Chapter 5
Parliamentary Bills and Power Struggle

This chapter mainly deals with the important reform bills that were presented to the Majlis during the two terms of Muhammad Khatami as the President. This chapter is divided into three sections. The first section ("The Role of Majlis in Iranian Politics") positions the Iranian Parliament into the overall Iranian political system. The second section ("Prominent Bills during Khatami Era") brings the case study of Khatami period to the next important level by enlisting his important reform bills. Two such bills are worth mentioning in detail. These are (1) The Press Law and (2) The Twin Bills. These two bills are chosen since they exemplify most clearly the whole political dynamics of the Iranian politics. They are, thus, analyzed in an exhaustive manner.

The reform bills are important focal points in understanding the power struggle dynamics of Iranian politics, particularly during Khatami era. Apart from the description of such bills, and the circumstances in which they were presented, it is also quite insightful to focus on the actual motivations behind their presentation. This approach brings forth the ensuing power politics revolving around them. This aspect is the subject matter of the last section ("Reform Bills and Power Struggle") of this chapter.

I. The Role of Majlis in Iranian Politics

Although the elected representatives do not have as much power in the unique Iranian political system as their unelected counterparts, these elected bodies are important. The Majlis (Parliament) is one such institution apart from the President. The elections are held on regular basis for the Majlis. The results of such elections play an important role of providing the political inputs to the system.

Further, the Majlis also serves as a platform for the expression of different interests and voices. Therefore, the political activities happening in and around the Majlis are
important and accordingly this important institution has been given due consideration in this section.

The legislative authority is assigned to the ‘Majlis’, which is unicameral. Its members serve four-year terms. According to the original constitution of 1979, there was also a provision of a prime minister. However, as part of the basic law revisions approved by a referendum in July 1989, the post of the prime minister was eliminated. The president has been authorized to appoint members of the council of ministers. This appointment, however, is subject to the legislative approval. The Majlis has also been empowered to impeach the president by a one-third vote of its members (Banks 1998: 431).

“The system outlined in the 1979 Constitution gave considerable scope for real politics (Murden 2002: 173).” Although, the wishes of the theocratic institutions prevailed, “neither the Supreme Leader nor the Council of Guardians could dominate policy outcomes (Ibid.).” Majlis has played important role in shaping the legislation on regular basis. It has made itself significant by voting to reject several government proposals. One important function of the Majlis is that it monitors the business of the cabinet. It can also throw out cabinet ministers. In the highly contested domain of Iranian politics, “the Majlis was more than a rubber stamp and within limited bounds was a forum for the representation of different beliefs and interests (Ibid.).”

It is significant that in a state which is largely authoritarian in nature, the Majlis is elected on the basis of universal suffrage (Ibid.). However, the Guardians Council works as the oversight body to the Majlis. Dominated by the clergymen, the Guardians Council makes sure that all the legislations conform to the Islamic injunctions. “Women had taken a step back in many respects, but they were given the right to vote in elections and to stand as candidates for the Majlis (Ibid.).” The religious minorities, Zoroastrians and Jews, were also given the right to be represented in the Majlis. “Universal suffrage was a breakthrough in such a rigorous Islamic state (Ibid.).”

The first decade of the Islamic Republic witnessed a lot of disagreements over policy between the Majlis and the Guardians Council which often reached deadlock. A Council
for the Expediency of Stated Decrees was created in February 1988 to mediate such differences between the ‘Majlis’ and the Guardians Council (Banks 1998: 431). The Expediency Council is composed of six clerics and seven senior governmental officials.

The struggle for political power that was witnessed during Khatami period was often brought to the theatre of Majlis. When the reformists tried to pass various reform measures, there was a lot of action revolving around the Majlis. In the following section we capture some of the prominent bills that were sought to be passed by the reformists during Khatami era.

II. Prominent Bills during Khatami Era

Amendments to the Press Law

The Press Law had become a political tool in the hands of the warring factions. When Khatami assumed power in May 1997, the Majlis was dominated by the conservatives. Therefore, Khatami’s attempt of reforms was countered by the conservatives in association with the Majlis. Khatami was using the press to propagate his reform programmes.

Hence the conservatives sought to make such amendments to the Press Law which would pose further restrictions on the press. Due to the dominance of the conservatives in the Fifth Majlis, when the first draft of the bill dealing with changes in the Press Law was put to vote, it received 125 votes out of 215 deputies present. Just 90 members were against the bill at that time. “Some parliamentarians found this an extremely restrictive law, while others defended it with equal zeal (Mashiati, 8 July 1999).”

The reformists showed their opposition by arguing that “the bill was against the freedom of press” and therefore it was not right to deprive the people of this “God-given right (Ibid.).” They argued that Islam was based on the respect for the rights of human beings; therefore such restrictions were entirely wrong (Ibid.). However, the conservatives went along with such restrictive amendments. It was widely believed that even if such restrictive bills were passed finally, they were unlikely to stay, since the subsequent
Majlis would reverse such restrictions. It was so believed since the landslide victory of Khatami had instilled hopes in the reformists that they would also capture the subsequent Majlis.

