dowlch, of a certain sugar merchant, and Tehranis and other religious leaders taking sanctuary at Masjed-e Shâh and Shâh 'Abd al-‘Azīm, and so forth, in all of these Nūrî did not take part. This may have had something to do with those notorious incidents in which Nūrî was said to have been deeply involved, i.e. the admission of a certain vaqf land for the construction of a Russian bank, and the marriage sanction to Imām Jom’eh of Tehran, Mirzâ Abū al-Qāsem.(11)

Nevertheless, non-participation of such an influential ulama as Nūrî caused such ineffectiveness of the movement that Ṭabāṭabā’î, Behbehānî and other leaders of the movement urged Nūrî to join their cause. Nūrî accepted this. The Constitutional Movement was accelerated by successive events such as the arrest of a popular preacher, Shaykh Moḥammad and the murder of Sayyid 'Abd al-Ḥamīd. In particular, the mass migration led by the ulamā to Qom, located some 150km south of the capital, as a sign of the protest against the government (Mohājerat-e Kobra) had a tremendous effect, so that the Movement had reached its climax. Nūrî himself followed the first group of migrants, in which Ṭabāṭabā’î and Behbehānî were, three days after with some five hundred followers, thus contributing to the success of the Movement. As a result of this popular protest, the royal decree admitting constitution was issued by the ruling monarch, Moẓaffar al-Dīn Shāh, on August 5, 1906, thus the first stage of the movement coming to an end.

Nevertheless, the religious and radical alliance, which had functioned effectively until this point, began to make a disharmonious sound. As the election of the representatives of the parliament, Majles, and the drafting of the
Fundamental Law and in particular that of the Supplementary Fundamental Law were in the process successively, the difference of opinion among the leaders of the movement became clearer. On the side of the opposing camp to constitutionalism was Shaykh Fażl al-Lāh-e Nūrī, who made his utmost efforts to make realized his ideas that in the draft of the constitution (Niẓām Nāmeh) one article concerning a consultative committee of the ulamā, which was to check all the decisions in the parliament, should be included. In order to put pressure on the members of the parliament, he sent his representatives there to let them observe the proceedings. As a result, his points of contention were to be admitted as the article 2 and others of the Supplementary Fundamental Law. However this was far from satisfactory for such a conservative scholar as Nūrī because of those articles in the same law; equality among the Iranians as a nation (Art. 8), compulsory education (Art. 19), freedom of publication (Art. 20), etc. Nūrī, after taking sanctuary at Shāh 'Abd al-'Azīm, repeatedly pointed out that these articles were totally unacceptable from Islamic point of view.

Just before his taking sanctuary, namely in the early summer of 1907, Nūrī's influence seems to have been at its zenith. Kasravī says that at this time the anti-constitutionalist offensive was such that since the constitution did not have so strong a root, it would have been collapsed and rooted out easily (in early June). Kasravī also looks upon the inclusion of Article 2 in the Supplementary Law as a victory of the anti-constitutionalist group. It was a little after this time that Nūrī and his followers migrated from the capital to Shāh 'Abd al-'Azīm, located in the southern edge of Tehran and took sanctuary there. This action was judged by his opponents as the gravest offence against the nationalist movement and probably the direct reason for his death penalty in 1909. Taking into account the situation at the time, however, this judgment seems to be rather one-sided. Therefore it is indispensable here to know the real reason for his action. The question to be answered is whether he, as Kasravī insists, did so in order to make final his victory at the parliament and further his cause, or he had no other choice but to escape from the capital to get security of his life.

(III)

Just before the execution of Nūrī on July 31, 1909, there took place a brief
cross examination chaired by Shaykh Ebrahim-e Zenjani. In accordance with the report by one witness who observed it closely, most of the questions were centered on the reason why he had taken sanctuary at Shah 'Abd al-'Azim and opposed to the nationalist movement and finally they sentenced Nuri to be hanged. This means how seriously those so called nationalists took this event and that indeed the point had been reached that any arrangement through peaceful means had been finally given up. This being the case, it is indispensable to comprehend the real reason for Nuri's departing from the Movement, in which he had been regarded as one of the “three pillars”.

