

**Mohammad Mosaddeq and the Referendum:**

*Iran and the Exception in the Cold War*

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**Abstract**

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Iran and the Exception in the Cold War

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This work looks at a particular moment in the premiership of Mohammad Mosaddeq (1951-53), when he proposes a referendum to disband the 17th Majlis in order to hold re-elections. This paper will show that Mosaddeq's premiership represents a confluence of colonial and non-liberal European thought, in a post-"colonial", pre-Revolutionary Iran. In addition, this paper will, through a comparative analysis of Early Republican Turkey vis-à-vis Iran, show how Mosaddeq's rule of law was not only not a unique phenomenon but heavily proliferated through much of Europe and the Middle East. Indeed much of Iran and Turkey's law making and constitutional processes were heavily influenced by European political thought. Finally this paper will through an historical analysis of Reza Shah and Mustafa Kemal, show that Mosaddeq's rise to premiership and ultimately his decision to use emergency powers and the exception, is not a singular moment within the region's history, but rather reflects a longer trend within the politics of Iran and other nations starting from the early 20th century.

## Introduction

Mohammad Mosaddeq's premiership represents a brief but turbulent political period in which an anti-autocratic, populist leader brought Iran to the brink of economic and political conflict both domestically and internationally. Through his European legal education, Mosaddeq sought political reform in the constitutional process. Iran's constitution, developed through its own European influence in a different turbulent era of 20th century Iranian history, represents one of the last major stalwarts of European Law making and ordering. This kind of European law making and constitutionalism existed as a body of rights and rights frameworks from which fascism drew heavily. Indeed much of Mosaddeq's law making was achieved through emergency powers granted to him by the *Majlis*.

Through an analysis of Mosaddeq's premiership, with a primary focus on the 1953 Referendum to disband the 17th *Majlis*, and in response to the pre-existing literature concerning this time period in Iranian history, this paper will show that Mosaddeq's premiership represents a confluence of colonial and anti-liberal European thought, in a post-“colonial”, pre-Revolutionary Iran. In addition, this paper will, through a comparative analysis of Early Republican Turkey vis-à-vis Iran, show how Mosaddeq's rule of law was not only not a unique phenomenon but heavily proliferated through much of Europe and the Middle East. Indeed much of Iran and Turkey's law making and constitutional processes were heavily influenced by European political

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## **Iran and Fascism**

In so engaging with the concept of fascism and constitutionalism in Iran, it is expedient to first constitute what fascism in Iran means, and from where does it originate. First, while fascism in Europe was precipitated by the after-effects of World War I and the Treaty of Versailles, many of the legal conditions which made possible for its entrance into the political sphere were already existent in early 20th century constitutions.<sup>1</sup> When fascism is mentioned in this paper it will be to assert within Iranian politics a similar, non-liberal, strongly nationalist government whose structures were so created in opposition to two competing imperial influences of binary opposition in ideology (Britain and USSR)<sup>2</sup>.

In much the same light as Italian fascism<sup>3</sup> then, Iran adopted a system of government under Reza Shah which relied heavily on a strong sense of nationalism.<sup>4</sup> Highlighted by

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<sup>1</sup> Ruth Miller, *Legislating Authority: Sin and Crime in the Ottoman Empire and Turkey*, (New York: Routledge 2005).

<sup>2</sup> Italian fascism was also reaction to the rapidly changing geopolitical landscape within Europe.

<sup>3</sup> S.J. Wolff, "Italy," S.J. Woolfe, ed. *Fascism in Europe*, (London: Methen, 1981).

<sup>4</sup> In Iran's case, the strong nationalism is reflected in the change from "Persia" to "Iran" in national self identification.

unexpected changes wrought by a weak monarchy in the Qajar Dynasty, which enabled competing imperialist influences to impact political and economic gains, and by the adoption of a European constitution (i.e. the Belgian constitution), Reza Shah represented for Iran what Mussolini did for Italy; a strong centralized leader whose focus on authoritarian rule marked a moment of stark political changes for both nations<sup>5</sup>. Indeed concepts of political party hegemony and absolutism were taking shape at the point in which Reza Shah pronounced himself as the successor to Qajar Rule. The party that rose from this political ascension (*Iran-e Now*) was said to have been heavily influenced by the *Fascisti*<sup>6</sup> and would make them a contemporary of the Italian party.

Reza Shah's close affiliation with fascism was undoubtedly his undoing, as his allegiance with Nazi Germany in WWII led to his abdication in 1941 in the aftermath of an invasion of Iran by a renewed Britain and Soviet coalition<sup>7</sup>. In the wake of Reza Shah's exit from the Iranian political scene, power in Iran entered a vacuum, caught between the existing structure of the *Majlis* led by the *Tudeh* Party, Reza Shah's son and heir to the monarchy, Mohammad Reza Shah, and the imperialist presence of Great Britain and the Soviet Union. Mohammad

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<sup>5</sup> For a larger discussion on the role of Reza Shah and Nationalism see: Afshin Marashi, *Nationalizing Iran: Culture, Power, and the State, 1870-1940*, (Washington; University of Washington Press 2008). While Marashi would not assert the same inclination of fascism existing as this paper describes. He does nevertheless show a transhistorical characteristic of nationalism within Iran that this paper certainly benefited from.

