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LEGAL AND ADMINISTRATIVE FOUNDATIONS OF POLITICAL PARTY ACTIVITIES IN IRAN

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Abstract. This study examines the legal and administrative foundations of political party activity in Iran from the Constitutional Revolution of the early twentieth century to the contemporary period. The research analyzes the evolution of constitutional provisions, legislative acts, state institutions, and administrative control mechanisms that have shaped the development of Iran's party system. Particular attention is devoted to the legal basis of political pluralism during the Qajar era, the establishment of centralized state control over political parties under the Pahlavi monarchy, and the transformation of party politics within the constitutional and ideological framework of the Islamic Republic after the 1979 Revolution. The article also investigates the legal significance of the 1981 and 2016 Party Laws, the authority of the Article 10 Commission, procedures for party registration and financing, and the mechanisms of state supervision over political organizations. The findings demonstrate that the Iranian party system has developed as a distinctive institutional model in which political participation and competition are regulated through a combination of constitutional principles, administrative oversight, national security considerations, and the ideological foundations of the Islamic Republic.

Keywords: political parties, party system, legal foundations, administrative governance, Constitutional Revolution, Pahlavi era, Islamic Revolution, political pluralism, political institutions, party legislation.

Introduction: The emergence of political parties as legal entities in Iran's political history was directly associated with the Constitutional Revolution (Mashrūṭeh) of 1905–1911. Prior to this period, the Iranian legal system was based on the principles of absolute monarchy and Islamic law (sharia), within which neither political associations nor parties possessed any formal legal status. The Constitution promulgated in 1906, together with the Supplementary Fundamental Laws adopted in 1907, established the legal foundations for the development of party politics in Iran. Article 21 of the 1907 Supplementary Fundamental Laws occupies a fundamental place in Iranian party studies, stipulating that "societies and associations may be established throughout the country, provided that they do not give rise to disorder and do not advocate apostasy from religion" [20, p. 56]. This normative restriction demonstrates that, from its earliest stage, the concept of political freedom in Iran was legally institutionalized through the framework of national-religious values and the preservation of public order.

Administratively, no centralized system for the registration of political parties existed during this period. Political organizations generally commenced their activities through a process of self-declaration, operating primarily in the form of associations (anjomans). According to scholarly assessments, while this administrative vacuum enabled parties to function relatively free from state control, it simultaneously weakened their legal protection. The Electoral Laws of 1906 and 1909 stimulated the administrative formation of parties within the parliamentary structure. Although the early elections retained a corporatist character and did not require the articulation of party programs,

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by the period of the Second Majlis political parties had gained legal recognition in the form of parliamentary factions [3, p. 134]. The institutionalization of political parties within the legislative branch signified the activation of legal mechanisms of political pluralism in the Iranian system of governance.

The case of the Hezb-e Democrat-e Iran illustrates this process particularly well. The party possessed a comprehensive statute that legally regulated administrative centralization, membership fees, and the activities of regional branches. In contrast, the Ejtemāʿiyūn-e Eʿtedāliyūn Party relied on the support of the ulama and sought, through its ideological program, to maintain a balance between Islamic traditions and parliamentary pluralism [15, p. 89]. This development demonstrates that Iranian political parties evolved not merely as political organizations, but also as institutions capable of legally mediating and balancing the interests of various social strata within society.

Indeed, one of the distinctive administrative characteristics of this period was that political parties assumed certain governing functions not only in the capital, Tehran, but also in the provinces through their local councils. One of the principal administrative foundations of party activity was the Press Law enacted in 1908. This legislation granted political parties the right to publish official newspapers and journals [6, p. 212]. The establishment of official press organs by political parties provided a legal basis for their communication with society as public-law entities and strengthened their role within the emerging sphere of political participation.

However, by the final years of the Qajar period, these legal foundations had been weakened as a result of foreign intervention. The dissolution of the parliament in 1911 and the subsequent military disturbances effectively brought the administrative activities of political parties to a halt. As S. Aliev has argued, party pluralism during the Qajar era was largely made possible by the absence of a strong central authority [13, p. 47]. It can therefore be concluded that the party system of the Constitutional (Mashrūṭeh) period was less a stable, legally guaranteed framework than a product of temporary political opportunities created by revolutionary transformations. The legal foundations of political parties during the Qajar period emerged through a contentious compromise between liberal constitutionalism and Islamic normative principles. This period subsequently served as a distinctive "democratic precedent" for the stringent administrative restrictions that characterized the Pahlavi era.

