

## **Obstacles of the Development of Civil Society with an Emphasis on State and Parties in the Islamic Republic of Iran**

Homeyra Pir Momen, Mohsen Sheikh Aleslami, Ali Shojaei Fard

### **Abstract**

The civil society organizations are faced with obstacles to their development way, So that in spite of some progress in sectional, eventually leading to weakness them. The mentioned obstacles want to investigate from various dimensions that in this research have evaluated them with emphasized the role of government, political parties and the guild organizations. During own investigations found that due to the government monopolist behavior from top the more institutions were about to rise by the government limited, threat or were dissolved. The government not only of independent institutions and the people do not support, but on the many case has been limiting their activities. Political parties started their activities only during the elections and introduced own the downline the government leaders and as soon as the counting of votes spaced from together. In Iran democratic of government, the enormous economic power of government and a focus on natural resources, lack of trust of social and political to the independent institutions, the presence of the legal obstacles to the activities of institutions, the contrast between the some laws and the lack of sanction or executive guaranty is weakened the civil society.

**Key words:** civil society, political parties, guild organizations, constitutional law

© 2015 BBT Pub. All rights reserved.

### **The inefficiency of political parties and guilds in Iran**

A) lack of independent and official institutions:

Since the beginning of the political changes of Iran in during years after the constitutionalism until today formed many organizations and the political parties and after the passing the period of activity and political action and influence on environmental changes, or in the new system and the transition to life are continue. These effects of the natural product of interaction and communication interaction between these organizations and institutions of power in Iran society. In other words, the existence of political organizations face and focuses on acquiring power in the form of organized opposition it is the stable and effective have correlation and bilateral relation with the structure and functions of the institution of democracy in any society. These two aspects are: On the one hand the lack of the democratic institutions and symbols can be effective organized and opposition grounds for lack of the organized opposition reliability. In such a situation, organizations and political parties in the political circles of unofficial or underground are begin the activities and the own informal organizations also organized in the secret and suffocation. It is obvious that in these circumstances the possibility to exercise of thought and the democratic practice for such a structure and internal mechanisms of these political organizations are not prepared and may lead to their particular pesticides. Also in the space of repression the practical and theoretical training has limitations that could lead to a strains review and intensify the atmosphere of elitism within these organizations. Centralism and the emergence of non-democratic symbols in this position as well as other is the outcomes inevitable which could put at risk persistence and dynamics of these organizations. Certainly, the wide horizon, the relationship between these organizations with their fans can be subjected to some form relationship pastoral which has negative effects and instability that in conditions of freedom and defeat reveals his atmosphere of repression. The example of the pathological consequences of this can be seen in the Revolution of 57. On the other hand in terms of the impact on the opposition on the democratic process can be followed for the consequences of the damage. Obviously the abnormal development of the organizations and parties in the strangulation conditions that provides atmosphere that for the formed of the democratic institutions and its institutionalization is risky. Weakness of the others tolerance opinions and thoughts and the desire to monologue and unique vision can be tracked within this organization. Many of these organizations that sometimes all their efforts and are focus to break the atmosphere of repression and authoritarianism at the earliest opportunity the opening of political space with the quotas excessive and the wrong tactics not only the political force and the people who support they are victims own mistakes politics, but also in the medium term, the field of reproduction atmosphere of oppression and reconstruction and the strangulation persistent are provided and the political strife and the military organizations in the early years of the Revolution can be enumerated as examples of the sequence of such space traumatic. According to this view the instability independent parties and inefficiency related parties is the obstacles of the political development of Iran. According to this theory, the existence of numerous obstacles in the way of development of party system in Iran is due to their instability, such that in the crisis space only the parties dependent on foreign powers and regime ruling have been able to take power. Dependence on the foreign power or the ruling regime are the secret of survival of some parties and political movements in Iran, Qajar and Pahlavi's and their intellectual foundations, a means to the consolidate political power ruling and are providing the substrate to a certain range of political and intellectual elite opportunists, profiteers and flattering. Therefore from this parties have referred to private parties. Also the multiple divisions partisan and group are of the factors

weakening parties. In the history of Iran parties due to the multitude of ideas and opinions create the many branches and their power is diminished. Change and reform in this structure definitely one of the ways to achieve the civil society, modifying the structure of party, strengthening social institutions, the existence of the constitutional and democratic government, the formed of the independent middle class, to recognition of the social hidden influencing forces, Creating the open political atmosphere today are considered some of the important components of the formed of the civil society in Iran.

