



CONSTITUTIONAL REVOLUTION I. INTELLECTUAL BACKGROUND

CONSTITUTIONAL REVOLUTION

i. Intellectual background

The establishment of a constitutional regime in Persia was the chief objective of the Revolution of 1323-29/1905-11. Like any other major revolution, the Constitutional Revolution in Persia encompassed a broad spectrum of ideas and objectives, reflecting diverse intellectual trends, social backgrounds, and political demands. At the time even the text of the Constitution itself did not have universal support. Yet, in spite of ideological ambiguities, the Revolution remains an epoch-making episode in the modern history of Persia because of its political achievements and its enduring social and cultural consequences. As a modern revolution, it was aimed at dislodging the old order by means of popular action and by advocacy of the tenets of liberalism, secularism, and nationalism. For the first time in the course of modern Persian history, the revolutionaries sought to replace arbitrary power with law, representative government, and social justice and to resist the encroachment of imperial powers with conscious nationalism, popular activism, and economic independence. Constitutionalists also tried to curb the power of the conservative religious establishment through modern education and judicial



reforms. By centralizing the state, they sought to reduce the power of the tribal and urban notables. The greater sense of nationhood that emerged out of the Revolution has remained essential to the modern Persian identity.

That the Constitutional Revolution was the first of its kind in the Islamic world, earlier than the revolution of the Young Turks in 1908, can be partly explained by the situation in Persia in the latter half of the 19th century. Between 1264/1848 and 1268/1852 the state and the religious establishment were able to stifle both of the available options for fundamental change. On one hand, the millenarian and revolutionary Babi movement (1260-68/1844-52; see [babism](#)) was crushed by military force, though its agenda of opposition to the Qajar monarchy and the clerical establishment survived within the amorphous body of Persian dissent. On the other hand, to the extent that the administrative, military, educational, and economic reforms of the celebrated premier [Mīrzā Taqī Khan Amīr\(e\) Kabīr](#) were implemented, they contributed to the exposure of Persia to Western institutions and ideas but at the same time inadvertently helped to sustain the Qajar monarchy and to prolong through inertia the coexistence between the state and the clergy during most of Nāṣer-al-Dīn Shah's reign (1264-1313/1848-96), often against the forces of popular dissent (Eqbāl; Ādamīyat, 1348 Š./1969; Amanat, 1989). Although advocates of political reform were isolated in the following decades and all moves toward opening the political system were resisted, dissent was never completely uprooted. The protest over the Tobacco Régie (q.v.) in 1309-10/1891-92 should thus be seen as the first sign of popular revolt against the prevailing order. It was almost a rehearsal for the Constitutional Revolution, creating a tacit anti-imperialist and antimonarchist coalition of clerics, mercantile interests, and dissident intellectuals. During the reign of Moẓaffar-al-Dīn Shah (1313-24/1896-1906) the new intelligentsia used the press and modern education to win the support of this tacit coalition for a secular agenda of material and moral rejuvenation, patriotism, and political reform.

Early advocates of reform

During the 19th century demands for justice (*'adālat*) were prominent in reformist writings, the sermons of popular preachers, and petitions by the merchants. Such demands seemed natural and legitimate, in accordance with the concept of "seeking justice" (*'adālatk'vāhī*) in the Perso-Islamic theory of government (Lambton, 1962). The messianic notion of the advent of the Mahdī, who would redress wrongs and establish justice, was also vivid in the collective consciousness of Shi'ite Persia. These familiar notions of justice



found a new resonance in the writings of 19th-century reformers. Having been inspired either directly by the French Revolution, [Freemasonry](#), and freethinkers or indirectly by the Young Ottomans and other Islamic advocates of political and moral reforms, Persian reformers sought to equate the notion of *'adālat* with the ideals of social justice and citizens' equal rights embodied in the French term *égalité*.

Mīrzā Malkom Khan (1249-1326/1833-1908) was the first Persian reformist writer to have an adequate knowledge of the French and English schools of liberal thought. Such key terms as *qānūn* (codified law and, later, constitution; see below), *eṣlāḥāt* (reforms), *majles-e šūrā* (consultative council), *mellat* (nation), *mellī* (national), and *ḥoqūq-e mellat* (rights of the people) were first introduced in his *Ketābča-ye ḡaybī yā daftar-e tanzīmāt* (Booklet inspired by the unseen, or the book of reforms), written in 1275/1858-59, the earliest known systematic exposition in Persian of a constitutional system (Malkom, pp. 1-52). As in his other early treatises on administrative, educational, financial, and military reforms, he urged rationalization (*entezām*) of government, separation of powers, consultation (*mašwarat*), and legislation (*waż'-e qānūn*) under the auspices of an enlightened autocrat (cf. Malkom, pp. 53-119). Later in life, in his newspaper *Qānūn* (Constitution), published in London in the early 1890s, Malkom blended advocacy of reform with an uninhibited critique of tyranny and political corruption. In the decade before the Constitutional Revolution the hazy notion of a parliamentary system with a constitution (*konṣteṭūsion, qānūn-e asāsī*), division of powers, and popular representation put forward in *Qānūn* was central to the emerging revolutionary ferment. Malkom proposed that “at least one hundred of the great *mojtaheds*, the renowned learned men, and savants of Persia be gathered in a national consultative assembly (*majles-e šūrā-ye mellī*). They should be held responsible and given the full authority, first, to establish, codify, and officially proclaim the laws and principles that are necessary for the reorganization (*tanzīm*) of Persia. Second, according to an orderly arrangement, the national consultative assembly should hold itself as the guardian, the overseer, and the agent for the execution of the law” (*Qānūn* 9, n.d. [1890], pp. 1-2; 6, 18 July 1890, p. 2). Malkom supported the natural rights of the people and stressed their duty toward their fatherland (*waṭan*) but refrained from direct criticism of Nāṣer-al-Dīn Shah (Nūrā'ī, 1352 Š./1973, pp. 35-97, 111-40, 185-223; Algar, 1973, pp. 78-162, 228-37).

Malkom's eclecticism was typical of Persian “modernists” (*motajaddedīn*) of his



time, whatever their points of view: the antireligious *Mīrzā Fath-‘Alī Ākūndzāda*, the agnostic *Mīrzā Āqā Khan Kermānī*, the Islamic modernist *Mīrzā Yūsof Mostašār-al-Dawla*, the pan-Islamic activist Sayyed *Jamāl-al-Dīn Afḡānī*, and even high-ranking *mojtaheds* like Sayyed Moḥammad Ṭabāṭabā’ī and Moḥammad-Ḥosayn Nā’īnī. With few exceptions, the early advocates of political reform were preoccupied with the compatibility of the Islamic *Šarī‘a* with constitutionalism, an issue that presented a doctrinal obstacle to formulation of a truly secular outlook. In *Yak kalema* (A single word) Mostašār-al-Dawla cited the Qur’ān and Hadith to demonstrate the compatibility of Islam with equality and liberty, as well as with important articles of the French constitution—an effort reflecting the author’s concern not to be labeled heretical. Nevertheless, he detected five ways in which European codified law differed from the Islamic *Šarī‘a*: It is the result of a consensus between the state and the people, is universal in its application, is easy to understand, deals solely with temporal affairs, and embraces customary law (*‘orf*; pp. 8-16). Such differences, he believed, were not insurmountable in Islamic Persia.

Ākūndzāda (Russ. Akhundov; 1812-78) was the forerunner of a secularist school with manifest anticlerical views; many themes of the constitutional period—secular education, moral reconstruction, hostility to superstition—can be traced to his writings. *Ākūndzāda*, who spent all his adult life in the Russian civil service, was anti-Islamic and an atheist (1963; Algar, 1973, pp. 86-99). He sought a cultural awakening based on disengagement from Islam and the Arab element associated with it, a goal that he shared with the Qajar prince Jalāl-al-Dīn *Mīrzā (Nāma-ye kosravān II, pp. 3-18)*. As early as 1279/1863, in his *Maktūbāt*, he attacked Nāšer-al-Dīn Shah for his “ignorance of progress,” love of luxury and flattery, failure in war, and misgovernment and cautioned him that, unless he adopted modern laws, he would face another threat like the Babi revolt. He called on “the Persian people” (*ahl-e Īrān*) to throw off the yoke of submission, to unite in the “houses of oblivion” (*farāmūš-kānahā*, political groups patterned after the lodges of the Freemasons) and “societies” (*majāme*), and to liberate themselves from the oppression of the “despot” by means of progress and free thought (1364 Š./1985, pp. 22-64). *Ākūndzāda*’s contribution to the Constitutional Revolution should, however, be seen primarily in his social criticism, presented through the new media of drama and colloquial language, transplanted from the Russian tradition with some success. Translations of his Azeri Turkish plays were the first to be read and appreciated by a larger circle of the Persian intelligentsia (1273/1856; cf.