As to the situation in the middle of June, 1907, all the sources agree that the anti-constitutionalists were taking the upper hand and on the other hand the constitutionalists were on the defensive both in and outside the Majles. In order to cover this disadvantage, the nationalists seem to have resorted to a violent measure. For instance, when the anti-constitutionalists gathered at Masjed-e Adineh on the pretext of having a rowzeh-khani, the radical element of the nationalists attacked the meeting to disperse the participants. On the following day, they summoned Tabataba'i, Imam Jam'eh and Sadr al-Ulama, making clear their intention to attack Nuri's residence. Under this circumstance, however, Tabataba'i, based on the secret treaty with Nuri concluded on the last day of Rabii al-Thani (June 11, or 12), advised them not to take the action. At any event, the airs of the capital was so tense that there was high probability for the danger on Nuri's life.

According to Kasravi, after the incident at Masjed-e Adineh, the anti-constitutionalists, such as Molla Ameli, Hajji Mirza Lotf al-Lah and others decided to take sanctuary at Shah 'Abd al-'Azim and Nuri himself followed them because their position had been weakened. From this “significant turning point of the Constitutional Movement” on, the Iranians (mostly Tehranis) had been divided into two groups, namely constitutionalists and defenders of Islam.

Those who took sanctuary at the shrine soon bought a printing machine and began to publicize their opinion. They sent their bills not only to Tehran, but also even to 'Atabat (Iraq). In this way, their bast was to continue for nearly three months.

Kasravi says that Nuri and his followers intended to make their parliamentary victory final for their influence was at its zenith at this time and naturally they could expect much support from the followers.
In contrast to this explanation, as is indicated earlier, several sources show that there were, so to speak, ultra-radical nationalists who were greatly offended by Nūrī’s anti-constitutionalist stance. These radicals were about to attack Nūrī in his house, only to be stopped by the persuasion of Ṭabāṭabā’ī. Thus it is assumed with high probability that Tehran at this time was filled with a tense atmosphere resulting from fierce rivalry between Nationalists and Islamic forces and this critical situation, in which Nūrī’s life was at risk, led him to take sanctuary at Shāh ‘Abd al-'Azīm, not on offensive to strengthen his advantageous position, but forced to do so to save his own life. So the immediate reason for his action must have been caused by the probable violent attack on his life by the radical nationalists. At the same time, several preachers were active in making sermons to worsen his position in the capital.

The impact of his migration was felt most acute in Tehran. Furthermore, the bastis’ bills, most of which were written by Nūrī himself or dictated by someone else, were sent to all the large cities in Iran and even to 'Atabāt, creating tremendous impact upon the people. Kasravī seems to try to minimize the impact of those bills by saying that their appeal was not responded so much in Iranian cities, but only in Najaf. Nevertheless when we take into account the discussions at the Majles at the time, it can be known that there were several important cities which made attempts to take advantage of the situation in disagreement with the nationalists.

At the Majles, Nūrī’s taking bast was one of the top issues, on which heated discussion was made. The Majles seems to have been divided into two groups, the hawks and the doves. The former insisted on resorting to armed attack on the bastis to expell them out of the shrine, the latter simply on confiscating the printing machine in order to prevent the bills from being printed. Behind this heated argument at the Majles was a deep-rooted fear that the capital and other main provincial cities would rebel. Particularly the situation in Tehran was so critical that it was as if on the eve of open riot. The Majles members discussed the issue to avoid the worst case. At this point they had an agreement that if the Nūrī’s case was dissolved, the disturbances in local cities would necessarily come to an end. Majority of the members seem to have been for the moderate view, that is, to stop the anti-constitutionalist propaganda by confiscating the printing machine. Interestingly, there was no argument whatsoever on the ideological level, but the Majles members tended to treat Nūrī merely as a rebel against the nation’s interests. They attacked him for
making criticism on the Majles members and defaming the authority of the National Assembly. They argued that Nūrī tried to destroy the root of constitution and take advantage of the situation in order to promote his own self-interests.

According to the version by Tefrishi, for about three months before his migration to Shāh 'Abd al-'Azīm, there had been emerging a gradual discrepancy in opinion between Nūrī and Majles representatives. In the course, he lost almost all his interest in discussing the matter at the Majles, so that he was satisfied with sending his representatives instead of attending the session for himself. This attitude of the master is said not to have satisfied his followers. At any event, though he did not attend the Majles in person, his ideas began to prevail themselves through the activities of his followers in and outside the Assembly, which offended the nationalists.