The editor of the weekly *Arzeshha* (Values), Masoud Rezaie, also argued that various factions were using the Press Law as a political weapon (Ibid.). Rezaie had said, “Almost all suggestions or rough drafts eventually lead to partisan political wrangling, and this is an unfortunate situation which has befallen our press specifically and the nation in general (Ibid.).” It was pointed out that almost all people involved in the process of review of the bill were weighing their options with an eye on “the political ramifications of the amendments instead of weighing the suggestion on their merit (Ibid.).”

Rezaie also expressed his fear related to that provision of the bill which required journalists to divulge the identity of their sources. He said, “Without any doubt this part of the bill would discredit the press and is not a healthy thing as far as the press is concerned (Ibid.).” Notwithstanding such fears, the conservative dominated Fifth Majlis passed that bill. However, the February 2000 election for the Sixth Majlis resulted in the victory of the reformists and they were now in the majority in the legislature. Therefore, after capturing the Majlis, according to their electoral promises, the reformists immediately tabled a motion to make another amendment to the Press Law (Menashri 2001: 140 in Siddiqi 2006). The difference this time was that the amendments were sought to be made to remove the restrictions on the press that were imposed by the previous amendment.

This way, “in less than two months, MPs in the Sixth Majlis had proposed a new amendment, saying that the previous one could not meet the needs of the Islamic Republic system and did not provide security and freedom of the press (Tehran Times, 3 August 2000).” This bill was considered as important since “if approved, this new bill would have eliminated parts of the law in which the writer or provider of an article, aside from the managing director of the daily, were to be held responsible for the article (Ibid.).” However, the reformists had to face yet another challenge.
This new challenge came from unexpected quarters. As soon as the Majlis started debating the bill, the Supreme Leader Ayatollah Khamenei intervened. On August 6, 2000, the Supreme Leader “demanded” the immediate withdrawal of the bill from the Majlis (Menashri 2001: 319-20 in Siddiqi 2006). In a letter to the Majlis, Ayatollah Khamenei warned:

“Should the enemies of Islam, the revolution and the Islamic system take over or infiltrate the press, a great danger would threaten the security, unity and the faith of the people and, therefore, I cannot allow myself and other officials to keep quiet in respect the appearing of this great calamity, and [therefore], its interpretation [amendment] and similar actions that have been anticipated by the Majlis committee are not legitimate and not in the interest of the country and the system.” (IRNA, 6 August 2000 in Samii 2004: 413)

This way, any progress with the bill was suddenly halted as the Speaker of the Majlis Mahdi Karrubi was forced to comply. He explained his position by saying, that it was his “duty to obey the leader’s order (Menashri 2001: 319-20 in Siddiqi 2006).” Ayatollah Khamenei’s action had surprised many. “Given that the Guardian Council and Expediency Council were both likely to block the bill, Khamenei’s intervention was hardly necessary. The fact that he chose to do so sent a very clear message of who was really in charge, despite the outcome of the popular elections (Siddiqi 2006).”

This letter evoked strong reactions in the chamber and resulted in a walkout by the reformist deputies. Still, some parliamentarians such as Elahe Kulyai expressed some hopes. He said, “With regard to the view-points of the eminent leader [Khamenei], there is a diversity of views. So, the possibility of the renewed decision on the reading of the bill on the amendment to the press law is not totally non-existent (Bahar, 8 August 2000 in Samii 2004: 413).” They were hoping that the bill would be reviewed and “probably would be resubmitted (Hayat-i No, 8 August 2000 in Samii 2004: 413).”

Subsequently, in November 2000, when the Guardians Council and the Majlis could not resolve their differences, the bill was sent to the Expediency Council (IRNA, 8 November 2000 in Samii 2004: 414). However, no breakthrough could be made. The reformist Majlis made still another attempt to amend the press law in January 2003 by
making some significant changes. Still, the Guardians Council declined to approve the bill in that state, citing Khamenei’s August 2000 letter to the legislature (Aftab-i Yazd, 10 November 2003 in Samii 2004: 414). This way, the reformists could not get their wishes prevailed. The new bill, if passed, would have made press free from many restrictions that were imposed on it. However, this could not be achieved since the conservatives were pitted intensely against the reformists in their power struggle.

The Twin Bills

Khatami and his reformist associates attempted to fight back their conservative rivals in the latter half of 2002 with the two legislations known collectively as the “twin bills” (Samii 2004: 416). This was “an impressive move” of the president which was designed to enhance the power of the presidency while limiting the ability of the Guardians Council in terms of vetting of candidates for public offices (Takeyh 2003: 49).

The first hint of these legislative proposals had come when Khatami had expressed his concerns about the continued difficulties that he was encountering while implementing his reforms (Samii 2004: 416). In August 2002, Khatami formally announced his intention to introduce the twin bills “in order to respond better to the aspirations of the people (Tehran Times, 21 July 2003).”