Ādamīyat, 1349 Š./1970; Altstadt-Mirhadi; Alieve; see vii, below).

Kermānī (1270-1314/1854-96), a writer and activist in the Istanbul expatriate circle with socialist leanings, also advocated the need for a constitutional regime and a secular culture and even anticipated the occurrence of a popular revolution. He came from a peripheral Sufi background and was influenced by Babism. He was a disciple of Afġānī and a supporter of Malkom, but above all he shared Ākūndzāda’s critical assessment of the Islamic past as the chief cause of the decline of Persia. Kermānī’s emphasis on pre-Islamic Persian roots as the source for a national reawakening exerted some influence on the writings of the constitutional period (see his accounts of pre-Islamic history, 1324-26/1906-08, 1316/1898; cf. Ādamīyat, 1346 Š./1967, pp. 241-87; Bayat, 1982, pp. 157-75). Executed after the assassination of Nāṣer-al-Dīn Shah, he was remembered as a martyr to Qajar oppression, holding a prominent place in the intellectual genealogy of the Constitutional Revolution.

Another member of the Istanbul circle was Mīrzā Ḥabīb Eṣfahānī, whose free translation of James Morier’s *The Adventures of Hajji Baba of Isfahan*, a hostile and sarcastic portrayal of the “Persian character,” was another example of preoccupation with the theme of decline among the writers of the period. His translation was admired by the Persian intelligentsia as a critique of the traditional ills of their society. Another important contribution to the development of a social self-critique was the widely read *Sīāḥat-nāma-ye Ebrāhīm Beyg*, a fictional travelogue by a Persian expatriate who enthusiastically returns to his homeland, only to find decay, corruption, tyranny, and ignorance. It was written by Zayn-al-Ābedīn Marāġa’ī, a Persian merchant in Istanbul, who was no doubt familiar with the writings of ‘Abd-al-Raḥīm Tālebof and other Caucasian intellectuals (see below). According to Nāẓem-al-Eslām (*Tārīk-e bīdārī*, ed. Sa’īdī Sīrjānī, I, pp. 248-52), on the eve of the Constitutional Revolution *Sīāḥat-nāma* was read regularly in the Anjoman-e maḵfī, one of the protorevolutionary secret societies in Persia.

A less widely acknowledged work by an early expatriate was *al-Resāla al-madanīya*, written in 1292/1875 by Mīrzā ‘Abbās Nūrī ‘Abd-al-Bahā’, who developed themes from the writings of his father, Mīrzā Ḥosayn-‘Alī Nūrī Bahā’-Allāh. He proposed creation of representative institutions not unlike those envisioned by the Young Ottomans, some of whom were in exile with the Bahai leaders in ‘Akkā, Palestine. ‘Abd-al-Bahā’ criticized the ‘*olamā*’ for their rigidity and proposed the establishment of “councils” (*majāles*) and “consultative assemblies” (*maḥāfel-e mašwarat*) of devout and learned “elected



representatives” (*a’zā-ye montakāba*).

Persian and Turkish circles in the Caucasian cities of Baku, Tiflis, and Yerevan also viewed the cultural aspects of traditional Persian life as the chief causes of stagnation. ‘Abd-al-Raḥīm Najjārzāda Tabrīzī, better known as Ṭālebof (1834-1911), wrote simple educational works on geography, physics, chemistry, biology, and other sciences (1312/1894-95) and, later, on the social and political institutions of modern Europe. These works had an even greater popular audience than Āḳūndzāda’s plays. ‘Abd-al-Raḥīm’s enthusiastic exposition of European sciences made plain for the lay reader the technological backwardness of Persia, which was much lamented in the constitutional period. His works on modern geography challenged the ethnocentric complacency of the religious milieu (1324/1906; 1323/1905; 1325/1907; 1329/1911; 1310/1893; cf. Kasrawī, *Mašrūṭa*, p. 45; Afšār, 1344 Š./1965, pp. 47-89; Ādamīyat, 1365 Š./1986).

The most pertinent theme that emerged in the writings of the late 19th century was the idea that, in order to guarantee social justice and material improvement and maintain Persia’s independence and national identity against European imperial domination, it was essential to inaugurate a constitutional order. It was hoped that in such an order the shah’s power would be limited, separation of powers secured, and the functions of government organs defined. Patriotism and recognition of the Persian cultural heritage were also favored as complementary—or even alternatives—to loyalty to traditional religious beliefs and institutions. Yet the early reformers failed to come up with a systematic and well-rounded theory of government. Overt endorsement of European political and institutional ideas hindered the growth of a school genuinely concerned with problems of the state and its relationship to clerical authority in Shi’ism. Traditional philosophers (*ḥokamā*) and jurisconsults (*mojtaheds*) refrained from the debates, thus leaving the task of conceptualizing the new constitutional order to dissident intellectuals, popular preachers, and political activists.

New constitutional themes

By the turn of the 20th century the reformist trend in Persia had taken on a distinct character. The October 1905 revolution in Russia, followed by the granting of a constitution, then by the convening of the first Duma and its subsequent dissolution, provided an example of popular revolutionary struggle against despotic power in a country long feared as the bastion of



absolutism and military might (Sa'āda, passim; *Şūr-e Esrāfīl* 22-28, 30 Du'l-ḥejja 1325-27 Rabī I 1326/3 February 1903-1 March 1908, passim; Browne, *Persian Revolution*, p. 120). Slightly earlier the decisive victory of Japan in the Russo-Japanese War (1904-05), the first by an Asian country over a European power, had been hailed in the Persian press and attributed to Japan's success in transforming itself from a backward feudal society into an industrial nation, generating both hope and despair about the need for Persia to depart from traditional ways (Tājer Širāzī, 1325/1907a; idem, 1325/1907b; Tabrīzī; cf. *Tārīk-e bīdārī* I, pp. 218-25; for a translation of the Japanese constitution, see Ṭālebof, 1324/1906). The Boer War (1899-1902) and the constitution granted to Transvaal in 1906 aroused a similar response (Taqīzāda, 1349 Š./1970, p. 272; Browne, *Persian Revolution*, p. 122), but anti-British feeling was tempered by early British support for the constitutionalists, at least before the [Anglo-Russian Convention](#) of 1325/1907.

Until the first decade of the 20th century and the rise of pan-Turanism conscious Persian nationalism had thrived among the Azarbaijani population of the Caucasus, and its influence had made itself felt in Persia through revolutionary—particularly socialist—orators, journalists, and satirists in Tabrīz. Ḥaydar Khan Tārīverdīof, better known as 'Am(ū)oḡlī (q.v.), and Moḥammad-Amīn Rasūlzāda both belonged to the social-democratic party of the Caucasus (also known as the Hemmat party; Taqīzāda, 1349 Š./1970, pp. 382-85; Ādamīyat, 1355 Š./1976a, pp. 3-29; Navā'ī, 1327 Š./1948). Many Persian migrant workers in the oil fields of Baku and the mines of Armenia and Georgia belonged to this party. Later party activists set up branches in Tabrīz and Mašhad (Etteḥādīya, 1361 Š./1982b, pp. 64-80; Pavlovitch). Among early constitutionalists in Tabrīz, Sayyed Ḥasan Taqīzāda, Moḥammad Šabastarī (Abu'l-Žīā'), Šādeq Mostašār-al-Dawla, and Moḥammad-'Alī Tarbīat were influenced by Turkish reformist publications in Istanbul (Taqīzāda, 1349 Š./1970, I, pp. 241-44, 379-80). Taqīzāda's early article "Taḥqīq dar aḥwāl-e konūnī-e Īrān yā moḥākamāt-e tārikī" (An inquiry into the current situation in Persia, or historical trials; 1323/1905; cf. 1349 Š./1970, III, p. 283) reflected ideas popular among the Young Turks and the Arab nationalists in Syria. The flight of many Persian constitutionalists to Istanbul and the formation there of [Anjoman-e sa'ādat](#) (1326-27/1908-09) coincided with the revolution of the Young Turks, and the overtly secularist views of the latter had some influence on the debates in the Second Majles (Dawlatābādī, *Ḥayāt-e Yaḥyā* III, pp. 17-118).