<sup>6</sup> Touraj Atabaki and Erik J. Zürcher. *Men of Order: Authoritarian Modernization under Atatürk and Reza Shah*. (New York: I.B. Tauris, 2004), 65.

<sup>7</sup> Ervand Abrahamian, *Iran Between Two Revolutions*, (Princeton: Princeton University Press, 1982) 164-165

Mosaddeq's rise to Premiership in 1951 marks a firm political stance against competing "post-imperial" influences in the post war period. Mosaddeq ends a period of political uncertainty and begins a new nationalist movement. While both Mosaddeq and Reza Shah, came to power under similar circumstances, ultimately their political objectives were different. Mosaddeq's nationalization of Iranian oil and competition for political authority with the current shah, Mohammad Reza Shah, represent a continuity of political party hegemony (National Front) and burgeoning industrial independence which both were prevalent under Reza Shah's reign<sup>8</sup>. Ultimately, European political thought and influence impacted Iran's own public sphere and shaped the nationalism and governmentality that existed stemming from the Constitutional Revolution up through the 1953 Coup. In the end both Reza Shah and Mosaddeq's political ascendancies were cut short as their quests for a strong independent Iran impeded foreign interests and investments within the region at large. Furthermore, and despite strong opposition to Reza Shah, Mosaddeq's political career ended in an ironically similar fashion.

## **Fascism in Comparative Perspective**

As the 1920's saw a large rise in single party nationalism in Italy, this in turn created an ideological turn regarding the way in which nation states governed. This change had a profound effect on both Iran and Turkey both of which experienced a government takeover by a military commander. Both Reza Shah and Mustafa Kemal both desired a strong centralized government that would in a sense forcibly modernize two countries that had failed to "successfully

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<sup>8</sup> Mohammad Mosaddeq's correlation with Reza Shah and his own approach to fascism will be further examined later in this essay.

modernize” prior to each of their rules. In a way, Reza Shah and Atatürk was a reaction to the failed attempts of modernization in Iran with the Constitutional Revolution and shortly after in Turkey with the Young Turks<sup>9</sup>. That is to say, in Iran the Constitutional Revolution of 1906 marked a turning point in the downfall of the Qajar Dynasty which through the creation of a new Majlis and prime ministerial cabinet position allowed for Reza Shah to come into political office, but also a general weakening of the state<sup>10</sup> made it easier for Reza Shah to take greater power. In much the same way did the Young Turks, whose own constitutional movement was influenced by Iran at the ending of the Ottoman Empire created power fractionalization between themselves and the Committee of Union and Progress (CUP)<sup>11</sup>. After the dissolution of the empire, and following the Treaty of Sèvres, Mustafa Kemal was able to come to greater power through similar military means as Reza Shah.

Reza Shah’s strong military position within the post-Constitutional period allowed him to take advantage of higher civic authority. That is to say, Reza Shah gained great popularity as a military commander such that he was appointed prime minister in 1921 following his organized military coup. At the same time, it’s hard to ignore the fact that Reza Shah’s own popularity and political as well as military pressure were not unique factors that allowed him to not only end the

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<sup>9</sup> Eds. Touraj Atabaki and Erik J. Zürcher, *Men of Order: Authoritarian Modernization under Atatürk and Reza Shah*, (New York: I.B. Taurus, 2004), 5.

<sup>10</sup> Ali Ansari, *Modern Iran Since 1921*, (London: Pearson Education Limited, 2003), 22.

<sup>11</sup> Erik J. Zürcher, *Turkey: A Modern History*, (London: I.B. Taurus, 2004), 93-95.

Qajar Dynasty but also proclaim himself “Shah” by 1925. While not entirely a popular move<sup>12</sup>, by this point in the 1920’s Italy had shown that a move from Prime Minister to authoritarian ruler was not unprecedented. Indeed Reza Shah’s appointment as Shah represents for Iran a linguistic turn towards absolutism. Mosaddeq widely rejected this move by Reza Shah calling it “sheer arbitrary government.”<sup>13</sup>

Party politics played a large role in the Reza Shah’s government particularly as fascist Italian political ideologies influenced the transition of government away from the Qajar and into the Pahlavi era. As other cases will show, part of fascisms strength is through single party dominance, and for Iran this would be the *Iran-e Now* party. Although initially the *Iran-e Now* party was somewhat unpopular, Reza Shah used his power to manipulate factions within the *Majlis* and voters to create an offshoot party, The Progress Party (*Taraqqi*)<sup>14</sup>. However, designs for a unified political party that would operate in much the same way as Italy failed largely due to conflict with the Ulema over rule and influence.