B) Making insider-outsider:

Inherent sectarianism and separation thoughts and making the insider - outsider numerous such as sexual with male domination, religious with the Shia domination, cortical with the clergymen dominant, class with dominated the owners of wealth and political power in the form of strategic groups, and ethnic with the family relationship tribal dominance is the most important characteristics of the political structure and creation of organization in today's Iranian society. In such a society the majority community is without government support but on the side of this majority there is a minority who receive the full government support. This means that in community due to the performance of the government and its structure, in within nation create a privileged group (government). The lack of a national government and a lack of formed the nation to interpretation the modern and historical with the unity and cohesion of all people living in Iranian territory under the equal law also are one of structural barriers to the parties development and acceptance of the governments to organize the nation and their participation in formed the governments. The post-colonial governments are the modern governments but are not national. This means that all nation- governments are the modern governments but all modern government are not nation- governments. Postcolonial governments in terms of form and shape are similar to the modern governments but due to the tasks and the nature do not act of the form of national governments. This means that the tasks of the national government in practice could not implement. Including the creation of a civil society that is the formed the basis for the nation. The national government in their policy are the seeks to fulfill the slogan of liberty, equality and fraternity. (Sariolgalam, 1371: 26)

C) Power:

To interpretation Alamdari, "In Iran the dominant culture is not competition and cooperation, but also monopoly, enmity, trying to absolute domination over others and the elimination politics. The contrary the spirit of alliance and sharing others in the power is very meager. This spirit is the destructive factor the instability of the parties. So as the sovereignty want the monopoly power and will not tolerate any criticism and opposition, in the spectrum of opposition protesters there is also the same spirit they due to this spirit of monopoly and non-alliance and enmity before they achieve success, and the capture monopoly its deal with together struggle, and are trying to take away the competitors from the scene. The spirit of what the spectrum sovereignty, and what the opposition spectrum, even for their own interests have property destruction not construction. In the field of the cultural structure that which governs mostly in Iran is remains norms of obedience, blood relations and family, tribal, ethnic, district-oriented attitude, imitation and disciple, cronyism and religious solidarity. The relationship rather than the legal relations and bureaucratic and the rationality also extends the within parties and it is empty of content and requirements of the Party. (Alamdari, 1382: 24)

D) The state-built parties not the state parties:

The most important task of the modern government is trying to create the nation and attract participation them in the construction access and make regulating of power relations. In Iranian society due to the aforementioned historical, structural and class and also dominance the undemocratic space, the parties are mainly state building. Despite in the democratization process of the society the state are established by the parties and agents and also by these parties criticized and be challenged. In the Iran today a large part of the parties have made the government or somehow by representatives and managers and government leaders have made. Hence according to Schiller, the governments parties of against the Parties make government in kind of are trying to neutralize the role of parties and deforestation nation and strengthen the clientelism.

E) the absence of the syndicates and trade associations:

Classless of parties, lack of the bourgeoisie growth and the formation of social classes of the capitalist and industrial workers and the institutionalization of workers' struggles in the form of syndicate and the labor unions. Schiller the German sociologist is believes in this regard: "The class is not a phenomenon that is formed from today to tomorrow but also despite favorable conditions is a long process and when it was formed will not disappear easily. For example the bourgeois class is the class that while having the means of production is grows out of the government and is not within the government. In a sense the Iranian economy do not have the economy in the context of the capitalist - industry country and basically there is no the bourgeoisie growing conditions in that concept. The capitalists with fall and rise of the state are in the shifting for example with the fall of the Shah government since they are related to national resources within government leave the scene of economy and opens the field for another group. In this means that the society is faced with the hybrid bourgeois that are formed from the unfavorable join of the political and economic in the government structures. In fact the class grows in the horizontal plane of society and out of government and their devices not in the vertical plane of society. The working class in Iran does not have the fate better than the other classes. In Iran there is not a class with name the labor class in the Marx sense concept that grows in the capitalist system context, (with system of post-colonial and post-colonial mode of production).