No less influential in forming Persian public opinion was a surge of newspaper, pamphlet, and book publication (see vi, vii, below). As early as the middle of the 19th century, and especially during the era of Mīrzā Ḥosayn Khan Sepah-sālār in the 1870s, the small Persian press, though controlled by the government, randomly reported on aspects of Western constitutional and revolutionary events. By the closing decade of the century the Persian readership had been briefly exposed not only to colonial expansion and imperial rivalries but also to the recurring constitutional crisis in France, the British parliamentary system, the course of German unification, presidential elections in the United States, and revolutionary currents and struggles for independence. The many small new printing presses in Persian cities during the period of Moẓaffar-al-Dīn Shah and later played a decisive role in disseminating the constitutionalist message to an eager public (Moḥīṭ Ṭabāṭabā'ī, pp. 38-96). Translations and adaptations of Western works of political philosophy, published in Persia before and during the Constitutional Revolution, also helped to shape the ideology and rhetoric of the revolution. 'Abd al-Raḥmān Kawākebī's *Ṭabāye' al-estebdād* (Modes of despotism)—an Arabic rendering of 'A. Javdat's Turkish translation of Vittorio Alfieri's *Della tirannide* (1800), which itself is a summary of Montesquieu's *De l'esprit des lois*—was translated into Persian by the Qajar prince 'Abd-al-Ḥosayn Mīrzā; it was instrumental in stereotyping despotism and defining the claims of constitutionalism (cf. Haim).

Other translations of European works of fiction, geography, history, and political philosophy helped to broaden Persian intellectual horizons and to provide a clearer picture of Europe and its political evolution. Fénelon's *Les aventures de Télémaque* (tr. 'Alī Khan Nāẓem-al-'Olūm as *Telemāk*, Tehran, 1304/1886), Adam Smith's *The Wealth of Nations* (tr. M.-'A. Forūgī as *Oṣūl-e 'elm-e ṭarwat-e melal*, Tehran, 1323/1905), and Moḥammad-'Alī Forūgī's comparative study *Ḥoqūq-e asāsī yā ādāb-e mašrūṭiyat-e dowl* (Fundamental laws, or the principles of the constitutions of nations) offered new political and economic ideas in place of the familiar principles from Persian Islamic manuals of government. Histories like a work on the ancient Near East translated from French by Forūgī (*Tārīḳ-e melal-e qadīma-ye šarq*, Tehran, 1318/1900), James Fraser's *The History of Nadir Shah* (tr. Abu'l-Qāsem Qaragozlū as *Tārīḳ-e Nāder Šāh Afšār*, Tehran, 1321/1903), a history of ancient Greece translated from French by 'Alī Khan Naṣr (*Tārīḳ-e Yūnān*, Tehran, 1328/1910), and a history of Islamic civilization by Georgi Zaydān (tr. 'Abd-al-Ḥosayn Mīrzā Qājār as *Tārīḳ-e tamaddon-e eslāmī I*, Tehran, 1329/1911) were



influential in shaping a new historical consciousness attuned to rising nationalism. An imaginary debate between a Persian traveler and an Indian Muslim (*Mokālama-ye sayyāḥ-e īrānī wa šakṣ-e hendī*, attributed to Jalāl-al-Dīn Kāšānī Mo'ayyed-al-Eslām, Tehran, 1326/1908) and *Šab-nešīnī-e Ramazān yā šoḥbat-e sang wa sabū* (The Ramazān vigil, or the dialogue of the stone and the pitcher; ed. M. Itnā-'ašarī, Tehran, 1364/1985), written by Mīrzā Salīm Adīb-al-Ḥokamā' in 1327/1909, are typical of works in which traditional and modern values and outlooks were contrasted and generational differences scrutinized.

Internal dissent

Themes expounded by expatriates often reached Persia through dissident circles with radical aspirations. The small but influential circle of Azalī Babis and their sympathizers included at least six major preachers of the Constitutional Revolution. By the beginning of the 20th century the separation of the Bahai majority and the Azalī minority was complete. The Babis, loyal to the practice of dissimulation (*taqiya*), adopted a fully Islamic guise and enjoyed a brief revival during the reign of Moẓaffar-al-Dīn Shah. As they broadened their appeal beyond the Babi core, a loose network of assemblies (*majles*) and societies (*anjomans*) gradually evolved into a political forum in which both clerical and secular dissidents who favored reform were welcome. These radicals remained loyal to the old Babi ideal of mass opposition to the conservative 'olamā' and Qajar rule. An example of their approach is *Ro'yā-ye šādeqa*, a lampoon in which the notorious Āqā Najafī Eṣfahānī is tried on Judgment Day; it was written by Naṣr-Allāh Beheštī, better known as Malek-al-Motakallemīn, and Sayyed Jamāl-al-Dīn Wā'eẓ Eṣfahānī, two preachers of the constitutional period with Babi leanings. Such figures as the celebrated educator and political activist Mīrzā Yaḥyā Dawlatābādī; Moḥammad-Mahdī Šarīf Kāšānī, a close advisor to Sayyed 'Abd-Allāh Behbahānī and chronicler of the revolution; and the journalist Mīrzā Jahāngīr Khan Šūr-e Esrāfil shared the same Babi background and were associated with the same circle (Malekzāda, 1328 Š./1949, II, pp. 236-44). A reform-oriented critique of the clerical establishment, *Tahrīr al-'oqalā'* by Shaikh Hādī Najmābādī (d. 1320/1902), epitomized the dissent even among senior *mojtaheds*. As a response Sayyed Moḥammad-Šādeq Ṭabāṭabā'ī called for his excommunication (*takfīr*; Browne, *Persian Revolution*, p. 406). Although these men were barred from the First Majles, on the ground of their suspected "corrupt belief," their influence is evident in the Constitution and its provisions for civil liberties. What Sayyed Jamāl-al-Dīn and Malek-al-Motakallemīn expounded from the pulpit to their



large and enthusiastic audiences, what the newspaper *Şūr-e Esrāfīl* presented to its readers, was a call for patriotism and political awakening, for radical change and ultimately revolution, in language accessible to the masses (*al-Jamāl* 135, Moḥarram 1325-Rabī' I 1326/February 1907-April 1908, *passim*; for Sayyed Jamāl-al-Dīn's sermons, see Yaḡmā'ī). Even before the revolution these popular preachers had recognized the benefits of acquiring the backing of high-ranking *mojtaheds* who were supportive of constitutional reforms. Having their blessing made constitutionalists immune from charges of ill belief and allowed them to voice their criticisms with greater liberty. The proconstitutional *mojtaheds*, on the other hand, sought such alliances with activists not only because of their own liberal convictions but also because they found in their preaching a channel to augment their own popular standing. This informal alliance was supported by the merchants of the *bāzār* and the reform-minded nobility. In the coup d'état of June 1908 Moḥammad-'Alī Shah (1324-27/1907-09) succeeded in eradicating the Babi core of this group, which he and the conservative religious leader Shaikh Fażl-Allāh Nūrī blamed for radicalism inside and outside the Majles.