Ultimately, what made Reza Shah’s government fascistic and often despotic was in essence his ability to enact reforms, much of which geared towards the forced modernization of

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<sup>12</sup> As seen, Mosaddeq roundly rejected Reza Shah’s rise to Shah despite supporting his appointment of Prime Minister.

<sup>13</sup> <sup>13</sup> Homa Katouzian “Mosaddeq’s Government in Iranian History”, eds. Mark J. Gasiorowski and Malcolm Byrne, *Mohammad Mosaddeq and the 1953 Coup in Iran*, (Syracuse: Syracuse University Press, 2004) 4.

<sup>14</sup> Matthew Elliot, “New Iran and the Dissolution of Party Politics under Reza Shah”, Eds. Touraj Atabaki and Erik J. Zürcher, *Men of Order: Authoritarian Modernization under Atatürk and Reza Shah*, (New York: I.B. Taurus, 2004), 76.

Iran, without the needed or requisite approval of the *Majlis*. Reza Shah effectively admits this in his abdication speech to members of the cabinet in which he states:

Gentlemen! I am leaving the country soon, and must say something that you should know. No one has ever had any appreciation from me for his services and no one was ever thanked or rewarded by me, although some excellent services were rendered. Do you know why? The reason is because this country has no opposition. My decisions were all made and carried out without you...<sup>15</sup>

Not only was this the element that Mosaddeq largely rejected when Reza Shah appointed himself the Shah and rule of Iran, but it maintains a level of consistency within the type of leadership that Reza Shah was hoping to have achieved. That is to say, for Reza Shah he was not looking to win any favors over the people of Iran, rather he was hoping to give the country the necessary reforms he felt needed despite strong backlash from the Ulema (a community as aforementioned he would constantly be in conflict with). Indeed it is this very notion of anti-popularity that distinguishes Reza Shah from Mosaddeq and the political platforms on which they ran and ruled.

Republican Turkey is often used as a comparison or comparative model for Iran within the same era. Turkey not only went through a similar process of constitutional revolution, and dictatorial power, it also faced similar pressures from foreign powers (Britain and the USSR) both before and following the first World War. The Kemalist Republic in much the same way as the Reza Shah autocracy created a single party hegemony which in reaction to colonialist pressure and largely influenced by failed constitutional movements in the early 20th century, dominated their respective countries political spheres in a largely Italian fascistic way.

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<sup>15</sup> Ali Ansari, *Modern Iran Since 1921*, 73.

Turkey has widely been considered far more successful in its modernization endeavors particularly within the 1920's. There are several determining factors in the accomplishment and enacting of modernization reforms within Turkey. First, Turkey's Ulema did not pose as a strong a threat and were not as well established members of the intelligentsia as was the case in Iran. In that way, Turkey enforced a version of French laicism in which notions of secularism would be largely the political agenda. While Turkey's population was largely religious, the government made a conscious effort not to be an "Islamic state". Second, and this compounds upon the first, because there didn't exist a rift between religious leaders and state reform in Turkey, the one party syndicalist dictatorship was much more easily attained by Mustafa Kemal. By 1925 and until the end of his "rule" in 1945, Turkish government would largely be run by Kemal and maintained or supported by the Republican People's Party (RPP). In contrast to both Italy and Iran, Turkey largely succeeded with its fascist ideology, including the adoption of the 1889 Italian Royal Code, which when updated both with Turkish legal thought and the 1930 Italian Fascist Legal Code became the basis for which Turkey's penal codes came into place<sup>16</sup>.

It's hard to ignore too, that despite both Iran's and Italy's failures in fascism which sent both countries into periods of chaos and rule change, Mustafa Kemal's version of Turkey remains popular to this day. Indeed Kemalist Nationalists make up a general part of the voting populace within Turkey. To summarize this comparative analysis on fascism, it remains important to note that neither Iran, Turkey or Italy are unique entities within the post World War

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<sup>16</sup> Miller, *Legislating Authority*, 107.

One community. Fascism was by and large during the 1920's a very popular form of governance. Rather the shared experiences in failed modernizations as well as a population that displayed a high level religiosity, allowed for a non-liberal ideology to spread within the political sphere. Fascism was of course incredibly popular and even in light of all three leaders: Mussolini, Mustafa Kemal, and Reza Shah, the international perspective on each was that their rule would bring stability back to these nations.<sup>17</sup> Each ruler's similar views on modernization, autocracy, and republicanism, show that these were not isolated events but rather events that existed contemporaneously. That is to say these were peer influenced ideologies.

## **Mosaddeq's Political Career**

Mohammad Mosaddeq was fortunate to have an illustrious and lengthy political career within Iran. In disseminating a history of his political career, Mosaddeq becomes a bridge between Reza Shah and Mohammad Reza Shah as it pertains to Iran's Nationalistic ideology as well as the rule of law<sup>18</sup>. Born under the Qajar rule to parents of high status, Mosaddeq lived to see various political changes which included a European style constitution put into place. Even Mosaddeq's own politics would change over the course of his career, and ultimately, while he continually believed in the political system (i.e. the constitutional method), it would be the

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<sup>17</sup> One thing that remains unclear despite what the research indicates is the level of ethnic or racial purity that existed within Iran in this period. While not at the same level as Nazi Germany, Mussolini's Italy did care about the ethnicity of its citizens, and of course Mustafa Kemal's Republican Turkey created a large rift with the burgeoning Kurdish movement of the 1920's and 30's.