Under this circumstance, Tefrishi continues, Nūrī felt his life endangered to move secretly to the shrine at night. On hearing the news of his migration, in no time a number of his followers and those who were sympathetic for him rushed into the precinct of Shāh 'Abd al-'Azīm, their number totaling 1000, among whom there were 80 ulama (30 mojtaheds, and 50 preachers), 300 religious students (tollâh), 200, merchants, 200 gatekeepers (servants), and so forth. This critical situation compelled the leading constitutionalist mojtaheds, Ţabāţabā'i and Behbehānī to decide to go to the shrine to talk with Nūrī so that the latter might give up the hope to rise against the nation.

Tefrishi records the conversation among them in detail, through which we could see the direct reason for his taking sanctuary was a forced one, not on his own initiative to promote his political goals. In response to the request to return to the capital and discuss the matter at the Majles, Nūrī presented the following three conditions to accept the proposal:

1. dismissal of six Majles representatives, and their expulsion from the capital,
2. prohibition of the magazines and newspapers, and a few editors should be expelled from Tehran,
3. expulsion of four preachers from Tehran or they should not be allowed to be on the pulpits.

The items, (2) and (3) clearly reflect the situation in the capital just before he left it. They were directed at the people who attacked him verbally as well as in print, so that public opinion was created unfavorable to Nūrī. The
first demand could have something to do with those Majles members' disapproval of including the article 2 in the Supplementary Fundamental Law (if so, they could be Taqīzādeh and some other Tabrīzis). (29)

In the course of dialogue, Nūrī repeated his and other mojtaheds' contribution to the Movement and his disappointment at its later development. (30) The two mojtaheds, particularly Ṭabāṭabā'ī, made an attempt to persuade him to return to the capital to resume the discussion at the National Assembly. However earnestly they might try, Nūrī turned a deaf ear to their words. The two mojtaheds, who were said to have been confident to persuade Nūrī, had now no other way but to go back to Tehran with empty hands.

At this point the difference of opinion among them was too obvious. Nūrī denounced illegality of the National Assembly on the ground that ordinary people had no right in discussing the Law (i. e. Shari'eh). On the contrary, Ṭabāṭabā'ī urged Nūrī to attend the Majles to discuss the matter with those illegitimate representatives. Here the difference between them seems to have been related with the most basic principle of Islam. Therefore we can hardly say that "Full cognizance of every major point made by Nūrī was taken by the constitutionalist ulamā, in theory and in practice." Nūrī's whole contention could be summarized as unacceptability of reformulation of the Divine Law by human hands, let alone (at least for Nūrī) by unqualified Majles members. Now the way of understanding the situation was so different between the two parties that it was no longer possible to find any conciliatory measure.

From this break-up among the former colleagues up to the end of bast three months later, the nationalists and their opponents exchanged endless verbal and written attacks on each other, which finally came to an end with Nūrī's return to Tehran. His bast seems to have been successful for his ideas became actualized in the Supplementary Fundamental Law (promulgated on October 7, 1907) although the Council of five mojtaheds is said not to have functioned as the article of the same law stipulated. (31) At any rate, ironical as it was, while taking sanctuary, Nūrī's standpoint had been made all the clearer for he and his followers could produce sizable amount of documents. Now we shall dwell on some of them to grasp the points Nūrī intended to make at the cost of his life.
We can make access to Nūrī's basic ideas through many bills and letters, most of which were produced while he was taking sanctuary at Shāh 'Abd al-'Aẓīm. According to them, his fundamental ideas could be summed up as follows:

1) the supreme position of Islam, in particular that of Twelver Imāmi Shi'ism,
2) strong antagonism toward parliamentalism because of its trampling the Shari'ah under foot by creating a new law by humans,
3) an appeal to Twelver Imāmi Shi'ite ulama to take their responsibility as defenders of the Sacred Law,
4) the position of king in Twelver Imāmi Shi'ism.

Nūrī contends that in Twelver Imāmi Shi'ism there is the most excellent and complete Divine Law. Those who intend to alter it are the deviated (khārej) from Islamic faith. And as the Law had been sealed with the Seal of the prophets, those who deny it are the infidels (kofr). Since the accepted four pillars (delil) in Islamic jurisprudence are Qur'ān, traditions (akhbār), general concensus (ijmā') and reason ('aql), we must be cautious not to bring in qiyās, estenbāt-e qiyās and estehsān. In Twelver Imāmi Shi'ism it is prohibited (harām) to stipulate a law by means of estehsān and qiyās.