The proconstitutional mojtaheds. The two most widely recognized clerical leaders of the Revolution were from old and powerful clerical families whose authority over the religious community, though recognized, was beginning to be threatened by rival *mojtaheds*. Sayyed Moḥammad Ṭabāṭabā'ī was a well-known figure whose father had been in sympathy with Malkom and who had himself demonstrated liberal proclivities since the late period of Nāṣer-al-Dīn Shah. Sayyed 'Abd-Allāh Behbahānī was an influential *mojtahed* whose call for political reforms was motivated by expediency, as well as genuine liberal conviction. Earlier, during the Régie protest, he had refused to endorse the *fatwā* prohibiting the use of tobacco, thus siding with the government and against other *mojtaheds*. The support of these two men for reformist preachers arose in part from the general desire of the '*olamā*', at least since the episode of the Régie, to extend their sphere of power and judicial control at the expense of the state. The proreform *mojtaheds* moved to the forefront of a popular movement because they were able to combine the message of the activists with their own authority and determination. Pressure from the lower ranks, mostly from those of their students who had been exposed to liberal ideas, also influenced their orientation. But neither *mojtahed* went so far as to instigate a revolt against the government, even when radicals in the lower ranks argued that the Qajar state was incapable of defending the faith. In the earlier stages of the constitutional movement they often seemed to understand



the “rule of law” as implementation of the Šarī‘a. In fact, few high-ranking ‘*olamā*’ supported a purely secular constitution. Apart from their role as leaders of a popular movement, the two *mojtaheds*’ chief contribution was their association of political reform and patriotism with a defense of Islam. In Ṭabāṭabāī’s famous letter to the prime minister ‘*Ayn-al-Dawla* in 1323/1905 he criticized opposition to creation of a national assembly (*majles-e mellatī*), an “alliance between the government and the people and between the ‘*olamā*’ and the notables of the state.” Furthermore, he declared: “The Shi‘ite state is confined to Persia, and their [i.e., the Shi‘ites’] prestige and prosperity depended upon it. Why have you permitted the ruin of Persia and the utter humiliation of the Shi‘ite state? . . . You may reply that the mullahs did not allow [Persia to be saved]. This is not credible. . . I can foresee that my country (*waṭan*), my stature and prestige, my service to Islam are about to fall into the hands of enemies and all my stature gone. As long as I breathe, therefore, I will strive for the preservation of this country, be it at the cost of my life” (Šarīf Kāšānī, I, pp. 61-63; cf. *Tārīk-e bīdārī* I, pp. 390-91).

Ṭabāṭabāī’s dedication, strong as it was, was only momentarily shared by other ‘*olamā*’. Most high-ranking *mojtaheds* were willing to endorse political reform only if it gave them greater control over public life and were lured into the revolutionary arena only by fear of loss of influence to the radical preachers and secular intellectuals. Harsh criticism of the *mojtaheds* for their obscurantism, corruption, and later collaboration with the royalists had put those among them who were ambivalent on the defensive from the start. Furthermore, by exploiting rivalries among the *mojtaheds* the lower clergy were able to polarize the clerical community and to gain support in the *bāzār*, the *mojtaheds*’ most vital constituency. The political isolation of Ṭabāṭabāī, Behbahānī, and the constitutionalist *mojtaheds* of the ‘*Atabāt* (Shi‘ite centers of Iraq) was painfully underscored by their repeated failure to convince their constituencies to accept a constitutional order dominated by the ‘*olamā*’. By 1327/1909 the marginalized *mojtaheds* had come to understand that a European-inspired liberal order was inimical to their traditional privileges.

Merchants of the bāzār. The constitutionalism advanced by the popular preachers gained strength in the *bāzār* because of the grievances of the merchants and guilds, who sought greater control over their economic and political destinies. The appointment, in 1315/1898, of the Belgian Joseph Naus to head the customs service (See [belgian iranian relations](#)) and the boycott of new [customs](#) regulations; an incident in 1323/1905 in which two sugar



merchants in the Tehran *bāzār* were arrested and bastinadoed; and the financing by *bāzārīs* of antigovernment protests at the shrine of Shah ‘Abd-al-‘Azīm near Tehran, in Qom, and at the British legation in Tehran demonstrated a new combativeness in the *bāzār* community. The merchants’ objectives were limited at first. Frustrated by the government’s interference in the market and its incapacity to deter unfair foreign competition in trade and banking, they demanded resistance to further economic penetration. The work of Naus’s administration, which was viewed by the *bāzār* as pro-Russian, meant higher tariffs for Persian merchants, an additional burden for those already strained by severe shortages of essential commodities and subsequently by erratic price controls under ‘Ayn-al-Dawla. Issues like depreciation of the silver currency, price fluctuations in the international market, insecure roads, poor communications (particularly on the Caucasian trade route after quarantines were established in 1906), and financial monopolies granted to the British Imperial Bank of Persia and the Russian Loan Bank were stressed in *Ḥabl al-matīn* and other Persian newspapers. It was not an accident that the establishment of a “national bank” (*bānk-e mellī*), to be funded and owned by the nation and under the auspices of the Majles, was among the earliest and the most urgent demands of the *bāzār* representatives. On the eve of the Constitutional Revolution many merchants, landowners, urban notables, and even members of the royal family were heavily indebted to foreign banks. Nearing insolvency, they saw economic independence as a way out of their financial troubles (see [banking in iran i](#)).

The inadequacy of the traditional judicial and administrative apparatus—both religious courts and government tribunals—in dealing with commercial cases had long been a cause of losses to merchants. No work of Shī‘ite jurisprudence dealt adequately with the problems of a modern economy and foreign trade. It was the middle-ranking preachers who were best equipped to voice the merchants’ grievances. Sayyed Jamāl-al-Dīn Eṣfahānī, in his *Lebās al-taqwā* (Attire of virtue), supported commercial cooperation, corporate enterprises, and the consumption of Persian products, particularly textiles. He gave a religious endorsement to commercial innovations, praised the work ethic and productivity, and identified economic independence as the way to preserve Islam from ruin.

The press and modern educational institutions of the period provided a secular platform, an alternative to the mosque and the *bāzār*. Inspired by European ideas on education, men like Dawlatābādī and Mīrzā Ḥasan Roṣṣīya,



even before the constitutional debate, had sought the introduction of modern schools and instruction in exact sciences and European languages; this movement gained further strength from the support of Ṭabāṭabā'ī and Behbahānī. The establishment of the quasi-governmental Council on education (*Anjoman-e ma'āref*) and the founding of modern schools under its auspices were among the most important measures affecting the growth of a new proconstitutional constituency (Rošdīya; Dawlatābādī, *Ḥayāt-e Yahyā* I, pp. 245-349). Through the newspapers intellectuals also addressed constitutional issues and the hazards of religious obscurantism, ignorance, and despotism. As early as the 1860s clandestine “jellygraph” newspapers known as “night letters” (*šab-nāma*) had served as vehicles of criticism of the government, and later the conservative clergy, for their indolence and corruption (for a large assortment of *šab-nāmas* and similar material, see Šarīf Kāšānī, I; *Tārīḵ-e bīdārī*; cf. Reżwānī; Šadīqī; Browne, *Press and Poetry*, pp. 21-22, 108).

Intellectuals. Western-oriented secular intellectuals constituted the third major group to play an effective role in the Constitutional Revolution. They included European-educated sons of high officials and the nobility, Persian diplomats serving abroad, and graduates of the military schools of Tehran, Tabrīz, and Isfahan and of the two Persian institutions of higher education, *Dār al-fonūn* (Polytechnic institute) and Madrasa-ye 'olūm-e sīāsī (School of political science, founded in 1317/1899 to train diplomats), both in Tehran. Some of the best-known personalities of the reign of Moẓaffar-al-Dīn Shah and the constitutional period, able to mediate between the government and the constitutionalists, came from this group. They were instrumental in introducing the constitutional model and its rudiments. The framework of the Constitution, the structure of the Majles, and the behavior of constitutional government were all affected by their moderating influence, interests, and often divided loyalties.

Dynamics of constitutionalism

Four phases of an ideological process can be recognized during the Constitutional Revolution itself: from the earliest gatherings, public protests, and clandestine tracts in early 1323/1905 to the convening of the First Majles in October 1906, a period of revolutionary ferment in which competing groups vied for leadership; from autumn 1906, when deliberations on the text of the Constitution took place in the Majles, to the coup d'état of 23 Jomādā I 1326/23 June 1908, a period of intense debate in the Majles and in Persian society as a whole, ending in polarization and deep division; the “lesser tyranny”



(*estebdād-e ṣaḡīr*) until the restoration of the Constitution on 27 Jomādā II 1327/16 July 1909, a period of conscious radicalization and armed struggle; and from the restoration of the constitutional regime to the joint ultimatum of the great powers and the dissolution of the Second Majles on 2 Moḥarram 1330/24 December 1911, a period of party politics (see v, below) and disillusionment.