<sup>18</sup> For a complete biography of the life of Mohammad Mosaddeq see: Farhad Diba, *Mohammad Mossadegh: A Political Biography*, (Dover: Croom Helm, 1986)

conflict between himself and the Pahlavi monarchy that would represent Mosaddeq's biggest political obstacle.

Mosaddeq's early career began in the era of the Constitutional Revolution, a movement which led to the ratifying of a new form of government in Iran. Mosaddeq was from the onset a strong supporter of the constitutional movement. After an early bid to be deputy of the new Majlis failed, Mosaddeq left in 1908 for Paris to begin his foreign education. In 1915 when Mosaddeq returned, he had completed a law doctorate at the University of Neuchâtel.<sup>19</sup> At this point he was invited to be a faculty member at the Tehran School of Law and Political Science.

Returning to Iran marked a turbulent period in Mosaddeq's career, one in which he was changing positions and appointments quite rapidly. This included: Governor of Fars, Deputy Minister of Finance, Governor of Azerbaijan, Minister of Finance, Foreign Minister and finally Majlis Deputy. Throughout the course of these successive appointments, Mosaddeq continually made his own political ideologies known often in the form of protest. In 1919 Mosaddeq left his post as Deputy Minister of Finance in protest to the Anglo-Persian treaty.<sup>20</sup> During his time as Majlis Deputy, Mosaddeq protested the coronation of Reza Shah believing his ascension to Shah and Ruler represented a form of arbitrary rule.<sup>21</sup> Ultimately, in 1928 Mosaddeq was banished to

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<sup>19</sup> This is remarkable as Mosaddeq was the first Iranian to complete such a doctoral degree in Europe and Iranian supporters of him to this day still refer to him as "Doctor Mosaddeq".

<sup>20</sup> Mosaddeq was also critical of the Treaty of Versailles.

<sup>21</sup> Homa Katouzian "Mosaddeq's Government in Iranian History", eds. Mark J. Gasiorowski and Malcolm Byrne, *Mohammad Mosaddeq and the 1953 Coup in Iran*, (Syracuse: Syracuse University Press, 2004) 4.

Khorasan and later to his own estate in 1940 due to political pressures from Reza Shah<sup>22</sup>, and wouldn't return to the political scene until after Reza Shah's abdication in 1941.

Similarly in the 1940's Mosaddeq struggled to assert his belief for political fairness within the Iranian system. In 1943 he was elected as Tehran's first deputy, but again withdrew in 1947 after he campaigned against ballot rigging. He was urged to return to the political scene<sup>23</sup> in 1949 where he continued to pursue an agenda against ballot rigging. At the same time Mosaddeq became increasingly concerned with the Supplemental Oil Agreement which he protested. By March of 1951 Mosaddeq had gained a swell of popular support which included the passing of his bill for Oil Nationalization, and in the following months was given a strong vote of confidence for the appointment of prime minister. Mohammad Reza Shah could not ignore Mosaddeq's popularity and approved his appointment for the premiership.

Mosaddeq's premiership was not without controversy. Immediately upon appointment he had to navigate the aftermaths of Oil Nationalization and the foreign pressures being placed on Iran from Britain. Within the first year as Prime Minister, Mosaddeq would resign in a dispute with the shah over the power to make cabinet appointments. As Mosaddeq's popularity was high this caused tensions within the streets of Iran and Mosaddeq, heralded as a hero, was brought back into power by the uprising on the 30. *Tir*<sup>24</sup>. As the pressure on the Shah had increased, Mosaddeq's influence indeed caused Mohammad Reza to leave Iran for the time being.

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<sup>22</sup> Ibid. 4

<sup>23</sup> Ibid. 4

<sup>24</sup> Ibid. 9

However a political schism was created in light of the uprising of 30 *Tir* and as such the new Majlis was largely split against Mosaddeq.

Much of the abilities and powers through which Mosaddeq used were granted to him by the Majlis. Mosaddeq had continually been granted emergency powers in order to deal with the various domestic and international political issues that were affecting Iran. When the Majlis and Mosaddeq were at odds, he declared a referendum in 1953 to dissolve the Majlis and call for new elections. Essentially Mosaddeq wanted to add the ability to disband the parliament if the situation called for it. Of course this particular referendum had to pass a popular vote. This referendum was the final undoing of Mosaddeq's power as premier, as two weeks later a US and UK led Coup ousted Mosaddeq from his seat and reinstated the Shah as absolute ruler.