Khatami had showed his optimism about the passage of these bills by stating, “The Guardian Council can either say a bill is against Islam or the constitution. The bill I’ll present is part of the constitution and it is definitely not against Islam (Moaveni 2002 in Siddiqi 2006).” He had also said, “My repeated warnings against violating the constitution have been ignored (Takeyh 2003: 49).” Therefore, the only option left for him was to bring out some institutional changes, which he sought to achieve through these legislations.

The reformists had further warned their conservative rivals that if either the Guardians Council or the Expediency Council disapproved the bills, they would go for a referendum and if even the referendum was vetoed by the Supreme Leader, then the reformist officials would collectively resign causing “a crisis of legitimacy for the regime
However, the subsequent events showed that such optimism of the reformist officials were quite unrealistic. Before proceeding with those events, we first give here a brief introduction of the proposed legislations which were called the “Elections Law Amendment Bill” and the “Presidential Empowerment Bill” respectively.

### Elections Law Amendment Bill

First of the twin bills was called the ‘Elections Law Amendment Bill’. However, this bill was directed towards curbing the power of the Guardians Council. This bill was introduced on September 1, 2002 by the Vice President for Legal and Parliamentary Affairs Hojatoleslam Muhammad Ali Abtahi (IRNA, 1 September 2002 in Samii 2004: 416). “Its objective was to eliminate or at least reduce the Guardians Council’s power of ‘approbatory supervision’ through which the council rejected candidates for elected office (Samii 2004: 416).” The ‘approbatory supervision’ clause had always been controversial in the Iranian politics and hence the reformists were expecting a strong reaction from the conservatives.

Therefore, the Speaker of the Majlis, Mahdi Karrubi made a general request for the scrutiny of this bill “in a tranquil atmosphere free of accusations and counteraccusations (Tehran Times, 5 September 2002).” Karrubi also urged the media and the press to analyse the bill impartially so that the process of legislation could be carried out smoothly. He had also hoped that the bill would be approved by the Guardians Council without being referred to the Expediency Council (Ibid.).

### Presidential Empowerment Bill

The second of the twin bills was called the ‘Presidential Empowerment Bill’. This bill was directed towards enhancing the authority of the President and was submitted in September 24, 2002. The proposed legislation, if passed, would have given the President the power of warning or punishing the officials in the three branches of the government, the executive, the legislature and the judiciary. There was also a provision in this bill for the constitution of a special committee with the power of overruling the court verdicts
This bill too, was bound to attract strong opposition from the conservatives.

Naturally, the conservatives reacted sharply on the provisions of this bill. They called this bill as controversial and asked the reformist not to raise such issues and focus on the economic problems instead (Tehran Times, 9 November 2002). However, the reformists went ahead despite such allegations and the Majlis joint commission, which was assigned to debate the Presidential Empowerment Bill, held the opinion that the bill did not contradict the Constitution. It even expressed that the bill could have incorporated further authorities for the president (Tehran Times, 30 October 2002).

The Controversy over the Twin Bills

The introduction of the twin bills was seen as an important step towards Khatami's reforms. The twin bills were adopted by the Majlis in November 2002. The debate on the drafts of the bills was carried live on Iranian state radio and when it was put to the vote it got overwhelming support from the Majlis which was dominated by the reformists at that time (BBC News, 10 November 2002). However, the bills still had to go a long way before becoming law and that seemed a remote possibility.

The reformists were supporting these bills with great energy. In course of the power struggle between the reformists and the conservatives, many reformists had been imprisoned after going through the trials. Khatami had termed such imprisonment as unconstitutional and if the Presidential Empowerment Bill became law, it would have enabled him to change that situation. The bill promised long term changes such as enabling the law to strip judges of their office and stop practices such as trials occurring without a jury or behind closed doors. Khatami had reiterated that the bill would enable him to "better respond to the aspirations of the people" who voted him in as president (Ibid.). Conservatives, on the other hand, accused Khatami of attempting to assume dictatorial powers through this bill.

Defending his Elections Law Amendment Bill, Khatami said that that this reform was necessary for the establishment of democracy and the rule of law. "However, there was
little sign that the 12-member Guardian Council ... were likely to vote to limit their own powers (Ibid.).” As it was feared, in early April 2003 the Guardians Council “rejected the bill on amendment to the election law, citing 39 violations of the constitution and seven of Islamic law (Yas-i No, 5 April 2003 in Samii 2004: 416).”

Again, in early May, the Guardians Council rejected the Presidential Empowerment Bill, citing violations of 15 articles of the constitution and sent it back to the Parliament (IRNA, 9 May 2003 in Samii 2004: 417). However, the Speaker of the Parliament, Mahdi Karrubi expressed his belief that a compromise on the bill could be reached between the Guardians Council and Majlis. Karrubi said, “I believe that this problem must be resolved between Majlis and the Guardian Council (Tehran Times, 24 May 2003).”

