

The Parliament

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- Iran's Islamic Consultative Assembly (*Majles-e Shoraye Eslami* or *Majles*, for short) has long been an arena for heated policy debates.
- The 290-member parliament is weak compared with the presidency, as well as with the non-elected institutions such as the 12-member Guardian Council and the supreme leader's office.
- The Majles has been further weakened by the absence of conventional political parties and high turnover of members.
- The Majles has forced a degree of accountability on the executive branch through its powers over the budget, confirmation or impeachment of ministers, and interpellation, or issuing formal questions that the government is required to answer.
- Iran's parliaments have always been diverse, including women and many ethnic minorities. It also designates five seats for religious minorities, including Jews, Christians and Zoroastrians, proportionate to their populations.
- The next parliamentary election will be held in February 2016 and is expected to be highly contested. It will occur in conjunction with the election for the Assembly of Experts whose eight-year electoral cycle was delayed in order to make elections in Iran every two years instead of almost yearly.

Overview

The legislative branch in Iran has had a turbulent history since the first National Consultative Assembly was formed in 1906 during the Constitutional Revolution. The monarch saw the legislature as a way to limit his authority, while clerics were uncomfortable with new laws being passed without their supervision. The 1979 revolution revived this tension. Iran's Islamic constitution created two bodies that reflected the Islamic and republican nature of the new state: It created a popularly elected unicameral Majles, or parliament. It also called for a Guardian Council made up of 12 appointed Islamic jurists to supervise parliament.

But the mix of popular sovereignty and religious supervision has often been fraught with problems. The Guardian Council repeatedly vetoed parliamentary candidates as well as legislation in the name of either Islam or the constitution. And parliament's

reluctance to reformulate legislation to accommodate the Guardian Council often produced legislative deadlock.

The impasse led revolutionary leader Ayatollah Ruhollah Khomeini in 1988 to establish a third body to resolve disputes. Its formal name is the Council for the Discernment of the Interest of the Islamic Order, although it is generally referred to as the Expediency Council. The new institution has been headed by former president Akbar Hashemi Rafsanjani since its inception. This three-tier legislative process is designed to overcome any impasse, but often only further slows the passage of new laws.

Increasing conflicts between the legislative and executive branches during the last years of Mahmoud Ahmadinejad's presidency led Ayatollah Ali Khamenei to establish the Supreme Commission for the Resolution and of Conflicts and Regulation of Relations among the Three Branches in 2011. This commission, headed by the former judiciary chief Mahmoud Hashemi Shahroudi, has no independent constitutional standing. Its authority derives from Article 10, Section 7 of the constitution, delegated to the commission by the supreme leader.

Outlet for diversity

Despite the authoritarian political setting, Iran's Majles has long served as the one public outlet for political differences. Debates have been feisty. Criticism of government performance has been blunt. Parliaments have rejected ministerial candidates or impeached ministers of Presidents Rafsanjani, Mohammad Khatami, Ahmadinejad and Hassan Rouhani. By Middle East standards, the persistence and vitality of Iran's Majles has been somewhat remarkable.

Highly contested elections have been held at regular four-year intervals, even if in a flawed and manipulative manner. The Guardian Council controls who runs through its powers to vet candidates' qualifications, which has often led to charges of election engineering. The council has even disqualified incumbents so they cannot run again. Voter participation has varied significantly, yet the (official) turnout has not dropped below 50 percent. More than 71 percent turned out for the highly contested 1996 election.

The unicameral parliament initially had 270 members, but increased to 290 in 2000. Article 64 of the constitution allows for an increase of up to 20 deputies every 10 years based on population increases. But despite several legislations in the past decade, the increase has failed to materialize. Deputies represent 207 districts. Five seats are allocated to religious minorities: two Christian Armenians, one Assyrian-Chaldean Christian, one Jew and one Zoroastrian. Districts with large populations have multiple seats. All nine parliaments have had female members. The largest and most important

district is Tehran, which has 30 seats. The original voting age was 15. But in 2008 the voting age was raised to 18, and the minimum age for deputies is now 30.

Nine parliaments

The Islamic Republic has had nine Majles sessions. Except for the eighth and ninth Majles, transitions have generally entailed a change in political make-up.

- The **first parliament** (1980-1984) was the most eclectic. It included deputies from the liberal Freedom Movement, which was later banned.
- The **second parliament** (1984-1988) was almost completely taken over by the cleric-dominated Islamic Republican Party (IRP). But divisions within the IRP created a raucous and feisty atmosphere.
- The **third parliament** (1988-1992) was elected after a split among clerical groups and the 1986 disbanding of the IRP, so the new members mostly came from groups on the left of the political spectrum.
- Candidates for the **fourth parliament** (1992-1996) were heavily vetted by the Guardian Council, which paved the way for a takeover by conservative forces.
- The highly contentious election for the **fifth parliament** (1996-2000) created a Majles with relative balance between conservatives and a new political centrist organization called the Servants of Construction.
- This balance gave way to a decisive victory by reformists in the 2000 election for the **sixth parliament** (2000-2004).
- The Guardian Council's wholesale disqualification of reformist candidates, including sitting reformist lawmakers of the sixth parliament, set the stage for the return of conservatives to power in the **seventh parliament** (2004-2008).
- The conservative dominance continued in the **eighth parliament** (2008-2012), again through aggressive vetting of reformist candidates by the Guardian Council.
- The election for the **ninth parliament** (2012-) witnessed competition between two conservative coalitions and occurred in the midst of continued aggressive vetting and several key reformist parties' decision not to participate. Voter apathy and mistrust lingering from the disputed 2009 presidential election and the political crackdown that occurred afterward also impacted results, particularly in large cities like Tehran. Elections for almost a third of the seats had to go to the second round between the two top candidates since no candidate was able to receive the minimum 25 percent of the vote. Eventually, the more moderate conservative coalition, the United Principlist Front, did better throughout the country, assuring the reelection of its leader Ali Larijani as Speaker. Nevertheless, hardliners managed to form a boisterous and active minority bloc that later challenged several of President Rouhani's appointments and policies.