Despite of this, Nūrī continues, the parliament (Dar al-Shourā), which those people want, was established to create a law based on the principle of decision by majority (akhthariyat-e ārā'). If their real intention is to forge (ja'l) a new law — and this is true because they call their meeting legislative (mogānaneh) —, obviously their intention disagrees to the rules set by the prophets and the Seal of the prophets. If the benefits of the constitution, as they claim, are to preserve the teachings of religion, why can they set as its basis equality (mosāvāt) and freedom (harriyat)? The strength of Islam lies in the principle of submission ('abdiyat), not in freedom. And also the fundamental characteristic of Islam should be found in the principle of distinction (tafriq) and assembly of differences (jāme'-ye mokhtalefāt), not in equality, for it is quite natural that there should be the difference in occupations and religions. At the same time, freedom of speech and publication is against the Holy Law for those polytheists (zanādeqeh) can get a chance to make public their ideas through
sermons and bills, thus creating doubts among the pure hearts of the common believers by means of groundless accusation against the Imams. (34)

Though they (constitutionalists) claim that all the measures are to be taken to strengthen Islam, what is claimed is all against the Sacred Law, namely freedom, equality, penal code, the method of court proceedings, etc., etc. Actually Bahá’ís, Azális, ignorant world-seekers (donyá kháhán), Jews, Christians (Naṣáři), idol-worshippers, all these people are fighting one another to promote their self-interests. Moreover, if their real concern were to promote the teachings of Islam, why do the British protect them? And if their real aim were to follow the teachings of Qur’ān, why did they lead the ordinary believers astray and ask for the assistance of the infidels (indicating their leaders’ taking refuge at the British Legation and some pecuniary aid from the British).

After listing many examples to prove the illegality of constitutionalist claims, Núrī repeats his main argument, that is, unchangeability of the Shari‘eh Law. As far as Islamic Law is concerned, he contends, parliamentalism is totally illegal. It is chiefly because every religious problem concerning believers and its solution should belong exclusively to the (Hidden) Imám and His deputies (i. e. ulamā) during His Absence and no other persons have any right whatsoever to claim to it. The intervention by unqualified persons in these affairs is categorically forbidden (harām) and looked upon as usurpation of the right belonging only to the Prophet and Imāms. Have you never heard the Imám himself say that during the Greater Occulation (Ghaibat-e Kobra), as the corruption on the earth increases to its extremity, some person who has no right to discuss the problems of common believers will do so?

By this argument Núrī intends to emphasize both the supremacy of the Shari‘eh and yet another point of religious scholar’s specific position during the Occulation. He repeatedly makes appeals to the ulama of Twelver Imāmi school to take charge of their responsibilities in the Absence of the Imám. (35) He claims that the Shari‘eh Law should be sufficient for us Muslims because it is the perfect law, applicable even to the contemporary issues. Therefore the duty of religious scholars is to make the principles of Shari‘eh and Islamic justice (‘adl) perfect. As to the preachers, they should not be contented with false arguments being done with the Godhead, Prophet, and Imāms, rather they should rectify those false statements made by the infidels. Then Núrī concludes this treatise with the warning to the immediate coming of the Hidden Imám.

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Besides these, another important point is connected with his understanding of temporary ruler (=king) for he was said to have a close contact with Mohammad 'Ali Shah. Nuri's position to the temporary ruler created much misunderstanding for he at no time condemned him as a usurper of the right of the Imam of the Age (Sāheb al-Zamān). Rather several times he defended him by saying that the king had been patient facing the attacks by the constitutionalists to weaken his power. Nūrī insists that as far as religion and faith are concerned, the ruler should not be inactive for he should be Solṭān of Islam (Solṭanat-e Islāmī). It must be noted here, however, that though Nūrī supports the idea of Islamic Solṭān, he never disagrees to the idea that the power of the temporary ruler should also be conditioned. According to the well-known doctrine of Twelver Imāmi Shi'ism, during the Greater Occultation the Imam's deputyship belongs solely to the religious scholars (ulamā, in particular jurisconsults) and any other claimant to the position should be regarded as usurpertry of the authority of the Imām and naturally be rejected. However, this doctrine does not mean that at all time a temporary ruler should be rejected, but the real implication is that when he commits extreme injustice (zolm) and does much harm to the Islamic community, he must be denied. Except for such an extreme case, the king's power and authority have been needed to preserve the welfare of the community. Although it may be said that Nūrī's position was rather conservative, it was not contradictory to the basic Twelver Imāmi tenet. For him the monarch might have been a lesser evil compared with the constitutionalists. As far as Nūrī is concerned, the most untolerable thing of all must have been an artificial change of the Divine Law through the introduction of constitution and its concomitant, parliamen
talism.