However, President Khatami reacted strongly to the Guardians Council’s rejection of his twin bills. He described this move of Guardians Council as “unacceptable”. He further said, “I am against rejecting the bills. They were the minimum requirements for running the country’s affairs (Ibid.).” Khatami also showed his grief by saying, “In their proposed amendments to the bill, the Guardian Council has limited the presidential powers to an extent that in certain respects the authority of the president is much less than that of an ordinary citizen (Ibid.).” Khatami argued that without the spirit of this bill, the president’s works would be difficult to be carried out.

In the meantime, the government spokesman Abdollah Ramezanzadeh brushed aside the speculation that Khatami might resign to pressurise the conservatives. Ramezanzadeh said, “The administration of Khatami is very hopeful about the future of economic, social, and cultural progress and thus the issue of resignation is out of the question (Ibid.).” Karroubi favoured the referring of the bills to the Guardians Council again and for making necessary concessions. However, “the provocative question in the minds of political observers was what might come next if the Guardians Council still rejected the last possible reforms to the bills (Tehran Times, 21 July 2003, “Karroubi Urges Parliament to Move Fast Over Khatami’s Twin Bills”).”
Another option was to send them for the arbitration of the Expediency Council. However, President Khatami had ruled that out and instead hinted at a compromise. Khatami said, “I believe there is need at this phase to reach understanding with the esteemed Guardians Council (Ibid.).” Thereafter, the reformist members of the Majlis reaffirmed their commitment to defend the rights of the people and accordingly, the Majlis made modifications to the Elections Law Amendment Bill to reach a settlement with the Guardians Council (Tehran Times, 21 July 2003, “MPs Deliver Written Report to President on Twin Bills”). Khatami hoped that the dispute between the Majlis and the Guardians Council on the Elections Law Amendment Bill would be resolved before the elections for the seventh Majlis (Tehran Times, 14 August 2003).”

“The two pieces of legislation hailed as the last chance to save the Khatami presidency looked likely to fail as reformists came to terms with heavy defeats in the February 2003 municipal elections (McDowall, 2 May 2003: 11).” The election results left the reformists struggling to decide how to move forward amidst fears that “the people had lost faith in the political process (Ibid.).”

The reformists were now undecided and Khatami appeared unlikely to pursue the referendum. “Instead, there were signs he was prepared to negotiate on the two bills, watering them down to a level acceptable to the Guardian Council (Ibid.: 12).”

In the ensuing period, the Guardians Council was seen as adopting a “delaying strategy”. Still, the Majlis Speaker Mahdi Karrubi announced that it was working with the Majlis to make a breakthrough in ratifying the bills (Payvand 2003 in Siddiqi 2006). Eventually, the Guardians Council rejected the bills and by that time “much of Khatami’s momentum had been lost (Siddiqi 2006).”

It was too late for any showdown and therefore, in March 2004, two-and-a-half years after their submission, the reformists lost all hopes and the twin bills were withdrawn (IRNA, 17 March 2004 in Samii 2004: 417). With this, the last hope of the reformist to bring out any substantial change in the system was shattered.
Some Other Important Bills

Bill on Reforming Parliamentary Election Law

Article 99 of the Constitution of the Islamic Republic of Iran says: “The Guardians Council has the responsibility of supervising the elections of the Assembly of Experts for Leadership, the President of the Republic, the Islamic Consultative Assembly, and the direct recourse to popular opinion and referenda (Constitution of the Islamic Republic of Iran).” This article therefore gave the Guardians Council the right to supervise the elections. However, using this right, conservative Guardians Council had been vetting many reformist candidates and therefore the Guardians Council’s role of supervision became highly controversial.

The Guardians Council justified its actions by citing the Article 98, which gave the Guardians Council the authority to interpret the Constitution. Article 98 of the Iranian Constitution says: “The authority of the interpretation of the Constitution is vested with the Guardians Council, which is to be done with the consent of three-fourths of its members (Constitution of the Islamic Republic of Iran).” This way, the Guardians Council interpreted the ambiguous clause of ‘supervision’ according to its own suitability (Samii 2001: 658).

When Khatami assumed power in 1997, the fifth Majlis of that time was dominated by the conservatives. This Majlis was creating a lot of difficulties in his way of introducing reforms. Therefore, it was important for the reformists to capture the Parliament by winning more seats in the subsequent election. However, the Guardians Council was a threat as it used its power to deter most of the reformist candidates from contesting elections. Therefore, the reformists made an attempt to change the situation in their own favour by introducing a bill, which was called Bill on Amending and Reforming the Parliamentary Election Law.

The submission of this bill in September 1998 reopened the debate on “approbatory supervision (Samii 2001: 652).” The statement of the Interior Minister Musavi Lari regarding this bill made the intentions of the reformists amply clear. Referring to the bill the Minister had said:
"A bill has been presented to the Majlis to abolish approbatory supervision. According to the bill, while we accept the decisions of the Guardians Council in all regards, there must be a clear line between supervision and execution. It should not be that the supervisor acts like the executive, or the executive acts instead of the supervisor." (Khordad, 10 May 1999 in Samii 2001: 652)

Due to its promises, the bill was welcomed by the reformists. The passage of this bill would have resulted in the permission of a more diverse range of candidates to run for the sixth parliament. There was even some unrealistic optimism, as illustrated by a statement of a reformist journalist who predicted that parliamentarians would approve the bill because they “have gained a correct understanding of the conditions in society (Khordad, 11 May 1999 in Samii 2001: 652).” The reformists were hoping that the bill would be passed due to the reform wave that was witnessed during the time.

