Translation of Modernity and Islam
The case of Iran

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Dedication:
To my parents,
for their love.

Abstract

This study is inspired by two phenomena: first, the interest among certain translation studies scholars in sociological theories to account for the social implications of translation and translational activities; and secondly, the transformation of Iranian society along with its systematic and systemic integration into the globalized society. It attempts to analyze the role of translation –products and processes– in how modernity and Islam have been introduced to Iranian society of the 19th century and that of the 1990s, respectively.

Theoretical frameworks to define translation, describe society, and study the socio-political impact of translation are derived from Niklas Luhmann's theories of communication, society and politics. His theory of communication is used to define translation as a communication medium that makes communication across linguistic, semiotic and historical borders more probable. As a medium, translation can lend itself to two distinct levels of understandings. While the first focuses on actual translation products at textual level, i.e. inter-lingual translation products, the second addresses translation processes at macro-level, which enable professional role players in a social system such as the system of religion to draw communicatively the attention of other systems such as the system of politics. His theory of society serves to describe the semantics and structure of Iranian society during the 19th century. In the latter period Iran is caught in the avalanche of modern world politics and economy. It begins to use translation, among others, as an efficient mean to learn and derive information about the modern Europe. The new information raises communicative complexity in the society, the efficient handling of which gives birth to modern structures.

Luhmann's political theory is used to analyze Iran's post-revolutionary political system and its interaction with the system of religion. Iranian theocracy is considered undemocratic less due to the unification of religion and politics than due to its faulty differentiation into the subsystems of administration, politics and public. The way the system understands Islam is crucial in shaping political institutions and organizations as well as in evolving political structures (defining which politically relevant issues are taken into consideration as themes for decision making). The socio-political relevance of translation processes is then demonstrated based on how religious intellectuals take the task of 'translation proviso' seriously by translating modern political thinking into a religious communication, and in so doing, draw the attention of theocracy. Four translations of the Quranic verse 4:34 as well as an analysis of religiously informed political theories formulated in the intellectual journal of *Kiyān* will serve to demonstrate how religious intellectuals' reformist re-translation of Islam produces new communicative themes in the public opinion and hence draws the attention of theocracy.

The findings, of interest for translation studies, sociology of religion, political science and Iranian studies, show that translations, by disseminating information and raising complexity in society, are basic social operations with consequences for different spheres of society.

Keywords: (modern) Iranian society, sociology of translation, communication, theocracy, religion.

Résumé

Cette étude s'inspire de deux phénomènes : d'abord, l'intérêt que portent certains traductologues aux théories sociologiques pour rendre compte des implications sociales de la traduction; ensuite, la transformation de la société iranienne et son intégration systématique et systémique à la société mondiale. L'analyse porte sur la manière dont la traduction, ses produits et ses processus ont servi à introduire la modernité et l'islam dans la société iranienne, respectivement au 19e siècle et dans les années 1990.

Les cadres théoriques utilisés pour définir la traduction, décrire la société et étudier l'impact sociopolitique de la traduction sont dérivés des théories de la communication, de la société et de la politique de Niklas Luhmann. Celles-ci permettent de définir la traduction comme un outil interlinguistique qui facilite la communication à travers les frontières linguistiques, sémiotiques et historiques. En tant que *medium*, la traduction peut être comprise à deux niveaux. Le premier concerne les produits effectifs, textuels, ceux qui résultent de la traduction interlinguistique. Le deuxième concerne le processus de traduction à un degré supérieur et plus abstrait, permettant aux acteurs professionnels d'un système social comme celui de la religion d'attirer l'attention d'autres systèmes comme celui de la politique au moyen de la communication. La sociologie de Luhmann sert ici à décrire la sémantique et la structure de la société iranienne au 19e siècle. Pris dans l'avalanche économique et politique du monde moderne, l'Iran recourt à la traduction pour importer des connaissances depuis l'Europe moderne. Ces nouvelles données complexifient la communication au sein de la société en même temps qu'une gestion efficace de cette complexité exige et engendre des structures modernes.