The establishment of the Pahlavi dynasty in 1925 marked a fundamental turning point in Iran's legal and administrative order. Reza Shah's vision of "modernization and national unity" was premised upon eliminating the disorderly nature of partisan competition from the political arena. Consequently, the relative legal liberalism of the Qajar period was replaced by strict state control and administrative unitarism.

Material and methods: The most significant legal instrument restricting political party activity during the reign of Reza Shah was the Law on Collective Security and Anti-Communist Activities, enacted in June 1931. Although formally directed against communist ideology, the law effectively provided a legal basis for prohibiting all independent political associations [8, p. 114]. As S. Cronin has noted, this legal mechanism was designed, under the pretext of safeguarding state security, to curtail society's right to political self-organization. The enactment of this legislation demonstrates that the Iranian legal system underwent a formal transition from the principle of political pluralism to the doctrine of the primacy of state security.

According to Article 1 of the law, the establishment of "any association contrary to national interests and the foundations of the constitutional monarchy" was deemed a criminal offense. The ambiguity surrounding the concept of "national interests" effectively granted unlimited discretionary powers to the executive authorities, particularly the police, enabling them to dissolve any oppositional movement through administrative measures without judicial authorization. According to the analyses

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of H. Katouzian, this development contributed to the emergence of elements of an "administrative dictatorship" and led to the subordination of political institutions to the bureaucratic apparatus [10, p. 162]. Consequently, political parties lost their character as independent legal entities and were transformed into little more than ideological appendages of the regime.

During Reza Shah's reign, the registration and supervision of political parties were entrusted less to the Ministry of Interior than to the specialized departments of the police administration. The requirement that all public gatherings and meetings obtain prior police authorization signified the transfer of party activities from the sphere of legal regulation to that of administrative surveillance. In the mid-1920s, organizations such as Hezb-e Tajaddod and Hezb-e Iran-e Novin were initially utilized as administrative instruments to support the Shah's reform agenda. By the 1930s, however, even these "artificial" parties, despite their loyalty to the regime, were dissolved by the Shah himself.

As Ervand Abrahamian has observed, Reza Shah regarded political parties not as intermediaries between society and the state, but rather as divisive forces [1, p. 205]. Accordingly, he directed administrative resources not toward the development of political parties, but toward their elimination and the establishment of a system of direct military-bureaucratic governance. It may therefore be argued that during the first phase of Pahlavi rule, the legal foundations of party politics experienced an institutional crisis, while state administration became entirely subordinated to the will of the monarch and the coercive apparatus.

Although the Majlis formally remained in existence during this period, the activities of parliamentary factions were effectively subjected to legal "purges." Amendments to electoral regulations placed the candidate selection process entirely under the control of the army and police. In the parliamentary elections of the 1930s, party competition was virtually non-existent, as candidate lists were pre-approved by the central administration [5, p. 98]. According to F. Azimi, this process resulted in the legal degradation of the institution of parliamentarianism and transformed the legislative branch into a mere extension of the executive apparatus. This, in turn, indicates that political pluralism had entered into crisis not only in practice but also at the level of legal and political consciousness.

Indeed, during this period, the legal framework governing party politics was replaced by etatism, or state-centered governance. As the Russian scholar N. Mamedova has emphasized, the administrative demise of political parties under Reza Shah constituted part of a broader strategy aimed at forcibly unifying Iranian political consciousness around the institution of monarchy [15, p. 122]. Scholarly analyses suggest that this period of legal stagnation between 1925 and 1941 became one of the principal factors behind the "party explosion" that followed Reza Shah's abdication in 1941, when numerous political parties emerged within a relatively short period. This phenomenon demonstrates that political aspirations that had long been artificially suppressed underwent a rapid and profound transformation once a legal vacuum had emerged.

In conclusion, the reign of Reza Shah occupies a distinctive place in Iranian history as a period marked by the legal crisis and administrative repression of the party system. The repressive legislative framework established during this era was, to a considerable extent, preserved under the rule of Mohammad Reza Shah.