However, the conservative dominated Majlis did not show encouraging signs. The reformists had to make special efforts just for the inclusion of the debate on the bill on the agenda of the Majlis. Further, many months had lapsed since the presentation of the bill and the Councils and Domestic Affairs Commission of Majlis had yet to offer its report to the Majlis (Tehran Times, 22 April 1999). Ultimately, when the bill was voted on in August 1999, the Majlis “approved a version of the bill that gave the Guardians Council supervisory powers in every stage of parliamentary elections (IRNA, 11 August 1999 in Samii 2001: 653).” Strangely enough, contrary to the expectations of the reformists, “the new election law even expanded the Guardian Council’s power (Samii 2001: 654).”

This way, the new law, as approved at the end of September, 1999, provided the Guardians Council the authority to “disqualify any candidate for the parliament who commits any type of offence – or any offence which may affect the outcome of the election – and declare the election null and void (Vision of the Islamic Republic of Iran, Network 1, 28 September 1999 in Samii 2001: 654).” This way, the fifth Majlis further “strengthened approbatory supervision (Samii 2001: 658).” The failure of the reformists to get this law passed in their own favour had caused them a lot of troubles during the subsequent elections.
The New Five Year Plan
Unlike his political reforms, President Muhammad Khatami did not face much challenge in passing his economic reform measures. The economy was in a bad shape due to the problems faced by the earlier years. Therefore, President Khatami introduced a “new five-year plan (Siddiqi 2006)” to the Majlis on 15 September 1999.

This new plan had many positive features and was devised for the period from 2000-2004. Through this plan, Khatami had sought to introduce economic reforms including “an ambitious program to privatize several major industries ...the creation of 750,000 new jobs per year, average annual real GDP growth of 6% over the period, reduction in subsidies for basic commodities...plus a wide range of fiscal and structural reforms (Energy Information Administration 2003 in Siddiqi 2006).”

The Majlis of that time was dominated by the conservatives. Still, with some “reservations as to its budgetary requirements (Siddiqi 2006)”, the Majlis approved the bill. This plan had helped in providing some relief to the Iranian economy. This had also given at least some credibility to the Khatami government.

Law on the Attraction and Protection of Foreign Investment
Khatami’s attempts to reform the Iranian economy could be considered as commendable. Khatami had introduced a bill to the parliament which was called the Law on the Attraction and Protection of Foreign Investment. Since the inception of the Islamic Republic, this was the first such bill directed towards encouraging the foreign investment (Siddiqi 2006). This bill was initially passed by the reformist dominated sixth Majlis in May 2001.

However, very soon, the bill was rejected by the Guardians Council which considered this bill at first instance as unconstitutional. Subsequently, the reformists made some modifications and presented it again to the Guardians Council. But the Guardians Council again rejected the bill. Later, however, the Expediency Council finally stepped in and resolved the issue by overruling the Guardians Council’s stance (Siddiqi 2006). Despite
its toned down state, the new law was a good achievement of the reformists towards opening up of the Iranian economy for attracting foreign investment.

**Bill on Preventing Police Entering Certain Premises**

Iranian politics had witnessed an intense conflict between the conservatives and the reformists over the closure of the reformists daily *Salam*. The events that followed the closure included students protests and the police interference in the university. This had also resulted in the death of one student in the ensuing protests followed by a week-long student demonstration (Tehran Times, 20 August 2000).

Therefore, the reformists tried to pass a bill called ‘Preventing Police Entering Certain Premises’. This bill was first presented in the Fifth Majlis following this student incidence of July 1999 (Ibid.).

However, the Fifth Majlis was dominated by the conservatives and therefore, it refused to approve this bill. Thereafter, the reformists again presented this bill in the Sixth Majlis when they gained majority there (Tehran Times, 3 March 2001).

This bill had measures to ban the entry of the police forces into the universities and higher education centres. “Only upon the suggestion of the university chancellor, the consent of the minister of science, research and technology, or the minister of health, could police forces enter a university (Ibid.).”

This bill was first approved by the National Security and Foreign Policy Commission of the Sixth Majlis with some minor changes. Thereafter, the Sixth Majlis adopted the bill on February 14, 2001 (Ibid.). However, the adoption of this bill resulted in fierce opposition from the conservatives and consequently, the Guardians Council ultimately rejected this bill calling it “a threat to the security of students and the members of the clergy, by preventing law enforcers from maintaining order, which was contrary to the constitution and to Islam (Ibid.).”
III. Reform Bills and Power Struggle

When Muhammad Khatami won the presidential election in May 1997 with a landslide, the conservatives were thrown off balance (Gasiorowski 2007: 59). However, despite having people’s mandate, he did not have enough authority as a president to carry out his reform programmes in a smooth manner. This was due to the unique Iranian political system, in which the unelected and unaccounted institutions had more power than their elected counterparts. Further, these unelected institutions were dominated by the conservatives. Therefore, the reformists had realized the importance of promoting the democracy so that free and fair elections could be held and they could control the Majlis (Gasiorowski 2007: 59). This would have further facilitated their efforts towards introducing their reform legislations.