C) Sclerosis of the power structure:

It means that in lack of terms of the possibility of operate freely the political parties and institutions that have duty of democratization and pile of a nation and will advance the society towards a greater civilization and the development of civil rights. "In such a situation the organizations and political parties in the political circles of

unofficial or underground begin own activities and the own informal organizations also organize in the secret and suffocation. It is evident that in these circumstances the possibility of exercise democratic thought and practice for structure and internal mechanisms of these political organizations are not prepared. "Non civil societies are now defined: mass society, atmosphere communities and like them. The main characteristic of mass society is this that people in the public sphere do not have the organization and live on an individual basis, and the government depicts in principle in the public sphere normativity and interventions and a lot of dos and don'ts, that this community was atmosphere society, Collective actions in this community in the form of running the flock thinking, a shepherd leads a flock a time to this side and a next time lead that side. In the societies kind of the non- civil and mass the general characteristics of the group and collective movements is in the form of the collective behavior. Those three characteristics emotionality, insanity organization and unpredictability are from its characteristics.

G) Economic modernization from above and not forming the civil society:

In this context mentioned the factors such as the absence of the bourgeoisie in Iran and economic modernization from the above. In this view the reign of Sultan and the economic modernization from above and not the formation of civil society, hindering the political development in Iran have been considered.

H) Rent state:

The term of rents are used to describe the income is much higher than the typical efficiency. In the broad sense the rentier refers to earnings that are higher than the income that would otherwise be achieved. Some believe that rentier is the income that without trying to be achieved and be used against of the concepts of reward and income that it is the result of efforts and economic activity. (Sard Abadi, 1378: 97)

Adam Smith is knows the rent a special type of the source of income that with other sources of income such as income and wage have differences. This kind of income without having to spend effort or productive activity and increase value, been awarded the individual or a specific group but in a healthy economy income or wage achieved as a result generating efforts. .hozam Beblawi known the rent dedicated natural resources and states that the mineral resource create the rents and rents through export tax, corporate tax and public companies related to natural resources go into the pockets of government. Extraction of mineral resources recruited a little labor force therefore the wealth generated from the rent is not divided between people and would remain in the state hands. Based on the state that to receive the bulk of their income from mineral resources or external and the form of rent is called Rentier state. One of the major obstacles to democratization in the Middle East is the existence the rentier states in this region. Middle Eastern states were present in most economic areas and economic governance not only natural resources but also on other economic sectors have created widely. In Middle Eastern countries because competition to become a monopoly, thus the rent appears. Governments with based on rents with obtain the revenues without are being forced to distribute a significant portion of this revenue for the owners of capital and labor force or mine owners, causes to this state have the political - economic independence in the field their country and the social classes will be related to itself and change the social evolution for the benefit of own. The people who benefit from the existence and functioning of government they are not much effort to small them. Such as this rent government can be easily on the economy of the public and private companies have supervise and intervene in the order to earn their own interests. Some non-oil governments of the Middle East are use from a significant amount of foreign aid (foreign rents) in the form of regular. In the oil-producing countries in the Middle East due to the financial resources that they earn from oil many companies in the society are related to its treasury. Since the cost of these governments through tax does not provide, himself against the people were not known responsible and not demanding the political development. Due to the high oil revenues such the rentier governments to keep people satisfied own act to offer some welfare and economic services but do those services that not create a threat to them or is appropriate to maintain their status.

I) The independence of trade associations:

The discussion independence and the necessity of them to be raised as one of the dynamism and strength of association (union) labor. Organizations (union) workers should be liberally, by the workers themselves, away from the pressure, restrictions, influence or control of governments, employers and formed self-consciously trained and empowered in the process of and practice and experience. Workers' organizations by government agents or employers, or under the influence and guidance of these two be created in the best mode act the intermediate and cannot be a good representative for attorneys for their workers; these organizations are not in the process of its activity since it in fact will fully and firmly in achieving the goals and interests of the workers finally the interests of the government and employers will be replace the real interests of its members (workers), this experience of the past three decades of Iran's in the labor movement and union official at a crucial confrontation important like the determine the minimum wage or to change the interpretation of the rules to the detriment of workers this fact is well illustrated.