Early evolution of constitutional concepts. The first demand of the constitutionalists was an autonomous representative body to administer justice and secure individual rights against the excesses of the state. The first, deliberately vague proposal was submitted to the government of ‘Ayn-al-Dawla during the incident on 14 Šawwāl 1323/11 December 1905 in which dissidents claimed sanctuary (see [bast](#)) at the shrine of Shah ‘Abd-al-‘Azīm near Tehran as a form of protest against the government, calling for “reforms in all affairs [of the state], with consideration of the rights of the ‘*olamā*’” (i.e., the proreform bloc led by Ṭabāṭabā’ī and Behbahānī). This goal was soon further defined as the establishment of an “office of justice” (*dīvān-kāna-ye ‘adālat*) or, more commonly, a “house of justice” (*‘adālat-kāna*), reminiscent of the old institution of *dīvān-kāna*, a judicial organ of the government since the Safavid period, overseen by the ruler but in theory independent in its decisions. The *dīvān-kāna-ye ‘adliya* “office of equity,” which was initially revived by Mīrzā Taqī Khan Amir Kabīr in 1265/1849 and later reorganized by Mīrzā Ḥosayn Khan Sepah-sālār in 1287/1871 as a clearinghouse for referring litigation to religious courts, was similar to the Ottoman Majles-e wālā-ye aḥkām-e ‘adliya, established in 1837, and a precursor of the Ministry of justice (Wezārat-e ‘adliya) in the late Qajar period (Floor; Bakhash, pp. 77-133; Nashat, pp. 95-114). An early list of constitutional demands included the “establishment of a house of justice in Persia with branches in all cities to consider the petitions and litigation of the subjects with justice and equity” and to “implement the law of Islam (*qānūn-e Eslām*) impartially among all individuals and with no personal consideration.” The term *majles* was first used for the assembly that ratified the protesters’ petition during the Shah ‘Abd-al-‘Azīm episode, and the cry “long live Iran” was heard for the first time at the same gathering (*Tārīk-e bīdārī* I, pp. 358-67; Dawlatābādī, *Ḥayāt-e Yaḥyā* II, p. 23). A royal decree of January 1906 established a “state house of justice” (*‘adālat-kāna-ye dawlatī*) to implement “the ordinances of the Šarī‘a and [permit] the relief of the subjects . . . without making any distinction among the classes of subjects (*ṭabaqāt-e ra‘īyat*).” Although this decree echoed the language of the earlier demands, in practice it meant little more than a



reorganization of the Ministry of justice (Šarīf Kāšānī, I, p. 46; *Tārīk-e bīdārī* I, pp. 365-66).

The idea of a council of justice (*majles-e 'adālat*), though deliberately omitted from the royal edict, soon gained currency in the *šab-nāmas* and the sermons of the constitutionalist preachers as a means of securing popular (*mellī*) representation (Šarīf Kāšānī, I, pp. 51-56). Moreover, the popular notion of *majles*, with its long Islamic history (*EF*², s.v.), inevitably entailed two other key concepts, consultation (*mašwarat*) and representation (*wakālat*), both with some precedent in Islamic Persia. Koranic references to taking counsel together (3:153, 42:36) were often cited as endorsement of the principle of consultation in the affairs of the community. The concept of representation also had wide theological and legal applications. A “deputy of the subjects” (*wakīl al-ra'āyā*) served as a delegate to petition on behalf of a rural or urban community. The call for a “council of deputies” (*majles-e wokalā'*, or *majles-e montakabīn* “council of delegates”) drawn from diverse social classes (*ṭabaqāt*) and acting collectively as a council of justice on behalf of their constituents was novel, however. The Majles-e dār al-šūrā-ye dawlatī (State consultative council) that had existed under Nāṣer-al-Dīn Shah had consisted of princes, nobility, and high government officials advising the ruler on domestic, and occasionally foreign, policies. This council, repeatedly reorganized by Nāṣer-al-Dīn Shah under various names, had a deliberative function and at one stage developed a rudimentary constitution known as *nezām-nāma*. Its decisions were often reached by consensus, but if serious disagreements occurred the votes of both sides were reported to the shah. At times, when the shah acted as his own prime minister, the council also functioned as a cabinet of ministers. The composition and functioning of this council were influential in the shaping of the constitutional *majles*. Although the Qajar government viewed the *majles* as an advisory body, the constitutionalists emphasized its executive role.

In the early months of 1324/1906 the function of the proposed *majles* was gradually defined in the dissident literature as deliberation on the *qānūn*, a broad and still vague concept implying a secular constitution, as well as codification of the Šarī'a (*Tārīk-e bīdārī* I, pp. 287, 307-08). In the traditional context *qānūn* denoted administrative, financial, and penal law outside the domain of the Šarī'a and administered by the government. In spite of its wide currency in the Ottoman empire, this definition of *qānūn* had generally been resisted in Persia, where the much less concrete concept of '*orf* (uncodified



customary law) was preferred. In the late 19th century several attempts to adopt a modern code on the model of the Ottoman *Tanzīmāt* had failed to limit either the ruler's arbitrary power or the judicial authority of the '*olamā*'. As early as 1274/1858 Malkom had defined *qānūn* as "any injunction (*ḥokm*) that is promulgated by the government and pertains to the community's public benefit to which mandatory submission is equally shared by members of the community" (*Ketābčā-ye ḡaybī yā daftar-e tanzīmāt*, p. 15). In practice, however, the use of *qānūn* never went beyond administrative regulations, elaboration on royal edicts, and ministerial directives. According to the notion of *qānūn* prevailing in Persia on the eve of the Constitutional Revolution, the ordinances (*aḥkām*) of the holy *Šarī'a* were to be the basis for a codified body of laws ratified by an assembly of representatives, but how the *Šarī'a* and the *qānūn* would be adapted to each other was not clear even to staunch constitutionalists. In the second phase of the Revolution concern with adopting the *Šarī'a* gradually subsided, and *qānūn* came to denote both "public law" and "constitution." The former, a body of laws passed by a legislature, encompassed civil, commercial, and penal law, but the advocates of this concept of *qānūn* were careful not to present it as contradictory to, or even overlapping with, the *Šarī'a*.

In defining *qānūn* as constitutional law, however, its proponents faced greater obstacles. The term *konṣteṭūsīon* gained some currency in the jargon of the Revolution, but in the First Majles *qawānīn-e asāsī* (fundamental laws) and then *qānūn-e asāsī* (the fundamental law) proved to be more acceptable to all sides, for they did not necessarily imply a parliamentary system. On the other hand, the explicit call for a secular constitution defined as *mašrūṭa* (lit. "conditioned"), first presented in clandestine pamphlets (*Šarīf Kāšānī*, I, p. 64) and publicized by secular constitutionalists in the public protest and sanctuary at the British legation in July 1906, aroused the opposition of conservative clergy and royalists. *Mašrūṭa* and *mašrūṭīyat* (lit. "conditionalism") denoted a constitutional system in which the rights of the people were recognized, powers were separated, and the authority of the legislature and the sovereign and his government were limited. In a broader and more popular sense it came to mean any political and material measures that would improve the condition of the people. As early as 1325/1907 *mašrūṭa* was used to characterize the ideals and objectives of Persian constitutionalism. During the upheavals of the following year *enqelāb-e mašrūṭa* came to mean "constitutional revolution" and *salṭanat-e mašrūṭa* "constitutional monarchy," as opposed to despotic (*estebdādī*) or absolutist (*mostaqella*, *moṭlaqa*)



monarchy (Kalkālī).

Like some other key terms of the period, *mašrūṭa* can be traced to the Young Ottomans. Nāmeq Kemāl had referred to constitutional government as *dawlat-e mašrūṭa* and a representational system under the auspices of Islam applicable to all Ottoman nationalities as *edāra-ye mašrūṭa*. The term was adopted by Medḥat (Midhat) Pasha during the ephemeral constitutional episode of 1876. An etymology connecting *mašrūṭa* with *charta* (as in Magna Charta), rather than with *šarṭ* (condition) in Arabic, seems implausible but should not be ruled out altogether. The English “charter,” a grant of rights from a monarch, and the post-Napoleonic French term *charte* “constitution” may have inspired a bilingual pun. It is also possible that the choice of the equivocal *mašrūṭa* to translate French *constitutionnelle* (rather than *conditionnelle*, its precise equivalent) was deliberate, intended to reconcile the proposed new order with the logical and legal concepts of *šarṭ* and *mašrūṭ* in Islamic jurisprudence. It was in use in Persian by about 1897 (Molkārā, p. 180; H. Nāṭeq, introduction to *Rūznāma-ye qānūn*, p. 1; Taqīzāda, 1349 Š./1970, I, pp. 390-91; Ḥā’erī, 1974a; idem, 1974b; idem, 1977b). Taqīzāda was presumably the first deputy to introduce the term *mašrūṭa* in the debates of the Majles, in his important speech of 6 Du’l-qa’da 1325/22 December 1906 (*Tārīk-e bīdārī* II, p. 30), but neither *mašrūṭa* nor the concept of fundamental laws was accepted willingly by conservatives. They were achieved only gradually and after fierce debates in the Majles and outside.