Membership trends

One of the most notable trends has been the decreasing participation of clerics in the legislative process. The first and second parliaments had well over 100 clerics. Their numbers dropped to below 100 in the third parliament and the trend has continued. The sixth parliament, elected in 2000 and dominated by reformists, had only 35 clerics. In subsequent seventh and eighth parliaments, dominated by conservatives and hardliners, the number of clerics increased slightly to above 40. But the ninth parliament, also dominated by conservatives and hardliners, only has 27 clerics.

The second notable trend is that the decline in the number of clerics has coincided with a rise in the number of deputies with backgrounds in the Islamic Revolutionary Guard Corps (IRGC). Some merely served in the IRGC during the Iran-Iraq War in the 1980s, while others continued to serve in command positions after the war. But the growing presence of MPs with IRGC backgrounds is still far from the clerical dominance of the 1980s.

Majles powers

On paper, the Majles is endowed with broad prerogatives, including:

- Drafting legislation
- Ratifying international treaties
- Approving state-of-emergency declarations
- Approving foreign loans
- Examining and approving the annual budget
- Investigating all national affairs
- Approving a cabinet request for proclamation of martial law
- Removing cabinet ministers from office
- Recommending to the supreme leader that the president should be removed on the basis of political incompetence.

In practice, the Majles has been particularly active in examining the yearly budget, approving proposed candidates to head various ministries, and questioning cabinet ministers. The ninth Majles, for instance, has rejected several of Rouhani's proposed ministerial candidates, has grilled his ministers – including Foreign Minister Mohammad Javad Zarif on nuclear talks – and impeached and removed his minister of sciences, research, and technology.

The Majles also has supervisory and investigative powers. The affiliated Supreme Audit Court supervises governmental spending. Investigative powers allow parliament to deal with the complaints of the public against government organizations.

The Majles' powers have often created conflict with the executive branch, except between 2000 and 2004 when reformers controlled both the presidency and parliament. During those four years, the main political conflict pitted the government's elected branches against its unelected offices.

Institutional rivalries

In practice, however, parliament faces many constraints. The Majles no longer has the power to investigate unelected institutions, such as the Guardian Council. And the investigation of any institution under the control of the supreme leader, such as the state-controlled media, requires his approval. The constitution also limits parliament's power by requiring the Guardian Council to confirm the constitutionality and Islamic nature of any new law, which has not come easily on issues as varied as property rights and foreign investment. The council has also resisted parliamentary attempts at substantive political reform.

Parliament has faced other obstacles. The supreme leader's office has intervened in the legislative process through a mechanism called the "state order." The supreme leader's most controversial intervention was in mid-2000, when he ordered a bill proposing to reform Iran's repressive press laws be removed from the docket.

Two other institutions – the High Council of Cultural Revolution and the Supreme National Security Council – have found ways to get around Majles' exclusive legislative role. On foreign policy, the National Security Council has occasionally acted in direct opposition to explicit legislative mandates. At other times, it has pushed parliament to pass resolutions in favor of its decisions, notably its negotiating positions on nuclear issues.

Political limitations

Parliament has also been weakened by domestic political dynamics, particularly the absence of well-developed parties and the constant change in members. Iran's political parties have been more like elite blocs with limited membership formed as vehicles for particular elections. Once in the Majles, various political cliques or tendencies have operated as factions, which form into fluid majority and minority coalitions. But these coalitions have also been difficult to discipline. And individual members have proven susceptible to outside influence.

The high turnover of deputies is reflected in the low incumbency return rate, which has averaged approximately 30 percent in parliament's nine elections. The disqualification of sitting members by the Guardian Council has contributed to the high turnover. But voters have also punished deputies who have been unable to bring projects to their

districts. In some provinces, clan rivalries also led to a rotation of the local Majles slot from one clan to another.

Disputes over priorities have also played a role. Deputies from larger cities have been mostly concerned with bigger political, economic and cultural issues, while deputies from smaller cities have been more interested in getting government resources to help develop their districts. The executive branch has often played to those differences. Strong presidents, such as Rafsanjani and Ahmadinejad, have often treated parliament as a nuisance and tried to bypass, contain or co-opt its members.

Rouhani's relationship with the parliament has been mediated by his good relationship with Speaker Larijani, who has been supportive of the president's economic and foreign policies. But the speaker's powers have not been sufficient to control all the attacks launched by a block of active and loud hardline deputies who have repeatedly grilled Rouhani's ministers and used their podium in the Majles to question his policies.

Trend Lines

- The Majles will continue to be an arena of raucous interaction and confrontation with both elected and non-elected bodies. But parliament's relevance will ultimately be determined by its ability to challenge the executive branch and implement the laws it passes.
- The elected parliament's reliance on non-elected bodies, such as the office of the supreme leader, to resolve conflicts with the elected president enhances the powers of non-elected bodies.
- Any move towards a more democratic Iran must address parliament's institutional and political weaknesses enshrined in the current constitution.
- Following the 2013 presidential election, which brought into power a president supported by an alliance of centrists and reformists, the 2016 parliamentary election will be highly competitive. Reformists are likely to reenter the contest despite the continued aggressive vetting of the Guardian Council.

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