For analytical purposes, the reign of Mohammad Reza Shah (1941–1979) may be divided into two distinct phases. The period from 1941 to 1953 is characterized in Iranian history as a time when the legal foundations of political party activity shifted from the will of the monarch to that of the parliament. During these years, political parties not only re-emerged but also attained a level of influence that enabled them to exert a direct legal impact on major state decisions, including the process of oil nationalization. As the repressive apparatus inherited from the Reza Shah era weakened,

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the liberties enshrined in the 1906 Constitution began to function in practice. The new Press Law adopted in the early 1940s granted political parties the right to publicize their ideological platforms without significant restrictions. From an administrative perspective, the process of party registration was simplified, and the Ministry of Interior began issuing licenses largely on a notification basis [9, p. 182].

According to H. Katouzian, this period of legal liberalization provided Iranian society with a brief yet meaningful opportunity for the restoration of democratic institutions. In this respect, the era represented a temporary triumph of the model of legal pluralism within the framework of state governance.

Founded in 1941, the Tudeh Party was the first political organization in Iran to introduce a modern and hierarchical administrative structure. Its statutes and organizational framework were based on the disciplined model of a "mass party," representing a significant innovation within Iran's legal and political sphere [2, p. 76]. As Ervand Abrahamian has observed, the Tudeh Party's active engagement within the legal arena compelled the state to devise new administrative mechanisms for regulating party activities. This development contributed to the emergence of institutional discipline within Iranian party politics and ushered in a new stage in the interaction between political parties and the state.

Established in 1949 under the leadership of Mohammad Mossadegh, the National Front emerged less as a conventional political party than as a legal coalition encompassing diverse political groups, trade unions, and religious movements. Mossadegh's principal objective was to safeguard the Constitution and to legally constrain the Shah's interference in executive authority. The success of this coalition demonstrated that political pluralism in Iran had evolved beyond a mere ideological contest and had become an instrument for the lawful reform of the structure of state governance.

Result and discussions: The Law on the Nationalization of the Oil Industry, adopted by the Majlis in 1951, represented a legal victory for the parliamentary bloc led by the National Front [7, p. 128]. During this period, political parties transcended their role as electoral actors and attained the status of institutions capable of shaping the political will of the state in international legal disputes, particularly in the Anglo-Iranian case before the International Court of Justice at The Hague. Under the Mossadegh government, the draft Law on Amendments to the Electoral Law proposed in 1952 sought to remove the electoral process from the control of the Shah and the military and to place it under the supervision of civilian institutions [13, p. 215].

According to the analyses of S. Aliev, these reforms could have provided the legal foundations for the establishment of a stable democratic party system in Iran; however, external intervention interrupted this process. Consequently, this episode in Iranian legal history should be understood as a manifestation of the collision between a model of "pluralistic sovereignty" and the imperatives of international geopolitical interests.

The coup d'état of August 1953 brought the period of the "democratic interlude" to a legal end. Following the overthrow of the Mossadegh government, martial law was declared, and the activities of all political parties were suspended through administrative measures. In the aftermath of the coup, many members of both the Tudeh Party and the National Front were prosecuted under the provisions of the 1931 Anti-Communist Law and through newly established military tribunals [4, p. 310]. As A. Ansari has noted, during this period the legal framework governing political parties was replaced by a "security doctrine," and political pluralism increasingly came to be interpreted as a threat to state stability. This development indicates that party activity was effectively criminalized in the Iranian legal consciousness and that the administrative punitive apparatus became an instrument of political control.

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The years 1941–1953 represented the zenith of the legal foundations of party politics in Iran, grounded in the principles of pluralism and constitutionalism. Although many of the legal achievements and administrative experiences of this period were subsequently suppressed, they later served as an important ideological source for the revolutionary discourse of 1979. As the Russian scholar S. Aliev has argued, the Mossadegh era transformed the concept of the political party in Iran from an elitist club into a mass movement [13, p. 220]. The legal legacy of this period has retained fundamental significance for the development of the Iranian people's understanding of political subjectivity.

In the post-1953 period, political parties in Iran gradually lost their independent legal status and became administrative instruments designed to secure the legitimacy of monarchical authority. During this phase, the foundations of party law were based not on pluralism but on the doctrines of "national stability" and anti-communism, thereby excluding all unofficial political forces from the legal sphere.

The adoption of the law establishing the State Organization for Intelligence and National Security (SAVAK) in 1957 introduced an entirely new administrative dimension to the legal foundations of party activities. Through this legislation, SAVAK became more than merely an intelligence agency; it evolved into a "supreme administrative filter" responsible for registering political parties, reviewing their statutes, and supervising their meetings [12, p. 142]. According to M. Zonis, the process of licensing political activities was effectively transferred from the Ministry of Interior to SAVAK's mechanism of "political reliability" control. This development marked a major turning point in Iranian legal history, institutionalizing the replacement of party pluralism with administrative and police oversight.