The *farmān* of 14 Jomādā II 1324/5 August 1906, afterward known as the Constitutional edict (*Farmān-e mašrūṭīyat*), provided the authority for convening the First Majles; the term *mašrūṭa* was not even mentioned in it (*Tārīk-e bīdārī* I, p. 564; Browne, *Persian Revolution*, pp. 353-54). Similarly, the electoral law of 19 Rajab 1324/9 September 1906, identified as a “code of rules” or “charter” (*nezām-nāma*), included mention only of the deliberative function of the Majles. Six classes were distinguished, and the conditions and qualifications for the deputies and electorate were set, local and provincial councils (*anjomans*) recognized, and the legal immunity of deputies guaranteed. The legislative function of the Majles was not clearly acknowledged until the Persian Constitution, *Qānūn-e asāsī* (Fundamental [or constitutional] law), was adopted on 11 Du’l-qa’da 1324/27 December 1906. This document was also known at first as the “fundamental code of rules” (*nezām-nāma-ye asāsī*); in it were defined “the duties and functions of the [national] assembly (*majles-e mellī*), its limitations, and its relations with the



various departments of the state” (*Tārīk-e bīdārī* II, pp. 33-45; Browne, *Persian Revolution*, p. 362).

In spite of opposition from the Qajar court, all three documents—the constitutional edict, the electoral law, and the Constitution itself—were endorsed by Moẓaffar-al-Dīn Shah before his death on 23 Ḍu’l-qa’da 1324/9 January 1907, with the understanding that neither the deliberations nor the legislation of the Majles would compromise the prerogatives of the shah. It was only after the accession of Moḥammad-‘Alī on 28 Ḍu’l-ḥejja 1324/11 February 1907 that the shah was requested for the first time by the Majles to acknowledge that Persia was a constitutional (*mašrūṭa*) state. After much semantic bargaining, he modified the proposed text of the *farmān* by defining the term *mašrūṭa* as “constitution” (*konṣeṭūsiōn*), presumably as a bar to a broader, possibly even republican interpretation of *mašrūṭa* (Hedāyat, 1344 Š./1965, pp. 146-49; cf. *Tārīk-e bīdārī* II, pp. 82-85; Taqīzāda, 1349 Š./1970, I, p. 392).

The term *mašrūṭīyat* finally appeared in the exordium to the supplement to the Constitution (*motammem-e qānūn-e asāsī*; see iii, below), where it denoted the nature of the Persian government but was not otherwise defined. In Article 7 it was stated merely that “the principles (*asās*) of *mašrūṭīyat* cannot be suspended” (Browne, *Persian Revolution*, pp. 372-73). The provisions of the supplementary law were nevertheless sufficiently compromising to the shah’s authority to undermine his already shaky confidence in the Constitution. The provisions that “sovereignty is a trust confided by the people to the person of the king” (Art. 35) and that ministers are responsible to the Majles but “the person of the king is exempt from responsibility” (Arts. 44, 45, 64) were alien to Qajar political culture. The insertion, in Moḥammad-‘Alī’s own hand, of the phrase “as a divine gift” (*be-mawhebat-e elāhī*) in Article 35 only confused the lawmakers’ original intent and added to the contradictions and compromises in the text (Taqīzāda, 1349 Š./1970, I, p. 392).

Until the coup of 23 Jomādā I 1326/23 June 1908 the constitutionalists had won most of the battles over the shah’s authority. The consultative assembly that had initially been convened with vague deliberative and judicial functions had evolved into the National consultative assembly (Majles-e šūrā-ye mellī), a constituent body (*majles-e mo’assesān*) with sweeping legislative and executive powers. Advocacy of liberal causes by the deputies, open criticism by the newspapers, and growing antiroyalist sentiments among the radical *anjomans*, particularly the Tabrīz-based Anjoman-e eyālatī-e Ādarbāyjān, isolated the



conservatives and some moderates in the Majles and confirmed the royalists' worst suspicions.

Nevertheless, only a few low- and middle-ranking clerics and a handful of guildsmen, merchants, and proreform notables among the deputies were sincerely dedicated to constitutionalism. Most deputies saw the Majles as an advisory body to oversee judicial, fiscal, and administrative reforms. Class divisions did not determine their ideological orientations. Constitutionalist notables like Mortazāqolī Ṣanī'-al-Dawla, Maḥmūd Eḥtešām-al-Salṭana, Jawād Sa'd-al-Dawla, Mīrzā Ḥasan Khan Mošīr-al-Dawla, and Maḥdīqolī Mokḥber-al-Salṭana, mostly educated in Europe and occupying high positions in the Majles and government, were influential in drafting the Constitution and its supplement. Not only did they provide much-needed knowledge of Western constitutional systems, but they also acted as mediators between the constitutionalists and the Qajar court, a function that often allowed them to exert a moderating influence on the Majles. Without them, it may be said, the early Majles remained a dissident body with weak leadership and little institutional recognition and thus more susceptible to the government's intrusion. These constitutionalists did not represent a united bloc, nor did they share common objectives on all grounds. But they all acknowledged the need for a modern representative system to safeguard legal and material reforms. Conscious of their own privileged social status, they witnessed grudgingly the shift of initiative in the Majles to the radical, non-elite representatives.

The secret societies (*anjomans*), most widespread and effective in Tehran and Tabrīz, had an opposite, radicalizing influence on the First Majles. They functioned as primitive political parties and vehicles for popular participation. In other provincial capitals—Rašt, Mašhad, Isfahan, Shiraz, and Kermān—and later in smaller towns a whole array of *anjomans* appeared, often spontaneously and with little organizational experience. In some cities they served as local assemblies with self-appointed responsibility for security, judiciary, and government, Anjoman-e Aḍarbāyjān, for example (Rafī'i, pp. 25-169). In Tehran some *anjomans* represented various interest groups, guilds, and ethnic and religious minorities. The influence of Sayyed Jamāl-al-Dīn, Malek al-Motakallemīn, and Dawlatābādī was particularly visible among those who represented the guilds, compensating for the exclusion of these men from membership in the Majles. They pressed for further reduction of the shah's power and the adoption of a secular code of law. Through clandestine publications they pressured the Majles and later defended it against the



military threat from the shah and the royalists (Dawlatābādī, *Ḥayāt-e Yahyā* II, pp. 149, 162-68, 182-83, 193; Etteḥādīya, 1361 Š./1982b, pp. 149-72; Yaḡmā'ī; Lambton, pp. 301-19).

The *anjomans*' growing revolutionary momentum was bound to bring about a clash with royalist forces under the Russophile Moḥammad-'Alī Shah. Mindful of Tsar Nicholas II's dissolution of the first Duma, he attempted to abolish the Constitution (*mašrūṭa*) in favor of Russian-style absolutism. The new concept of *mašrū'a*, a quasi-constitutional system based on the Šarī'a, put forward by Shaikh Fażl-Allāh Nūrī, the chief *mojtahed* of Tehran, and other anticonstitutional 'olamā', complemented Moḥammad-'Alī's scheme for dismantling the Majles (Dawlatābādī, *Ḥayāt-e Yahyā* II, pp. 236-99; Etteḥādīya, 1361 Š./1982b, pp. 125-72; Martin, pp. 139-64; *Correspondence* I, nos. 8, 17, 31, 92, 98).