After the Coup, Mosaddeq was put on trial for sedition against the Shah and sentenced to three years in prison. He hailed this move as a triumph of liberal democracy<sup>25</sup>. After his sentence was served, he continued to live under house arrest. Mosaddeq passed away after years of house arrest in Ahmadabad in 1967 at the age of 84<sup>26</sup>. Although Mosaddeq did not live to see the revolution, his influence in opposition to the Pahlavi monarchy continued to have a strong influence on the leftists who fought against the Shah in the coming years until the Islamic Revolution in 1979.

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<sup>25</sup> Welles Hagen, "Mossadegh Gets 3-Year Jail Term," *The New York Times* (22 December 1952): <http://partners.nytimes.com/library/world/mideast/122253iran-jail.html> (Accessed June 2015)

<sup>26</sup> Diba, *Mohammad Mosaddeq*, 192-194.

## Premiership and the Referendum

Much of the literature surrounding Mosaddeq written about in modern scholarship is centered around the brief but controversial period when he was Prime Minister of Iran (1951-1953). Mosaddeq represents an acting figure that at times was seen both in accelerating neocolonial powers (i.e. The US and Britain's reinstalling of Mohammad Reza Shah), but also as a staunch nationalistic presence, who opposed colonization and autocracy. Through his brief career he acted oppositional to prior rule (i.e. the Shah) through popular action, ultimately it was through this ideology against the *Majlis* and via Emergency Powers that Mosaddeq's career ended in a moment when he was primed to disband the Parliament and attain broader controls over the military. While largely overlooked in broader contemporary historical texts, the Referendum in 1953 to disband the *Majlis* represents a singular moment in Mosaddeq's career that highlights the tensions mounted between populist and royalist or Pro-Shah forces. Within the works of seminal authors of contemporary Iranian historians such as Abrahamian, Ansari, Azimi, and Katouzian, the referendum represents a means through which Mosaddeq attempted to gain further political ascendancy, and remove the shah, but fails for a variety of reasons as the referendum was not given its due diligence and 12 days after the proposal of it, the Coup was implemented.

Within two of his works centered around the period of the coup, Abrahamian's argument centers around the factionalism within the Tudeh Party with which Mosaddeq had a vague affiliation. Abrahamian's work centers on the economic and geopolitical histories of Iran from

the constitutional revolution to the Islamic Revolution of 1979 and thus the rhetoric surrounding the Coup and Mosaddeq more broadly has a strong tone of colonial and anti-colonial power. Indeed within Abrahamian's seminal work on Iranian history "Iran Between Two Revolutions" and within his most recent book dealing with Mosaddeq, "The Coup", the sources through which this book uses, deal largely with the broader economic and politically economic currents driving the larger geopolitical importance that Iran was espoused to be in during this early period of the Cold War. Thusly it seems inevitable that Abrahamian would overlook the Referendum's importance as ultimately what culminated 12 days later was the Coup. Furthermore the reason for the coup remains largely for Abrahamian as well as other scholars a monolithic notion of Colonialism.

Similarly Ali Ansari and Nikki Keddie, both of whom have written extensive volumes of modern Iranian history, glance over the nuances of Mosaddeq's premiership and the dense political landscape of the early 1950's. Largely the narrative that is maintained is that at the time of the Coup, Mosaddeq's democratic/nationalist government was overthrown by a colonialist coalition of the U.K. and U.S. in order to re-establish the autocratic rule of Mohammad Reza Shah<sup>27</sup>. The tomes of more generalized histories on Modern Iran (e.g. Keddie's "Modern Iran" or Ansari's "Modern Iran Since 1921") show the overall importance of major historical events such as the Constitutional Revolution, the abdication of Reza Khan in 1941, Nationalisation of Iranian

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<sup>27</sup> Ansari, *Modern Iran Since 1921*, 121. and Nikki Keddie, *Modern Iran: Roots and Results of Revolution*, (New Haven: Yale University Press) 130.

Oil etc, but fail to, particularly when it comes to Mosaddeq, create a more substantive argument concerning his political career and the broader implications of his tenure.

In recent years there has been a dearth of literature surrounding Mosaddeq's career and revisiting a series of events about his premiership including the Coup. These works include but are not limited to Dariush Bayandor's "Iran and the CIA" Abrahamian's "The Coup" and Mark Gasiorowski and Malcom Byrne's edited volume, "Mohammad Mosaddeq and the 1953 Coup in Iran". Bayandor's account of Iran and CIA was largely based on interviews and oral accounts, and while attempting to portray an historical method through sociological means, has been roundly criticized<sup>28</sup>; most notably in the Iranian Studies Journal (45:5) special on Mosaddeq and the Coup in which a series of other academics challenged the factual basis of Bayandor's scholarship. The largest effect of this growth in scholarship has reshaped elements of the narrative surrounding the Coup. One of the ways in which this narrative has impacted the broader discussion of the Referendum is that it frames the referendum as a furthering of the political schism between Mosaddeq and the Tudeh Party.<sup>29</sup>

In Homa Katouzian's article, "Mosaddeq's Government in Iranian History", the Referendum represents a moment of change in governance for Mosaddeq, "[F]earing that he was about to be given a vote of no confidence in the Majles, [he] decided to dissolve the Seventeenth

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<sup>29</sup> Fakhreddin Azimi, "The Overthrow of the Government of Mossaddeq Reconsidered", Iranian Studies 45:5 (2012), 702.