From an administrative perspective, an artificial two-party system was introduced during this period. The establishment of the Melli and Mardum parties in 1957, initiated by the Shah, was not the result of the exercise of freedom of association but rather the product of an administrative directive issued by the state. The legal regulations governing these parties restricted their functions exclusively to supporting the monarchy. According to the analysis of J. Bill, this system created a form of "facade pluralism," whereby the appearance of party freedom was maintained on paper, while all substantive decisions were made by the royal court (Darbargāh) [7, p. 135]. Thus, the administrative foundations of this period were designed to transform political parties from entities representing societal interests into components of the state bureaucracy.

By the late 1960s and early 1970s, the legal space available for political party activity had become increasingly restricted. In 1975, Mohammad Reza Shah's decree dissolving all existing parties and establishing the single Rastakhiz Party inaugurated an era of "unitary party politics" in Iran. Although this decision contradicted the provisions of the 1906 Constitution concerning political freedoms, it was effectively legitimized through the doctrine of the "indivisibility of power." As H. Katouzian has observed, the creation of the Rastakhiz Party transformed the concept of a political party in Iran into one of compulsory membership within the state apparatus [11, p. 189].

Scholarly analyses indicate that the legal foundations of political party activity in Iran between 1953 and 1979 developed along two parallel trajectories. The first consisted of repressive legislation aimed at suppressing independent political organizations, while the second involved administrative regulations designed to support state-controlled artificial parties. According to the Russian scholar S. Aliev, the legal stagnation and administrative pressures of this period drove political aspirations from the formal legal sphere into clandestine channels [13, p. 312]. In conclusion, the legal and administrative framework governing party politics during the latter half of the Pahlavi era served to preserve monarchical stability through the elimination of pluralism; however, this legal crisis

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ultimately became one of the principal legal and political foundations of the revolutionary upheaval of 1979.

The Islamic Revolution of 1979 brought about a profound transformation not only in the political regime but also in the legal and normative paradigm within which political parties operated. Under the newly established system, party politics abandoned the model of "Western pluralism" and became embedded within the distinctive administrative framework of Islamic republicanism. During the initial years following the revolution, administrative mechanisms governing party activities were characterized by considerable fragmentation and polarization. In an effort to regulate and institutionalize this sphere, the Law on the Regulation of the Activities of Political Parties, Groups, Religious Associations, and Trade Unions was enacted on 31 August 1981. This legislation became the first and longest-standing administrative framework governing political parties in the history of the Islamic Republic of Iran.

Article 10 of this law established a special body known as the Article 10 Commission (Komisyon-e Maddeh-ye 10; کمیسیون ماده ۱۰), which became the principal instrument for defining and supervising the legal boundaries of political party activity. The Commission was endowed with extensive administrative powers, encompassing not only the issuance of official licenses but also the continuous monitoring of parties' compliance with national security requirements and Islamic norms. According to the analysis of G. Javad, the 1981 law functioned as a distinctive "administrative-legal shield" intended to protect the legal institutions of the revolutionary system from both internal and external threats. This normative transformation demonstrates that the principle of pluralism within Iran's legal order became fully subordinated to constitutional ideology and the primacy of state stability.

Another major turning point in Iranian party legislation came with the enactment of the revised law of 2016. This reform substantially increased both the quantitative and qualitative requirements imposed on the internal organizational and administrative structures of political parties. In particular, the new legal provisions stipulated that, in order to obtain recognition as a "national" political party, an organization was required to maintain official regional branches in at least one-third of the country's provinces. This legal restriction functioned as a stringent filtering mechanism aimed at eliminating the influence of so-called "street parties" or "apartment parties," namely small political groups lacking a stable social and legal base.

As political scientist A. Sharifi has argued, the legislative reforms of 2016 represented a strategic effort to transform Iran's fragmented party landscape into a "professional party arena" while simultaneously centralizing state oversight [16, p. 117]. Although these reforms contributed administratively to the consolidation of political parties and enhanced their institutional accountability, they also imposed legal constraints on the ability of smaller socio-political movements to secure representation and maintain a voice within the formal political sphere.