Mašrūṭa and mašrū'a. From the outset the 'olamā' had stressed the necessity for compatibility between constitutional demands and Islamic principles. There was a consensus that restraining the ruler's power and creating a consultative council would preserve the "substance of Islam" (*bayza-ye Eslām*) against domestic tyranny and European domination. What remained in dispute, however, was the role of the 'olamā'. Islamic constitutionalists claimed a leading role for the clergy in the new order. As early as 1324/1906 Ḥājī Mīrzā Ebrāhīm Šīrāzī had defended the authority of the 'olamā' against the secular intellectuals. Addressing Moḥammad-'Alī Mīrzā, then crown prince, he declared: "Up to now our opinion was that the government consists of the men of the state and learned politicians, and not of unripened westernizers, rotten materialists, and dried-up newspaper readers who [only] learned [to criticize] the despotic absolutist government. Yet Persia is an Islamic republic (*jomhūrī-e eslāmī*), for from earlier times to the present the 'olamā' of every people and every city rebelled against the provincial governors, and the [central] government dismissed the governors with the blessing of the [leaders] of the public . . . Therefore, our republic is the envy of France and America" (*Tārīk-e bīdārī* I, pp. 395-97). On the other hand, Shaikh Fażl-Allāh Nūrī saw the *mašrūṭa*, the growth of secularism in the Majles, and anti-'olamā' sentiments in the *anjomans* and in the press as detrimental to the Šarī'a and the supremacy of its representatives. Many 'olamā' agreed. Nūrī's opposition to *mašrūṭa* was also provoked by the influence and popularity of his chief rival, Behbahānī.

The term *mašrū'a*, derived from the same root as *šarī'a* and deliberately parallel to *mašrūṭa*, designated adherence to the Šarī'a in devising a



constitutional order. For Nūrī and his supporters *mašrūṭa-ye mašrūʿa* meant a constitutional system in which the *mojtaheds*, as the sole legal authority, would codify the Šarīʿa in order to broaden its applicability and supplant the *ʿorf* in the sphere of public law. An “Islamic consultative council” (*majles-e šūrā-ye eslāmī*), perhaps including representatives of other classes but dominated by the jurists, would carry out this task. This formulation was appealing to *ʿulamā* and royalists alike, as it did not infringe on the prerogatives of either class (Kasrawī, *Mašrūṭa*³, pp. 285-99, 358-85, 415-38; Martin, pp. 61-62, 126-27, 139-65; Ḥāʿerī, 1977a).

During the debate on the supplement (*motammem*) to the Constitution in 1325/1907, supporters of *mašrūʿa*, led by Nūrī, criticized the Majles on three grounds. First, they argued that laymen with no training in jurisprudence, and often with secularist tendencies, were unqualified to legislate in accordance with the Šarīʿa. In response, the Majles was obliged to reaffirm the express commitment to Islam in the Constitution and to acknowledge the ascendancy of the Šarīʿa over its own legislation. After much acrimonious debate the Majles also agreed to a committee of five *mojtaheds* with authority to veto legislation incompatible with the Šarīʿa (Art. 2), though in practice the Majles never consented to its convening. Second, supporters of *mašrūʿa* denounced the Majles for adopting the principle of equality before the law. Nūrī argued that equal rights for religious minorities, implicit in the supplement to the Constitution, were in open contradiction to the inherent legal and civil privileges of Muslims over recognized religious minorities (*ahl-e demma*) and warned of the ascendancy of Babis and atheists in the Majles and the country. Third, Nūrī argued that freedom of the press and association were in violation of the Islamic principle of “prohibiting the evil” (*nahy ʿan al-monkar*; see [amr be maʿrūf](#)). The final draft of the supplement to the Constitution thus limited equality before the law to “state laws” (*qawānīn dawlatī*; Art. 8), banned publication of “heretical books and matters hurtful to the perspicuous religion [of Islam]” (Art. 20), and outlawed societies and associations “productive of mischief to religion and state” (Art. 21). In a separate document the Majles was obliged to define *mašrūṭa* as “the protection of the rights of the people, defining the confines of the sovereign, and laying down the functions of the agents of the state in a manner that will eliminate despotism and remove the arbitrary action of the state authorities. . . . Interference with the ordinances of the Šarīʿa and the divine laws, which are absolutely irreversible and irreplaceable, is outside the jurisdiction of the Majles. The sources for [interpretation] of the divine laws and the ordinances of the Šarīʿa are . . . the



exalted ‘*olamā*’ and the lofty *mojtaheds*” (Nūrī, 1983, p. 68; for constitutionalist responses, see *Majles* [Tehran], Jomādā II-Ša‘ban 1325/July-September 1907, passim). Nevertheless, the rift between the supporters of *mašrū‘a* and the Majles persisted and contributed to the weakening of the constitutionalists’ position vis-à-vis that of the royalists. After the coup of July 1908 Nūrī dropped the demand for *mašrū‘a-ye mašrū‘a* and opted for the old concept of the partnership of religion and monarchy (see “Sobḥ-nāma-ye da‘wat al-Eslām,” cited in *Tārīk-e bīdārī* II, pp. 343-44; for a summary of the arguments against *mašrū‘a*, see Nūrī, 1326/1908). The conservative clerics in Iraq, headed by Shaikh Moḥammad-Kāzem Yazdī, supported Nūrī. Although they produced no significant anticonstitutional polemics, they were able to consolidate their leadership (*rīāsāt*) over the community by isolating proconstitutional *mojtaheds*.

Other ‘*olamā*’ supported the Constitution, however. Three senior *mojtaheds* in the Shi‘ite holy cities of Iraq, [Ākūnd Moḥammad-Kāzem Ḳorāsānī](#) and his allies ‘[Abd-Allāh Māzandarānī](#) and Moḥammad-Ḥosayn Tehrānī defined the Constitution as *ešterāṭ* (lit. “conditionalism,” from the same root as *mašrū‘a*, evidently coined as a contrast to *estebdād* “tyranny”). In their declarations in support of the Majles and their condemnation of the anticonstitutionalism of Moḥammad-‘Alī Shah and Nūrī they justified *qānūn* and *mašrū‘a* on the principle of “prohibiting the evil.” In a joint *fatwā* (legal opinion) after the coup of July 1908 they declared: “It is a necessity of the faith that during the occultation of the Lord of the Age (Šāḥeb-al-Zamān) the government of the Muslims should be in the hands of the representatives of the Muslims” (*jomhūr az moslemīn*; Šarīf Kāšānī, I, p. 210).

Moḥammad-Ḥosayn Nā‘īnī, an erudite advocate of constitutionalism before 1329/1911, argued in his *Tanbīh al-omma wa tanzīh al-mella* that, although it is impossible in the absence of the Imam to establish justice and equity and although any assumption of political power should be seen as usurpation of the Imam’s just authority (*welāyat*), it is nevertheless incumbent upon the ‘*olamā*’ to choose the lesser of two evils. Constitutionalism, based on consultation and popular representation, is less likely to be oppressive than absolutism and is closer to the principles of Islam. The state is not the property of the ruler, as in despotic regimes, but is a joint trust on behalf of the Imam, in which the people’s representatives should share the burden of government with the ruler. Although Nā‘īnī’s discussion of constitutional issues like the separation of powers was somewhat convoluted, he was courageous enough to



dismiss the conservative argument for *mašrū'a* as “religious despotism” (*estebdād-e dīnī*; Ḥā'erī, 1977b; tr. 1981, chaps. iii-v; cf. the works of several other 'Atabāt constitutionalists: Mamaqānī; Toršīzī; Maḥallātī; idem, cited in Šarīf Kāšānī, I, pp. 246-51). The ascendancy of secularists in the Second Majles, the execution of Nūrī and the assassination of Behbahānī, and the gradual exclusion of the 'olamā' from Persian politics (see ii, below) had disillusioned even ardent proponents of constitutionalism like Nā'inī and Māzandarānī. By the time of Ḳorāsānī's death in 1331/1912, support of the 'olamā' for *mašrū'a* had sharply declined.

