Iran is Not Ruled by a Government: Policy Implications

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There are two main destabilizing actors in the Middle East: Iran and ISIS. Both are trying to abolish status quo and dominate the region. Both are brutal Islamist fundamentalist parties using their terrorist forces or proxies across the borders to fight and overthrow many neighboring political regimes. However, current US administration has treated the two destabilizing regional actors quite differently. While President Obama has declared war on ISIS, the destabilizing influence of Iran in the region has not only been overlooked, but also been perceived as a positive force helping the coalition in their fight against ISIS. Why the United States is treating the two apparently similar actors so differently? The answer is that US administration perceives Iran as a state ruled by a government, in contrast to ISIS which is a non-state terrorist group. I argue that the distinction is false, and Iran is in fact a non-state regional actor that is not ruled by any political regime.

There are two elements that are central to any concept of a political system of state/government, besides the requisites of population, geography, and power: law and order. At the minimum, a political unit requires a set of rules and laws to bring about order in the social life of a population in a particular piece of land. That is to say, the distinctive features of modern states are the existence of laws directed at the goal of putting the social life into order and regularity. As a result, if an entity lacks these two crucial elements, it cannot be called a political regime. There are clear reasons that indicate what is commonly called the “Iranian regime” lacks those two elements and is not a political regime in the technical sense.

To begin with, there is no system of laws and regulations in place in Iran. While at a superficial level, Iran has legislative and judiciary branches of “government”, their decisions and verdicts are not consistent nor are they rooted in any religious or secular law. Instead, the main guiding force behind the decisions made by the “government” is the idea of “expediency” or the “interests of the Islamic establishment” (maslahat-i nizam). The idea is that in each instance the Muslim ruler is allowed to do whatever is in the interest of the establishment and its survival. Neither the profane moral or legal rules—including the “laws” and “rules” previously ratified by the Islamic establishment—nor even the Islamic rules and norms can withstand the force of “expediency”. According to this view, the Muslim ruler is justified even in banning the performance of Islamic rituals, if that becomes necessary for the preservation of power. It means that the interests of the “government” trumps any “law” or “rule”, even those ratified by a branch of the “government” itself: there is in fact no law or rule in place. Hence, there is no essential difference between “Iranian regime” and the bunch of terrorists called ISIS in terms of
lawlessness and not being bound by any legal or moral constraint, not even their professed “rules”.

The goal of the ratification and implementation of laws and rules by a government is the establishment of order in the society. The result of the lawless rule of the mullahs in Iran has been a disordered society. In a society in which the main (theoretical) advocate and guardian of orderliness is itself the greatest source of different kinds of violence—in the technical sense of violating laws, rules and rights—there is no chance that any kind of social order can be established and the whole society will be in a chaos. That is exactly the state of affairs in Iran under the “mullahs’ regime”. Skyrocketing number of crimes especially involving family members, record levels of drug addiction, and systematic corruption in various levels of the “government “are just a few indicators of the horrendous social disorder in Iran. As the Arabic proverb says “People follow the religion/ways of their kings.” Since there is in fact no law in place, there is no order established in the society. All in all, in the absence of the two main elements of law and order which distinguish a political system of state/government from a lawless state of affairs, Iran, in fact, is not ruled by a government. What are the implications for the US foreign policy? Here are just a few.

First, the regional dominance of Iran is not different from the ambitions of the ISIS. Both are not bound by any moral or legal law and cannot be trusted as a partner. Hence, in the same way that neutralizing Iran’s regional influence with the help of ISIS would be inappropriate, accepting Iran as a partner in the fight against ISIS is disastrous. Second, the nuclear deal with Iran will lead the region to a catastrophe. Since the mullahs are not bound by any law—according to their own guidelines that permits violating their own laws if that becomes the “expedient” thing to do— they will not comply with anything they agree on in the deal. Besides the regional repercussions of the nuclear deal including a possible nuclear race, the deal with Iran is doomed to failure because it is in fact the same as having a deal with ISIS or any other lawless group. In order to contain Iran, the US needs to consider supporting Iranian people and their resistance movement as a serious policy option.