Majles by referendum and hold fresh elections.”<sup>30</sup> In so dissolving Mosaddeq attempted to accomplish two things. One, he attempted to restructure the *Majlis* more to his favor after suspicions had already arisen pertaining to US and British involvement in deposing Mosaddeq from Premiership.<sup>31</sup> Second, his attempt to disband Parliament was a one of the powers only awarded to the Shah, powers that Mosaddeq throughout his tenure had tried to levy away from the monarch. Indeed Mosaddeq had been awarded emergency powers consistently in his time as prime minister and had been operating under the guise of executive order. This ability to obtain extralegal status within the law highlights Mosaddeq's strong constitutional knowledge.

Katouzian's insistence on this particular narrative of the Referendum, highlights its importance in not only the downfall of Mosaddeq's political career, but also highlights the power that in one moment through classic European political thought, he tried to utilize in order to maintain Iran's independence from foreign intervention. Katouzian's narrative shows the strong nationalist sentiments that Mosaddeq held, derived largely from a body of thought that came from European Enlightenment, but also a byproduct of 20th century European development.<sup>32</sup>

Fakhreddin Azimi's essay, "Unseating Mosaddeq" while portraying the Referendum similarly to Katouzian's setup of time and a confrontation of two political forces, also shows a

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<sup>30</sup> Homa Katouzian, "Mosaddeq's Government in Iranian History", *Mohammad Mosaddeq and the 1953 Coup in Iran*, eds. Mark Gasiorowski and Malcom Byrne (Syracuse: Syracuse University Press, 2004): 17.

<sup>31</sup> Katouzian, "Mosaddeq's Government in Iranian History" 17.

<sup>32</sup> Mosaddeq's claimed favorite thinker was Montesquieu, but in the moment which he tried to rally the people in favor of the Referendum he referenced Rousseau-an or Kant-ian General Will. See: Abrahamian, *The Coup* (The New Press: New York, 2013) 170.

side of cunning political tactic. When Mosaddeq decided to use the Referendum to disband the parliament, Azimi claims it wasn't actually necessary, "[for] the continued resignation of deputies made a referendum unnecessary."<sup>33</sup> However, by calling for the referendum, Mosaddeq's hope was to deny his opponents the "quasi-legal" opportunity to unseat him from power. Relying not only the outside influences but statutes within the constitution as well, Mosaddeq hoped to continue a reign of strict constitutionalism and maintain popular favor. Azimi's argument shifts slightly, as he portrays Mosaddeq as someone who was staunchly democratic, and depended his political power on the right of free elections. Even still, it's hard to deny that the power Mosaddeq tried to exert, first through emergency powers, and second through a referendum to disband the body of government that continually kept his powers in check is the same apparatus designed and perpetuated by European governments in the early 20th century, all of whom relied and manipulated constitutions to their benefit. Mosaddeq similarly, was well versed in Constitutional theory and law, and was more than prepared to exert this power in way he saw fit for proper Iranian nationalism.<sup>34</sup>

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<sup>33</sup> Fakhreddin Azimi, "Unseating Mosaddeq: The Configuration and Role of Domestic Forces" *Mohammad Mosaddeq and the 1953 Coup in Iran*, eds. Mark Gasiorowski and Malcom Byrne (Syracuse: Syracuse University Press, 2004): 84.

<sup>34</sup> Both Azimi and Katouzian take time in their paper to address the legacy and hypothetical future of Iran had Mosaddeq not been deposed of his power. While this paper will seek to avoid such proclamations, it is hard to say with any certainty what might have been. However, the nostalgia that exists within Iran and the consciousness of the Iranian people is well documented in Ali Rahnema's essay for the special volume of Iranian Studies on Mosaddeq, see: Ali Rahnema, "Overthrowing Mosaddeq in Iran: 28 Mordad/19 August 1953" *Iranian Studies*, 45:5, 661-668

By and large, the narrative surrounding Mosaddeq has remained unchanged. The story of a staunch nationalist whose belief in democracy being overthrown by autocratic and colonial powers remains a deeply engrained part of the field, as well as for the people of Iran. Recent scholarship has only begun to highlight a myriad of variations to this age old narrative, much of which has included a more recent discussion, albeit brief, of the role of the Referendum. However that is not to say that the narrative is changing, more to say that the argument is more substantively engaged. This political moment was a threshold for power between two factions, fighting to lead Iran the way either saw most fit. Ultimately, as has been well documented, the colonial and autocratic powers reign supreme and continue what Katouzian sees as a cycle of “Arbitrary Rule- Chaos- Arbitrary Rule” in this ever contentious century within Iran (as from the Hajri-yi Shamsi).