Patriotism and revolution

Popular sentiments during the period of “lesser tyranny” (July 1908-July 1909) generated an outburst of revolutionary activity in defiance of both royalist (*mostabedd*) and conservative religious opposition to the Constitution. The conscious idea of revolution was coupled with a potent notion of patriotism, which proved to be decisive in shaping the national identity of Persia in the following decades. Civil resistance in several cities spread the message of the Constitutional Revolution beyond the mosque and brought it into the streets. The concept of love for the fatherland (*ḥobb-e waṭan*) gained increasing currency during and after the resistance to Moḥammad-'Alī Shah and began to supplant traditional loyalty to the ruler. The defense of Islam and Shi'ism was also transformed into a call for protection of the Persian nation (*mellat-e Īrān*). Persian subjects (*ra'āyā*), traditionally the multitudes of believers (*mo'menīn*) in the “protected domains of Persia” (*mamālek-e maḥrūsa-ye Īrān*), were to be called upon, as citizens and compatriots (*ham-waṭanān*), to die for their fatherland. The koranic term *mellat* (nation) no longer meant a community of believers within a compartmentalized society but the people of one country who shared a national (*mellī*) heritage and common interests beyond their religious and ethnic divisions. In contrast to the Ottoman empire, whence this new meaning of *mellat* was adopted, Persia was characterized by greater religious and cultural homogeneity, which permitted the swift political expression of conscious nationalism in such new institutions as the National consultative assembly and later the “national government” and the “national bank.” The religious underpinnings of this nationalism were apparent in the use of the Islamic terms *mojāhed* (religious warrior) and *fedā'ī* (devotee prepared to sacrifice his life) for partisans as well as the epithet “sacred” (*moqaddas*) for the Majles. The protosocialist revolutionary group in Tabrīz known as Markaz-e ḡaybī (Unseen nucleus), which was influential in



Anjoman-e Aḍarbāyjān and responsible for the recruitment and training of *fedā'īs*, may also have been influenced by the Shi'ite legacy of *bāṭenī* (hidden meaning; Amīrkāzī; Ṭāherzāda). The titles of two popular leaders of the Tabrīz resistance, Sardār-e Mellī (national chief) Sattār Khan and Sālār-e Mellī (national leader) **Bāqer Khan**, captured the romantic spirit of the nationalists (*mellīyūn*), who extolled the valor of the ordinary man and his willingness to sacrifice for his country. These men were the first of a new kind of Persian hero, hailed as national saviors and enveloped in a haze of “blessed patriotism” (Šarīf Kāšānī, II, pp. 425-27, 445-55, 507-09).

Revolution came to be understood as a fierce rising of the wronged and the deprived against tyranny, foreign domination, and the undeserved privileges of the elite. The French Revolution served as a model, but no doubt the presence of Caucasian revolutionaries (Armenians, Georgians, Russian Azarbaijanis) who, after the failure of the Russian revolution in 1905, had joined the resistance movement in Tabrīz and Rašt helped to transform political resistance into revolutionary struggle. In Tabrīz traditional factional divisions among city quarters enhanced the polarization between constitutionalists (*mašrūṭa-kvāhān*), who lived mostly in Šaykī quarters, and the royalists, who subscribed to an Islamic party (*anjoman-e eslāmī*) dominated by “orthodox” (*motašarre'īn*) clerical supporters of the monarchy. The brief currency of the awkward French borrowing “revolution” (*revolūsīon*) beginning in 1325/1907 may be attributed to socialists from Baku and like-minded radicals. The Young Turk Revolution of 1908-09 and the abdication of Sultan 'Abd-al-Ḥamīd II in Istanbul, shortly before the overthrow of Moḥammad-'Alī Shah, may also have had some bearing on how revolution was conceived in Persia (Šarīf Kāšānī, I, pp. 204, 243-45). *Enqelāb*, previously a derogatory term for a celestial revolution causing turmoil and anarchy, came to be employed in a positive sense, as an apt translation of “revolution,” with all its modern connotations. Wider usage of both French and Persian terms in connection with *mašrūṭīyat* occurred extensively in liberal-socialist publications like *Īrān-e now* in the period 1327-29/1909-11 (Šarīf Kāšānī, I, pp. 140-44).

Parliamentarianism and political parties

The isolation of proponents of *mašrū'a* and the constitutionalist victory in July 1909 initiated a phase of secular parliamentarianism and political parties (see v, below). However, in the absence of traditional means of doctrinal control, the outburst of political activity did not lead to an ideological efflorescence of



great magnitude or the prevalence of any one ideological current. The achievements of the Constitutional Revolution were thus confined primarily to the dislodging of old institutions, the Qajar ancien régime and the conservative Shi'ite establishment. Ironically, following the reassertion of *mašrūṭa* after July 1909, the remnants of the earlier revolutionary groups were overshadowed by socialists and the landed nobility, at opposite poles of the political spectrum. Moreover, the constitutionalists of the Second Majles turned their attention from ideology to immediate problems facing the country. The imperial threat to Persian territorial integrity, appearing first in the Anglo-Russian secret pact of 1325/1907, was later demonstrated in the joint ultimatum of November 1911; the expulsion of Morgan Shuster, the American financial adviser to the Persian government, under threat from the two powers; the shutting down of the Majles; and Russian occupation of Tabrīz. Combined with domestic unrest caused by the revolution, the course of events in 1330/1911 put the very existence of the nascent constitutional order in jeopardy. In spite of passionate calls for resistance inside and outside the Majles, the deputies and the government were left with no recourse but to respond to foreign aggression and domestic unrest with appeasement. The quarrel between the opposing political parties added to a sense of public disillusionment. The radicals of the First Majles became the Social democratic party (Ferqa-ye ejtemā'iyūn-e 'āmmīyūn) and later the **Democratic party** (Ferqa-ye demokrāt) in the Second Majles. Their opponents, the majority of the deputies, formed a loose coalition known as Moderates (E'tedāliyyūn) and later Social moderates (Ejtemā'iyūn-e e'tedāliyyūn; see Etteḥādīya, 1361 Š./1982b, pp. 68-74, 199-225; Ādamīyat, 1355 Š./1976a, pp. 3-62; Afšār, 1359 Š./1980b, pp. 349-66; McDaniel, pp. 70-133; see iv, below).

The Social democrats, among them Rasūlzāda, argued that, as the premature occurrence of revolution in Persia had resulted from its anti-imperialist and antidespotic character, nationalism should therefore be promoted, and constitutional government should restrict the rich (*aḡnīā*) and make concessions to the poor (*foqarā'*; Ādamīyat, 1355 Š./1976a, pp. 155-281). They therefore considered land reform essential, in order to break up the landed nobility, their opponents in the Majles. Although they did not propose mandatory redistribution of private agricultural land, they did favor distribution of crown lands, as well as the purchase of private land by an agricultural bank for distribution among the peasants. In practice, the Second Majles went no farther than abolition of the *toyūl* (benefice, a kind of land tenure) and unearned government pensions (*mostamarrīyāt*). Other items in



the Democratic program of 1328/1910—income and other direct taxation, restricting exploitation by landlords, a rudimentary labor law, and a greater government role in controlling national resources—were not implemented (for an early proposal for economic reform, see Ṣanīʿ-al-Dawla; for the Social democratic program, see *Marām-nāma*).

The policies of the moderates in the Second Majles, on the other hand, were gradualist, pragmatic, and often ideologically inarticulate or inconsistent. They rejected land redistribution and major financial reforms and recommended appeasement of neighboring powers—which in practice often meant collaboration. Almost the entire Qajar establishment—still entrenched after the upheavals of 1326-27/1908-09—supported the moderates, including royalists, landed and tribal notables, leading merchants, and the remnants of the proconstitutional *ʿolamāʿ*.

Financial insolvency, insecurity, and the threat of partition at the hands of imperial neighbors remained the most urgent issues, but the failure of successive governments to tackle these problems gradually fostered the disillusionment evident in postrevolutionary literature and the press (see vi, vii, below). After 1329/1911 there was a popular yearning for a strong man, a political savior, who could deliver what parliamentary constitutionalism had failed to accomplish. As early as the Second Majles it was believed that the need for strong and effective government to preserve the integrity of Persia against foreign occupation was so great that the democratic objectives of *mašrūṭa*—freedom of speech and party politics, among others—could be put off until after the achievement of public security; the reintegration of the country; financial, administrative, military, educational, and judicial reforms; and greater independence from imperial powers.

Nevertheless, the civil rights granted in the Constitution were not all lost. Although the constitutionalists had not established sufficient safeguards for the preservation of democratic rights, the Constitution did furnish a rudimentary framework for the state's treatment of its citizens. Moreover, the general purpose of the Constitutional Revolution had been not to undermine the authority of government but rather to combat the arbitrary power of the state. The weakening of the government resulted more from foreign intervention and domestic unrest than from the actions of the Majles and the constitutionalists. The nonpolitical aims of the Constitutional Revolution—above all, secular mass education, economic development, a judiciary independent of the *ʿolamāʿ*, and a centralized state with a powerful



army and extensive bureaucracy—set the agenda for the early reforms under Reżā Shah (1304-20 Š./1925-41), largely at the expense of the political objectives of the revolution.

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