Nūrī continues to attack parliamentary by claiming that the constitutionalists have changed Dār al-Shourā-ye Kobra-ye Islāmī, which had been granted by Mozaffar al-Dīn Shāh in 1906, into Dār al-Shourā-ye Kobra without the word of Islāmī. This meant the atheists began to fight a battle with the divine people, speak ill of Islam and its religious scholars and alter its regulations (faru') into something else. In contrast with this, Nūrī contends, the teachings of Islam has existed for about 1300 years and can be applicable to the problems of today, too. On the one hand those atheists allow alcohol, and house of prostitution, and on the other hand, they cut short the expenditures for pilgrimage to Mashhad, and rowzeh-khānī, spending them for construction of the factories.
They also encourage women to go to school, etc., etc. All these abhorrent matters came from Europe, not from our own. He says that in the whole Islamic history he has never heard the very divinity (al-wahîyat-e khodâ) conditioned.

Thus a flow of Western social and political practices into the Islamic sphere was another cause of his indignation although this dislike toward European customs did not necessarily mean his conscious anti-imperialist stance against the West to defend national interests of Iran. For what concerned Nūrī seems to have been non-Muslim, whether Christian, Jews, or Bahāʾī, intervention in the Muslim affairs. For Nūrī it was a matter of course that there should be a clear cut distinction among various religions and Islam be the most supreme of all.

In this manner, he claims that what brought about present confusion is no other than the establishment of the parliament, Majles and its activities. The purpose of the parliament, most of whose members are Bahāʾīs and naturalists, is to change our religion and monarchism. He discarded such parliament once and for all because it is not necessary in Iran, but in Europe where they do not have such a perfect law as the Shariʿeh. Then what he wanted is to regain Dār al-Shourā-ye Kobra-ye Islāmī granted by Mozaffar al-Dīn Shāh, and as a result reestablish the supremacy of Twelver Imāmi Shiʿism.

Interestingly enough, Nūrī claims that he has at no time in his life opposed to constitutionalism (mashrūtīyat). On the contrary, constitution is claimed to be badly needed now. According to him there is no problem whatsoever for the king, ministers and government officials to be conditioned (hadd). These people have only to be satisfied with their discharge of duty as executers of the secular side of the community affairs. In this sense, they are not more than a mere means to realize Imāmī ideal until the final Advent of the Hidden Imām.

However, there is not in the least possibility for the Divine Law to be conditioned. It will be the same for ever and ever. And the spiritual side of the Shariʿeh should be the charge of the ulama. Nevertheless, at the new parliament, the common people, moreover unbelievers, have taken the place of the ulama and undertaken to establish a new law of a nation. Such an illegal parliament must be damned.
RE-EVALUATION OF SHAYKH FAZL AL-LĀH-E NŪRĪ'S POSITION

(V)

In the middle of July, 1909, the victory of the nationalist army over the royal army forced the shah, Moḥammad-ʿAlī to leave the country.(38) Soon after his departure, Āḥmad Shāh, only twelve or thirteen years old at the time, succeeded to his father. While a series of upheavals were going on in Tehran, Nūrī, who was staying at his house, was arrested by some seventy or eighty mojāhedins. After four or five days of enjailment, a brief cross-examination took place, which was presided by Shaykh Ebrāhīm Zenjānī.(39) As is mentioned earlier, the questions by the members of the committee were centered on the reason for his taking sanctuary at Shāh-ʿAbd al-ʿAzīz and the way he secured the source of expenditure for bast (i. e. his supposed connection with the shāh and Amīn al-Soltān, prime minister). And also they ascribed the disturbances in Tabriz and other local cities to his action.