### **Mohammad Mosaddeq, the Referendum, and the Exception**

Carl Schmitt most famously said, “Sovereign is he who decides on the exception.”<sup>35</sup> In perhaps his most widely regarded work, *Political Theology*, Schmitt set out to designate what constitutes the exception (*Ausnahme*). Schmitt asserts that the sovereign is able to suspend the rights of citizens in the time of necessity in order to safeguard the nation. As it stands, Schmitt was one of the legal architects for the Nazi Socialist state. In a way though, all Schmitt is declaring in this phrase is that for every regard within the law that is not clearly stated, those extrajudicial powers are given to the sovereign. Within the broader context of analysis when

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<sup>35</sup> Carl Schmitt, *Political Theology*, trans. George Schwab, (Chicago: University of Chicago Press, 2005), 5.

referring to the Referendum, Mosaddeq clearly embraces his role as protector of the rule of law within Iran and in demanding for a referendum to disband the 17th *Majlis* invokes the notion of the exception. That is to say, Mosaddeq's own political ideology mirrors a long standing trend of exceptional rule stemming from European fascist influences of the early 20th century.

The Referendum to disband the 17th *Majlis* and have new members democratically elected was issued on August 3, 1953 just 16 days before the Coup<sup>36</sup>. This period was filled with a lot of political dissidence, as Abrahamian claims, "In the weeks before the coup, [Kashani's] supporters were clashing with pro-Mossadeq demonstrators outside his home on an almost daily basis. One demonstrator was killed and two members of his family were arrested."<sup>37</sup> Kashani, who was president of the *Majlis*, had been publicly denouncing Mosaddeq, which in turn had caused a series of street wars and proxy political battles. As such it becomes clear that Mosaddeq's desire to disband parliament and reinstate it with new members is partly due to a need for political legitimacy and homogeneity within the broader political sphere of Iran, such that Mosaddeq could continue his agendas in maintaining Iranian oil, and combating the external forces of the UK, US, and USSR in turn.

In so claiming Mossadeq's Referendum to disband parliament and hold new elections as exceptional it will become expedient to analyze not only the events leading up to his invoking of the right to do so, but how the in so doing, he also invokes an exceptional clause. That is to say,

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<sup>36</sup> While the Referendum occurred on August 3, 1953, a proposal to initiate said Referendum was mentioned as early as June 1953 (Abrahamian, *Iran Between Two Revolutions*, 273)

<sup>37</sup> Abrahamian, *The Coup*, 169.

what Mosaddeq accomplishes in a successful version of this Referendum is the right to disband parliament. Mosaddeq's European education and influence were clear factors in his understanding whether consciously or unconsciously of the right to the exception. Not only in so doing does he claim a "necessity" in order to protect the tenuous balance of his union and position within Iran, he also asserts his right to rule while further diminishing the role and powers of Mohammad Reza Shah. This of course reflects strongly in Schmitt's work, "The Crisis of Parliamentary Democracy" in which he claims that there has been a transitioning from "dynastic to democratic legitimacy"<sup>38</sup>. While Schmitt is talking about the 19th to 20th century development of parliamentary democracies within Europe, this can be seen as strongly reflected in both Turkish and Iranian constitutional democracies of the 20th century.

The concept of the necessity or emergency is by all accounts a precursor to the exception, in which historically, the state of emergency was claimed in order to suspend the laws and preserve the State through authoritarian power.<sup>39</sup> That is to say, within a European construct, there existed an historical precedent for what would become the exception. Although Iran's constitution did not have an "Article 48" like in the Weimar Constitution, that does not indicate that emergency action or that exceptional powers were not granted or authorized by Mosaddeq within his tenure. Indeed as aforementioned Mosaddeq largely operated under granted

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<sup>38</sup> Carl Schmitt, *The Crisis of Parliamentary Democracy*, trans. Ellen Kennedy, (Cambridge: MIT Press, 1988) 30.

<sup>39</sup> For a greater historical account of the State of Exception see: Giorgio Agamben, *State of Exception*, trans. Kevin Attell, (Chicago: University of Chicago Press, 2005).

emergency powers from the *Majlis*.<sup>40</sup> He furthermore was able to maintain his agenda to use the idea of the necessity in order to obtain “financial solvency, but also electoral, judicial, and educational reforms.<sup>41</sup>” It is seen then, that the exception does not necessarily need to suspend the constitution but rather exists as a difficult decision to place the state above the citizen in a repositing of their unique relationship according to representative democratic constitutions. However, Mosaddeq may have had the political solvency to have made that decision as “By May 1953, the shah had been stripped of all the powers he had fought for and recovered since August 1941.”<sup>42</sup>

By all accounts, Iran was very much placed under a series of conditions that would have necessitated the Referendum. Due to strong international pressures against Mosaddeq as well as the struggle with the *Majlis*, the referendum as an exceptional moment, was needed to preserve Mosaddeq’s position:

In the months leading up to the coup, Britain and the United States intensified what Wilber describes as a “war of nerves” and “massive propaganda campaign designed to further weaken the Mosaddeq government in any way possible.”...