The 2016 law imposed upon the concept of a political party in Iran not only ideological obligations but also stringent organizational, legal, and administrative requirements. In particular, Articles 2 and 6 established clear legal criteria for the classification of political parties and the assessment of the scope of their activities. While Article 2 provided legal definitions of political parties, associations, and groups, Article 6 categorized political organizations into two levels according to their administrative reach: national and provincial organizations [19, p. 35]. In order to retain its license, a national-level party is legally required to maintain permanent offices in at least ten provinces and to register no fewer than twenty official members in each regional branch. This administrative measure should be regarded as a fundamental legal mechanism that transformed the traditional perception of a political party as merely an elite club centered in Tehran, compelling

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political organizations to establish stable and legally recognized administrative hierarchies throughout the country.

Article 9 of the 2016 law possesses particular administrative and legal significance with regard to the composition of political parties. Through restrictions on legal capacity, this provision enables the state to exercise control over the "institutional integrity" of the political elite. Pursuant to Article 9, the following categories of individuals are legally prohibited from establishing political parties or being elected to their governing bodies:

former personnel of SAVAK and high-ranking state officials of the Pahlavi monarchy;

individuals deprived of civil and social rights by judicial decision;

active members of the armed forces, law enforcement agencies, and security institutions.

According to the legal analysis of A. Sharifi, this provision constitutes a distinctive "meritocratic and security filter" within the revolutionary legal system of Iran [17, p. 17]. The normative substance of these restrictions demonstrates that Iranian party legislation performs not only the function of safeguarding contemporary political stability, but also a preventive legal function aimed at obstructing the reintegration of elements associated with previous regimes or coercive institutions into the political sphere through administrative and legal means.

The economic foundations of political organizations are regulated administratively through Article 16 of the law. This provision strictly limits the permissible sources of party financing and establishes the following hierarchy of lawful revenues:

regular membership dues paid by party members;

voluntary donations from domestic individuals, exclusively citizens of the Islamic Republic of Iran;

lawful income derived from the management of party-owned assets;

state subsidies approved by the Islamic Consultative Assembly (Majles).

The most stringent legal imperative embodied in this provision is the absolute prohibition on receiving material or financial assistance in any form from foreign governments, international organizations, or foreign nationals. Should such a violation be established, it constitutes one of the gravest administrative and legal offenses, providing sufficient grounds for the revocation of a party's license [17, p. 18]. This regulatory framework reflects the state's firm administrative and legal commitment to protecting the subsouvereign status of domestic party actors and preserving the national legal sphere from external financial and political influence.

Articles 18 and 19 of the law regulate the sanctioning powers of the Article 10 Commission for the Supervision of Political Parties and establish the mechanisms for imposing legal liability. The hierarchy of administrative sanctions available to the Commission includes the following measures:

the issuance of an official written warning requiring the rectification of legal violations;

the temporary suspension of party activities for a specified period;

the submission of a final recommendation to the judicial authorities for the complete revocation of the party's license.

The legal concepts contained in Article 18, such as "undermining national unity" or "establishing relations with foreign intelligence organizations," are formulated in broad terms and have generated considerable doctrinal debate among legal scholars. This is due to the absence of clearly defined legal criteria, allowing these provisions to be interpreted differently depending on prevailing circumstances and the approaches adopted by administrative authorities. Consequently, this framework creates a legal basis whereby the boundaries of political pluralism are determined not solely by law, but also by the discretionary authority of administrative and socio-political supervisory institutions.

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One of the most significant innovations introduced by the legislative reforms of 2016 was the legal regulation, for the first time, of electoral alliances and coalitions among political parties. Pursuant to Article 21 of the law, parties entering into coalition agreements are required to officially notify the Ministry of Interior and to designate, in legal terms, a responsible representative who assumes administrative liability for the coalition's activities [19, p. 35]. This provision constitutes an administrative mechanism intended to place coalition politics within a legal framework and to prevent unexpected political realignments during electoral processes.

In conclusion, the fundamental legal characteristic of Iran's contemporary party system lies in the principle that all lawful political actors must maintain absolute loyalty to the institution of Velayat-e Faqih (Guardianship of the Jurist). From a constitutional and legal perspective, no political party possesses the right to challenge or call into question this foundational doctrine. As A. A. Alikhani has argued, this legal restriction has given rise to a distinctive model of "competitive pluralism within the system" in Iran [18, p. 205]. In other words, legal and administrative competition among political parties is not directed toward altering the structure of governance or transforming the macro-political order. Rather, it is confined to the distribution of resources within the existing system and to maintaining the balance between the two principal political-administrative currents – reformists and conservatives – in their respective ideological orientations.

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