

Conflicted “Rationalisms”: The Confusion Between Three Types of Reason and its Bearing on Legal Authority in the Islamic Republic of Iran

The politico-legal system of the Islamic Republic of Iran lacks a coherent concept of political law, as multiple paradigms of legal reasoning coexist without effectively regulating state practice. This paper argues that this incoherence stems from the fusion—mediated by constitutional mechanisms—of three distinct forms of reason, each tied to a specific notion of legal authority.

The first is tied to the *Uṣūlī* school of Shīʿī law, where human reason is subsumed under divine reason (revelation). It facilitates the constant re-interpretation of the revealed norms but cannot generate new philosophical foundations for justice. Legislative authority remains collective, yet confined to the mujtahids.

The second supports Āyatullāh Khomeinī’s theory of *wilāyah muṭlaqah li’l-faqīh*. Here, legal authority becomes singular, resting on a figure who embodies mystical-intellectual intuition and overrides collective jurisprudential authority via the state apparatus.

The third form of reason, associated with the authority of the modern state, is inherently collective, secular, deliberative, historical, and relativistic—thus at odds with the other two.

The unstable fusion of these rationalities negates their individual logics and corresponding legal authorities. This paradox has led to the dominance of *raison d’état*, negating the logic of the rule of law and fostering anti-rational tendencies in legal thought.



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