The U.S. embassy described this as “one of a series of shock treatments” (FO 371/Persia 104572)<sup>43</sup>

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<sup>40</sup> Abrahamian, *Iran Between Two Revolutions*, 273.

<sup>41</sup> Ibid.

<sup>42</sup> Ibid.

<sup>43</sup> Ervand Abrahamian, “The 1953 Coup in Iran”, *Science and Society* (65:2) 2001, 203.

As Mosaddeq was no doubt aware of Britain and the U.S.'s role in trying to orchestrate a coup for several years now, emergency powers, or exceptional powers maintained a political agenda that was both anti-colonial and legitimized Mosaddeq's sovereignty.<sup>44</sup>

Ultimately while Mosaddeq continued to strongly promote and continue the constitutional democratic method of Iran, that of course included the addition of the exception. The exception is deeply ingrained within the constitutional method, and has been proliferated in a variety of forms and names. Indeed, Woodrow Wilson acted on emergency powers granted to him by congress<sup>45</sup> in much the same way Mosaddeq. Moreover the usage of the exception shows within the 20th century much of the precursors for the fascistic ideology of Italy and Germany both of which created dictators due to their constitutional clauses that allowed for the dissolving of their respective parliaments. Of course this wasn't without the needed single party hegemony of the Fascisti or Nazi Socialists respectively. Mosaddeq tried to gain greater control and consolidate political power through the Referendum, which in turn is an exceptional power as Mosaddeq's operations were contingent upon his own direct action and not upon the *Majlis*. Mosaddeq fully embraced his constitutionalist role and understood the exception's role within the democratic form of government. His influences from European political thought provided a strong european style democracy within Iran. Indeed much in the same way as staunch American constitutionalists had done, Mosaddeq operated through the laws in order to obtain extra-legal power.

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<sup>44</sup> At the least it legitimized his constitutional sovereignty.

<sup>45</sup> Giorgio Agamben, *State of Exception*, 21.

## **The Coup and the lasting perceptions of Mosaddeq**

The Referendum, while not perceived to be the final straw in Mosaddeq's premiership, was presented at a time of high tension between the National Front and anti-Mosaddeq members. As the UK and US had been coordinating to remove Mosaddeq for some time, Operation Ajax finally came to fruition on the 28th Mordad/ August 19, 1953. The coup reinstated Mohammad Reza Shah which at the time was met with largely with praise and was obviously seen as beneficial for Iran's international policy moving forward (at least from the perspective of both US and UK interests).

The coup, by removing Mosaddeq, continued a narrative within Iranian history in which major events or complications would be "corrected" by foreign intervention. The Constitutional Revolution and Reza Shah's despotism were both intervened upon by British and Russian forces. Ultimately Mosaddeq's premiership was forcibly ended due to his unwillingness to continue this colonialist influence on Iran. His strong nationalistic intentions especially with Iranian Oil, as well as his insistence on reforming voting corruption and the economy. Mosaddeq was ultimately one of many nationalist leaders within the 1950's who in the post war period were strongly influence by a burgeoning post-colonial rhetoric.

Mohammad Reza Shah's return however, was an undoing for Iranian constitutional democracy. His tactics of domination and suppression, led by the creation of the secret police (SAVAK) only furthered the schism between secular and modernist forces with the religious

ones. Largely Mohammad Reza Shah, while an ally of the “West”, exacerbated an already contentious issue, as he furthered a campaign of forced secularization (unveiling) in an effort to make Iran a European country within the Middle East. This in turn created political dissidence not only with the religious intelligentsia but also leftist thinkers who opposed his autocratic rule.

The fomenting dissent against Mohammad Reza Shah resulted in the most regionally impactful event of the 20th century, the Islamic Revolution in Iran. Ayatollah Khomeini’s influence on the people of Iran enabled revolutionary sentiment to occur and in so doing, overthrew the last “Shah” of Iran and supplanted the parliamentary democracy with Theocratic rule. Ayatollah Khomeini proved that not only was he a law protector his was also the law creator, who placed himself within the blurred space between law and anomie. That is to say in much the same way as the dictators before him, Khomeini embraced the power of the decision as Schmitt referred to it.

This century within the Iranian calendar, a century which has not yet come to end, has marked perhaps the most tumultuous one in its long history. From Mohammad Reza Shah to Imam Khomeini, Iran has seen not only a series of sovereign changes, but governmental ones as well. Ultimately each ruler of the 20th century within in Iran reflects a linear consistency of Iranian politics that continually reflected the dichotomy between constitutionalism and arbitrary rule as Katouzian described. Mosaddeq too, while perhaps the most liberal of all sovereigns, used the exception to further his political agenda and create party hegemony by instituting the Referendum to disband the 17th *Majlis*. The exception and fascism therefore, represent a

particular type of political engagement within contemporary Iranian history which not had a very strong influence but was by and large a cause of much political dissent throughout the same period.

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