In the Islamic Republic the press was very important in propagating the different viewpoints. Therefore, Khatami sought to build the foundation of democracy through the help of the press (Jahanbegloo 2001: 129). However, even the press was facing a number of restrictions. Therefore, it was important that first of all the freedom of press was ensured for any democratic process to take place. Therefore, Khatami and his supporters “began to pursue political reform” by “liberalising the press (Gasiorowski 2007: 59).”

However, the conservatives soon realized the threat to their rule posed by such freedom of viewpoints by the press. Therefore, they reacted strongly and started shutting down such newspapers that favoured the reformists (Jahanbegloo 2001: 129). Still, the situation had changed at least to the extent that now the conservatives had to take recourse to the legal means. Nevertheless, the conservatives had their way since the Islamic courts always ruled in their favour.

Still, Khatami’s government fought back by issuing more licenses to newspapers. This way, whenever a paper was shut down others would take its place (Ibid.). Such events had indeed shaken the conservatives by now and they had started realizing that stronger measures were needed if they wanted to retain their hold over power. Consequently, they
started assaulting and arresting reformist leaders apart from closing their newspapers (Gasiorowski 2007: 59).

Further, the conservatives took recourse to the Majlis which was dominated by the conservatives during that time (Mashiati, 8 July 1999). The conservatives sought to make such amendments to the Press Law which would pose further restrictions on the press. Due to the dominance of the conservatives in the Fifth Majlis, "an extremely restrictive law (Ibid.)" was passed, despite the stiff oppositions from the reformists. This led to the Press Law becoming a political tool in the hands of the warring factions.

Khatami was aware of such problems since the beginning of his assumption of power in May 1997. He was aware that because of the conservative majority in the Fifth Majlis, it was not possible to make much headway towards reforms. The Majlis was creating a lot of difficulties in his way of introducing reforms. Therefore, it was important for the reformists to capture the Parliament by winning more seats in the subsequent election.

Further, it was realized that the Guardians Council was in a position of vetoing most of the reformist candidates from contesting elections. Therefore, the reformists made an attempt to change the situation in their own favour by introducing a bill, which was called 'Bill on Amending and Reforming the Parliamentary Election Law' (Tehran Times, 22 April 1999). However, the conservative dominated Majlis did not show any encouraging signs and the reformists had to make special efforts just for the inclusion of the debate on the bill on the agenda of the Majlis.

Ultimately, when the bill was voted on in August 1999, the Majlis "approved a version of the bill that gave the Guardians Council supervisory powers in every stage of parliamentary elections (IRNA, 11 August 1999 in Samii 2001: 653)." Strangely enough, contrary to the expectations of the reformists, "the new election law even expanded the Guardian Council's power (Samii 2001: 654)." The Fifth Majlis had further "strengthened approbatory supervision (Samii 2001: 658)." The failure of the reformists to get this law passed in their own favour had caused them a lot of troubles during the subsequent elections.
However, the reformist movement was at its peak during that time and therefore, despite such troubles, the reformists won a majority in the Sixth Majlis in the February 2000 election. "The press had a leading role in bringing about the sweeping reformist take-over of parliament (Sajjadi, 14 May 2001)." However, "this dramatic victory was soon overturned when the defeated conservatives successfully silenced the voices of reform in a campaign led by the conservative-dominated judiciary to ban most of the liberal press (Ibid.)."

Therefore, immediately after the parliament was convened, the reformists tabled a motion to amend the Press Law "that was hastily passed by the outgoing conservative parliament in its final days (Ibid.)." If it was passed, "the new law would have created an open atmosphere for the press to work free of constricting supervision and control (Ibid.)." However, "this reform effort was immediately blocked as the parliament began debating the law (Ibid.)." The Supreme Leader Ayatollah Khamenei had "directly intervened by sending a letter, which Speaker Mahdi Karrubi called 'a state order', to the parliament calling for the bill's immediate withdrawal (Ibid.)." This way, any progress with the bill was suddenly halted as the Speaker was forced to comply.

Subsequently, after November 2000, when the Guardians Council and the Majlis could not resolve their differences, the bill was sent to the Expediency Council (IRNA, 8 November 2000 in Samii 2004: 414). However, even then no breakthrough could be made. The reformist dominated Majlis made still another attempt to amend the Press Law in January 2003 by making some significant changes. But again the Guardians Council declined to approve the bill in that state, citing Khamenei's August 2000 letter to the legislature (Aftab-i Yazd, 10 November 2003 in Samii 2004: 414).