On September 11 or 12, 1907, when Nūrī was still at the shrine, the Majles declared its official statement that it should not be contradictory to the teachings of Islam.(40) From this time up to the day of the cross-examination, the official position of the Majles toward Islam had been ostensibly unchanged. Therefore no contention had been made between Nūrī and the Majles members on the level of Islamic theology or jurisprudence. So was it in this cross-examination. This is chiefly because as far as Islamic ideology was concerned, Nūrī’s argument had been firmly fortified by his superior knowledge on Islam and no one at the time was comparable to him in the argument. Thus ideological argument must have been avoided intentionally. The reason for Nūrī’s death penalty, therefore, besides personal enmity, was treason against the nation, that is to say, during the Constitutional Movement there was no dichotomy between Islam and anti-Islam, but only treason by Nūrī and his followers against the newly emerging nation. Obviously the real issue, on which Nūrī had consistently contended, had been substituted for something different from his intention. For his two and half years’ struggle seems to have aimed at nothing but rectifying the defects of the new nationalist regime, not his taking over its power. He was hanged at Meidan-e Tūpkhāneh on July 31, when he was nearly seventy years old.(41)
The role played by Nūrī during the Constitutional Revolution was to defend consistently the fundamental principles of Islam, in particular unchangeability of the Divine Law. He insisted that he should never be against constitutionalism throughout his life but it be intolerable to meddle with the Sharī‘eh, which was given by Godhead and set by the Prophet, and make it something relativized. Moreover, he could not help being indignant at the unqualified Majles members taking the place of the ulama, who have the only legitimate deputyship of the Imām during His Occultation. Thus, from around early 1907 on, he started an anti-Majles campaign in order to acquire a few articles in the Supplementary Fundamental Law, in which the supremacy of Twelver Imāmi Shi‘ism as a state religion should be reconfirmed and a consultative function of ulamā committee be sanctioned.

When he almost succeeded in attaining his goal, some radical nationalists intended to prevent his scheme, which forced Nūrī to leave the capital for Shāh 'Abd al-'Azīm to take sanctuary. As to the cause of this action, as long as we make use of records written by Kasravī, Yahyā Dowlatābādī and the like, who put emphasis on the introduction of European ideas such as constitution, parliament, constitutional monarch, etc., the evaluation could be nothing but negative. Those sources tend to present Nūrī as one who tried to pluck a new bud of constitution which was promised to bloom in the bright future of Iran.

Through the examination of the bills published at Shāh 'Abd al-'Azīm and some other sources, however, it is possible to make yet another evaluation, that is, his positive defence of Islamic values. When we take into account the fact that Islamic values, whether positively or negatively, have penetrated into the life of the Iranians and influenced them to such a great extent, we can never discuss Iranian history without considering them. In this sense, Nūrī may present us an excellent example in understanding Muslim response to modernization (Westernization). True, at the beginning of the 20th century, Iran witnessed a torrent of variety of European ideas and customs and their unconditional acceptance might have brought in complete loss of identity as Iranians as well as Muslims. Nūrī, who was before anything a stern religious scholar, and was firmly convinced of traditional Islamic values, could not find any other choice but to fight against strong non-Islamic force, which was
incidentally the West. His position, whether reactionary or not, was one of the most interesting responses to modernity made by a traditional intellectual, who was willy-nilly forced to get involved in responding to the inevitable trend in modern world.

However, it might be difficult, though not totally impossible, to regard him as an ideological leader against imperialist encroachment by the West for this aspect of the issue seems to have been alien to Nūrī. Unacceptable to Nūrī were simply any non-Islamic elements, whether European (Christian), Zoroastrian or Bahāʾī. This rather extreme position, at the same time because of this, might make the issue clearer and help cast a new light in comprehending Islamic modernism in contemporary Iran.

Notes

(1) Dowlatabadī, Yahyā, Tārīkh-e Moṣer ya Ḥeyāt-e Yahyā. Tehran, 1362, 4 vols., Kasravī, Ahmad, Tārīkh-e Maḥrūṣeh-ye Iran, Tehran, 1354Sh., Malekzādeh, H Mehdi, Tārīkh-e Enqelāb-e Maḥrūṣīyât-e Iran, Tehran, 1327 Sh, 6 vols., etc.