E) The legal and legislative position of worker associations:

Convention No. 87 of international labor organization is prohibited the governments involved in the regulation from any statute, holding general assemblies and the election of workers' representatives in their trade union organizations. Second article of this convention explicitly says: "Workers and employers without any points can according to your desire and without previous permission action to form organizations with your liking: Or to join this organization On condition that they observe the statute. "And Article 3 of the Convention says: "organization of workers and employers has the right to the statutes and administrative regulations are formulated and their representatives elected freely and sets the governance and its operation and are declare their practical application. Government officials must prevent any interference that this right limit or refuse its legal actions. "

## Conclusion

The concept of civil society has allocated a special place in modern political thought. Civil society is a collection of institutions, associations, the social organizations that independent of the state and political power which has a decisive role in the formation of political power. Considering the importance of civil society in developing countries and the existence of values and Islamic laws as the body's constitution of Iran, precisely examines the role government in society, the role of parties, societies, political or professional organizations and Islamic associations or religious minorities with the help of the constitution of the Islamic Republic of Iran, parties law and the law of respecting legitimate freedoms and protecting citizens' rights will be adopted by 15.02.1383 will be discussed.

## References

- 1 - Afzali, R., (1379), the prospects for civil society in the Middle East, Tehran, scientific and cultural publications.
- 2 - Armin, M. and others, (1378) relationship between religion and civil society, Tehran: publishing center.
- 3 - Bashiriyeh, H., (1376) the role of social forces in political life, Tehran: Ney publication.
- 4 - Bushehr, J., (1390) comparative constitutional law, Tehran Publication ghave danesh, Fifth Edition.
- 5 - Shaykh al-Islam, SM (1380) comparative constitutional law, Shiraz Publications Koosha Mehr, First Printing.
- 6 - Davari, R, (1354) Farabi's political philosophy, Tehran: Studies and Cultural Coordination Center.
- 7 - Tabatabai, J., (1380) deterioration political thought in Iran, Tehran Publication Kavir, the sixth edition.
- 8 - Tabatabai, J., (1374) Introduction to the history of political thought in Iran, Tehran: Publication Kavir.
- 9 - Tabatabai, J., (1373) once again in the modernization and development, Tehran: Journal of Culture and Development, Issue 7.
- 10 - Ghazi Shariat Panahi, A., (1390) fundamental rights and political institutions, Tehran: Tehran Publication.
- 11 - Ghazi Shariat Panahi, A., (1390) the necessary for fundamental rights, Tehran: Tehran Publication.
- 12 - Iran's constitution, adopted in 1358.
- 13 - Law Regarding the Respect to Legitimate Freedoms and maintain the rights of citizenship, adopted on 15.02.1383
- 14 - Madani, J., (1391) fundamental rights and political institutions, the Islamic Republic of Iran, Tehran Publication Paydar, Fifth Edition.
- 15 - Hashemi, S. M., (1390) fundamental rights the Islamic Republic of Iran, Volume II (governance and political institutions), the seventh edition, the publication Mizan.
- 16 - Hashemi, S. M., (1377), civil society and the political system, Tehran: Journal of Legal Research, No. 23 and 24.
- 17 - Harris Nezhad, K, (1392) the comparative fundamental rights, Tehran: Aydin, Third Edition.

Homeyra Pir Momen, Department of Law, Fars Sciences and Researches Branch, Islamic Azad University, Marvdasht, Iran, Department of Law, Marvdasht Branch, Islamic Azad University, Marvdasht, Iran  
 Mohsen Sheikh Aleslami, Department of Law, Shiraz Branch, Islamic Azad University, Shiraz, Iran  
 Ali Shojaei Fard, Department of Human Science, Payame Noor University, Iran