This way, the reformists could not get their wishes prevailed. The new bill, if passed, would have made press free from many restrictions that were imposed on it. However, this could not be achieved. In fact, the Guardians Council had rejected 17 of the 44 bills approved by the Sixth Majlis within six months of its inception (Tehran Times, 3 January 2001).
Another important bill that was rejected by the Sixth Majlis was called ‘Preventing Police Entering Certain Premises’ (Tehran Times, 20 August 2000). This bill was first presented in the Fifth Majlis following the student riots of July 1999 but the reformists had failed to get it passed. This student unrest was the result of the conflict that had followed over the closure of the reformists daily Salam. The subsequent events included students’ protests and the police interference in the university. This had also resulted in the death of one student in the ensuing protests followed by a week-long student demonstration (Ibid.). Therefore, for preventing such events, the reformists were trying to pass this bill.

This bill was first approved by the National Security and Foreign Policy Commission of the Sixth Majlis with some minor changes. Thereafter, the Sixth Majlis adopted the bill on February 14, 2001 (Ibid.). However, the adoption of this bill resulted in fierce opposition from the conservatives and consequently, the Guardians Council ultimately rejected this bill calling it “a threat to the security of students and the members of the clergy, by preventing law enforcers from maintaining order, which was contrary to the constitution and to Islam (Ibid.).”

Since President Khatami was unable to make any substantial progress towards his reform efforts during his first tenure, he was reluctant to contest for his second term. However, ultimately he changed his mind and, surprisingly, won with another landslide. Despite this victory, the conservatives did not stop attacking the reformists (Gasiorowski 2007: 60). They made all attempts to block the reform initiatives even during Khatami’s second term (Ibid.). His re-election in June could not make much difference as far as the criticism of his slow reform was concerned (Naim, 10 January 2002).

The conservatives continued their attacks on the reformists in newer ways. Now, the conservative Guardians Council joined hands with the similarly oriented Judiciary and rejected a law on legal reform (Naim, 10 January 2002). This law was adopted by the Majlis a month earlier and was directed towards making the judicial procedures more flexible (Ibid.). Khatami was under immense pressure from all sides to show some progress to satisfy the people’s expectations who had shown faith in him for the second time.
Also, there was an increasing realization among the reformists that the reform of the Iranian society and politics was not possible unless some institutional changes were effected. Therefore in the latter half of 2002, they planned to curb the power of the conservatives by introducing two important legislative measures (Samii 2004: 416). The two proposed legislations were collectively known as the ‘twin bills’. The first bill was directed towards curbing the power of the Guardians Council and the second was directed towards increasing the power of the President.

This move of the reformists was seen as an important step for the president’s reformist programme. The debate on the drafts of the proposed legislations was carried live on Iranian state radio. When the twin bills were put to the vote they gained overwhelming support from the reformist-dominated parliament (BBC News, 10 November 2002).

However, despite the passage of the bills by the Majlis, it seemed unlikely that either the Guardians Council or the Expediency Council would approve them. Khatami had indicated that if that happened, then he would hold a popular referendum. Further, if Ayatollah Khamenei were to veto the referendum, then Khatami would resign, which would cause a constitutional crisis for the regime (Moaveni 2002 in Siddiqi 2006).

The conservatives, on the other hand, accused Khatami of trying to assume dictatorial powers (BBC News, 10 November 2002). Consequently, the Guardians Council successively disapproved the two bills citing many constitutional violations. This resulted in strong reaction from President Khatami who described the move as “unacceptable”. Referring to the reasons of the disapproval, Khatami said, “In their proposed amendments to the bill, the Guardian Council has limited the presidential powers to an extent that in certain respects the authority of the president is much less than that of an ordinary citizen (Tehran Times, 24 May 2003).” He further added, “The spirit of the bills should be respected. And without these [bills] work would be very difficult (Ibid.).”

Khatami also declined to forward the bills to the Expediency Council and hoped the dispute between the Majlis and the Guardians Council would be resolved before the elections for the Seventh Majlis (Tehran Times, 14 August 2003). However, it appeared
very unlikely that the bills would be passed when the reformists faced heavy defeat in the February 2003 municipal elections (McDowall, 2 May 2003: 11). "It left leading reformists struggling to decide how to push their agenda forward amid fears that the people had lost faith in the political process (Ibid.)."

The reformists were now split over how to move forward and it appeared unlikely that they would pursue the referendum or Khatami would resign (Ibid.). "When the Guardian Council finally rejected the bills, much of Khatami’s momentum had been lost. It was too late into his term for a dramatic political showdown to have much effect (Siddiqi 2006)." Therefore, in March 2004, two-and-a-half years after the introduction of the twin bills, "Khatami gave up hope and announced that he was withdrawing them (IRNA, 17 March 2004 in Samii 2004: 417)." The failure of the ‘twin bills’ effectively proved that the reformists had failed in their power struggle against their conservative rivals.

**Conclusion**

In this chapter we have dealt with some important reform bills that were presented to the Majlis during the two terms of Khatami as the President of the Islamic Republic of Iran. In the first section of this chapter, we positioned the Iranian Parliament into the overall Iranian political system. We have found that in the Iranian political system the elected representatives do not have much power as compared to their unelected counterparts. However, these elected bodies too have important role to play in the Iranian politics. Their importance is due to the fact that the results of the elections are important in gauging the mood of the people. This way it performs the important function of political inputs to the system. This helps the regime in making the course corrections and through that in maintaining their legitimacy. This is how the conservative regime maintains its hold over the power.