(2) Recently an anthology on Nūrī has been compiled and published by Mohammād Torkomān, with the title of Shāykh Fażl al-Lāh-e Nūrī, 2 vols., Tehran 1403, in which most of his bills, letters and some other crucially important documents are contained.


(5) According to E. G. Browne, The Persian Revolution; 1905–1909, p. 444, Nūrī’s last words are as follows:

On the Day of Judgement these men (i. e. my judges and executioners) will have to answer to me for this. Neither I a “reactionary” nor Sayyid ‘Abdu’ llah (Bahbahani) and Sayyid Muhammad (Tabataba’ī) “constitutionalist”: it was merely that they wished to expel me, and I them, and there was no question of “reactionary” or “constitutional” principles.


(7) Ibid., p. 186.

(8) There are of course several works which put emphasis on the role played by the ulamā, in particular that of Nūrī, long before the 1979 Revolution. Eg. ‘Al-e Ahmad, Gharbzadeh, Mehrān Namāzī, Kūhānīyān va Maḥrūṣīyāt, Shīrāz, n. d., etc.


(10) As to his early career, much is not known, see, Žedēgīnāmeh, Torkomān, op. cit., vol. 1, pp. 9–20, Bāmdād, Mehdi, Tārīkh-e Rejār-e Iran., Tehran, 1347, vol. 3, pp. 96–106 etc.


(12) As to the development of the early stage of the Movement, T. Shimamoto, “‘Adl (Justice) and the Role of the ’Ulama in the Constitutional Revolution (1905–1911) of Modern Iran,” Ajia Keizai, vol. 22, no. 6, 1981, pp. 46–65.

(14) Kasravi, op. cit., p. 361.
(15) Ibid., p. 370.
(20) Kasravi, op. cit., p. 375.
(22) “Motāleb-e Matrūheh dar Jalsat Dowreh-ye Avval-e Majles-e Melli pe-iramūm-e Shaykh-e Shahīd,” Torkomān, op. cit., vol. 2, pp. 107–154. According to this, we can see that in response to those bills there were about to take place riots in some of the important local cities such as Zenjān (p. 113), Yazd (p. 128), Qom (p. 128) and Isfahān (p. 132), among which the disturbance in Qom was most serious besides Tebrān. One Majles member was afraid this critical situation in the capital might spread to some other local cities (p. 124).
(23) Ibid.
(24) Tefrishi, op. cit., p. 189.
(27) Ibid., p. 192.
(28) Ibid., 216.
(32) Along with many other bills and letters by Nūrī, this author made use of Ketāb-e Tadhkerat al-Ghafel va Irshād al-Jāhili by an anonymous writer. As to this work, which according to its contents, was obviously written right after the bombardment by Mūḥammad 'Alī Shāh on the Majles building, Hārī, based on Sayyid Shāheb al-Dīn Najafī Mar'āshī, ascribes its author to Shaykh ʿAbd al-Nabi-ye Nūrī, not Fażl al-Lāh-ye Nūrī himself. On the other hand, the editor of the anthology of Shaykh Fażl al-Lāh-e Nūrī, Torkomān, treats this treatise as Nūrī's. Compared with other treatises by Nūrī, this is without doubt one of the typical treatises containing his ideas. Therefore this author follows Torkomān. Based on and supplemented by other works by Nūrī, we shall explain his basic ideas. And also the author made reference to Hārī's English translation of "So'ul az Shaykh Fażl al-Lāh-ye Nūrī dar bārēh-ye Movāfeqat-e Avvalīeh va Mokhālefat-e Thānāvīye bā Mashrūṭīyāt va Dalāyl-e Shari'eh-ye Ān," Abdul-Hadi Hārī, "Shaykh Fażl Allah Nūrī's Refutation of Idea of Constitutionalism," Middle Eastern Studies.
(34) Eg. when Nūrī had a dialogue with Behbāhānī and Ṭabāṭabāʾī, showing an excerpt of one newspaper, in which much accusation was made against the Imams, Nūrī could not help shedding tears to this blasphemy, Tefrishi, Torkomān, op. cit., pp. 202, 211–212.
(37) It is well-known that Nūrī insisted Mashrūṭeh should be Mashrū'eh.
(38) As to the succession of events, see Browne, op. cit., pp. 291–325.
(39) As to the members of the committee, ibid., pp. 444–445.