Hence, the political events happening in and around the Majlis is important and accordingly these were given due consideration. It was observed that the theocratic institutions had the last say in the political decision makings. However, the policy
outcomes were not entirely dominated by the Supreme Leader or the Council of Guardians. This is how the Majlis proved to be a forum for the representation of different beliefs and interests. This role was played successfully by the Majlis despite the restrictions that were placed on it by the constitution.

In the second section of this chapter, we have taken the case study of Khatami period to the next important level by enlisting some important reform bills that were presented in the Majlis during his two tenures as president. The two bills, viz., The Press Law and The Twin Bills, have been taken up in detail. These two bills were chosen since they exemplified most clearly the whole political dynamics of the Iranian politics. They were, thus, analyzed in an exhaustive manner.

We have seen that during his campaign Khatami had promised for liberty and freedom. In order to fulfil this promise, the reformists tabled in the Majlis a motion to amend the press law that had been passed by the previous conservative dominated Majlis in July 1999. The earlier press law had put a number of restrictions on the press. Khatami and his reformist allies in the Majlis had sought to do away with such restrictions and make the press free. This was an important first step towards liberalizing the whole system since due to the absence of any recognised political parities in Iran the press performed the important political function of the interest articulation. Khatami had made the press his arm to promote the cause of democracy and freedom.

However, as soon as the Majlis started debating this law, the Supreme Leader Ayatollah Khamenei intervened. He sought for the immediate withdrawal of the bill on August 6, 2000. This was seen as quite an unprecedented move by the Supreme Leader. This intervention was naturally not to the liking of the reformists and they staged a walkout. This is how the reformist’s attempt to liberalise the press was put to rest even before it started. In retrospect one can conclude that this kind of intervention by the Supreme Leader in this issue was not necessary. This is so because even if he hadn’t intervened, there was not much hope of the passage of the bill. There were other conservative institutions such as the Guardians Council or the Expediency Council through which the
bill had to go before the passage. It was very likely that these institutions would have done what Khameni had wished.

The reformists were facing a lot of difficulties in carrying out their reform programmes. They had concluded by now that unless the institutions themselves were reformed, there was not much hope of the progress. Therefore they attempted to fight back strongly by the latter half of 2002. This time they tried to submit two legislations known collectively as the ‘twin bills’. If passed, these laws would have long term implications on the Iranian political system and would have tilted the balance of power heavily in the favour of the reformists.

The first bill was directed towards curbing the power of the Guardians Council. Khatami had termed this bill as a bill to amend the election law. Its main objective was to eliminate or at least reduce the Guardians Council’s power of ‘approbatory supervision’. This power was the responsible factor for the rejection of most of the candidates for the elected offices. The second bill was directed towards enhancing the power of the President. If passed, this law would have given the President the right to warn and even punish officials in the executive, legislature or judiciary. This law would also have empowered a committee of experts to overrule court verdicts. The introduction of these bills was a very important step towards Khatami’s reformist programme.

Khatami and his associates had repeatedly assured to the people that these bills would be passed. However, this was highly unlikely since the bill had to go through the conservative institutions such as the Guardians Council or the Expediency Council. The Guardians Council at least would have never approved a bill that was directed towards curtailing its own power or the power of similarly inclined institutions. It appears that Khatami had anticipated this situation, since he had indicated that if these institutions had blocked these bills then he would hold a popular referendum. He went to the extent of even threatening to resign if these bills were not approved despite the popular support.

The conservatives, however, took a slightly different approach and started accusing Khatami of trying to assume dictatorial powers. Although Khatami retaliated by arguing
that the proposed laws were necessary for the establishment of democracy and the rule of law. Still, the Guardians Council rejected the bill on amendment to the election law. The Guardians Council cited 39 violations of the constitution and seven of Islamic law in this bill. The Guardians Council also rejected the presidential powers bill citing violations of 15 articles of the constitution.

When both bills were rejected by the Guardians Council, Khatami reacted very strongly. He argued that the proposed laws were the minimum requirements for running the country’s affairs. He also declined to forward the bills to the Expediency Council, an agency to mediate the conflicts between the Majlis and the Guardians Council. Khatami was under immense pressure due to the rejection of his bills since they were hailed as the last chance to save his presidency. The situation was further deteriorated when the reformists were heavily defeated in the February 2003 municipal elections. Ultimately, Khatami was forced by the situations to withdraw the twin bills.

Apart from these two bills, we have also included some other important bills which were introduced during Khatami period. The reform bills are important focal points in understanding the power struggle dynamics of the Iranian politics, particularly during Khatami era. Apart from the description of such bills, and the circumstances in which they were presented, it was also quite insightful to concentrate on the actual motivations behind them. This approach has brought forth the ensuing power politics revolving around them.