La théorie politique de Luhmann a permis d'analyser le système politique post-révolutionnaire de l'Iran et de voir comment il interagit avec le système de la religion. La théocratie iranienne est jugée antidémocratique, moins parce que religion et politique ne font qu'un et davantage parce que les sous-systèmes administratif, politique et public sont insuffisamment différenciés. La compréhension de l'islam par le système politique détermine le façonnement de ses institutions et de ses organisations ainsi que le développement des structures qui définissent la pertinence politique des questions sur lesquelles des décisions peuvent donc s'exercer. La pertinence sociopolitique des processus de traduction est démontrée par l'attention que portent les intellectuels religieux à la tâche du « proviso traductif » selon Habermas, à savoir qu'ils traduisent la pensée politique moderne en une communication religieuse et, ce faisant, ils attirent le regard de la théocratie. La comparaison de quatre traductions du verset coranique 4:34 et l'analyse des théories politiques informées par la religion, telles qu'on les trouve formulées dans la revue intellectuelle *Kiyân*, montrent comment une retraducton réformiste de l'islam par des intellectuels religieux met des thèmes politiques en circulation dans l'opinion publique et attire ainsi l'attention de la théocratie.

L'étude intéresse la traductologie, la sociologie des religions, la science politique et les études iraniennes. Elle montre qu'en diffusant des informations et en complexifiant la société, les traductions sont des opérations sociales de base qui se répercutent sur les différentes sphères de la société.

Mots clés : société iranienne (moderne), sociologie de la traduction, comunication, théocratie, religion

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A note on transliteration

This dissertation uses the standard transliteration for names and titles in Persian as found in the Iranian Studies journal.

Iranian Studies transliteration Scheme

Consonants

z	ض	b	ب
t	ط	p	پ
z	ظ	t	ت
‘	ع	s	ث
gh	غ	j	ج
f	ف	ch	چ
q	ق	h	ح
k	ک	kh	خ
g	گ	d	د
l	ل	z	ذ
m	م	r	ر
n	ن	z	ز
h	ه	zh	ژ
v	و	s	س
y	ی	sh	ش
‘	ء	s	ص

Vowels

short	long	diphthongs
a (as in *ashk*)	a or ā (as in *ensan* or *āb*)	-
e (as in *fekr*)	i (as in *melli*)	ey (as in Teymur)
o (as in *pol*)	u (as in Tus)	ow (as in *rowshan*)

Introduction

1. Background and research questions

This research has been above all a personal quest of mine since I was young. Coming from a religious background, I was convinced that (Shiite) Islam was the best and the only just religion, that it contained laws that, when understood and followed accurately, ensured political, social and economic success in this world, and salvation in the afterlife. My political views were well formed in line with the ideological state apparatus of the post-revolutionary political system: following my education and religious background, I related any problem in society, be it political, social, cultural, or economic, to either a misunderstanding or misapplication of religious principles in society. This innocent understanding of religion remained more or less intact until the end of my studies in high school.

This religious and political worldview gradually began to change when I entered university. The new ambience allowed me to experience a dynamic atmosphere of exchange between tradition and modernity. I made new friends who were involved in student political activities. This time coincided with the zenith of the opening in Iran's civil society to a plurality of political voices echoed in daily newspapers, magazines and intellectual journals and in day-to-day interactions in the public. I began to read both reformist and conservative newspapers and to follow political, social, cultural and religious news on a daily basis. There were debates on religion and politics at different faculties at the University of Tehran. These debates aroused my interest in modern religious and political thought and the intellectual history both in Iran and in Europe.

While pursuing my Master's degree, my interest in philosophy and religion took me in the direction of hermeneutics. I wrote my thesis on the role of hermeneutics in the process of understanding and translation. While doing research into the history of hermeneutics, I became familiar with religious thinkers such as Abdolkarim Soroush, Mohammad Mojtahed-Shabestari and Hasan Yusefi Eshkevari, whose reformist readings of Islam seriously challenged my earlier religious convictions and worldview. These intellectuals used hermeneutics as their methodology in introducing their reformist readings of Islam, in describing and explaining religion, and in using modernity to criticize tradition and tradition to criticize modernity. My growing background in hermeneutics allowed me to follow their train of thought and engage in reconsidering my earlier religious and political persuasions in a new light.

Studying at the University of Ottawa opened up the possibility for me to engage more deeply with questions related to religion, modernity and politics in modern Iran from the viewpoint of

translation theories and practices. This was made possible due to the nature of translation studies, a young discipline with close interaction with a wide range of disciplines such as philosophy, sociology, psychology, cultural studies, and linguistics. It was through different readings in theory classes that I learnt about the intense dialogue among different disciplines. I also audited courses in the departments of philosophy and political science, which whetted my interest in the confrontation between modernity and tradition and the reflection on this confrontation in Iranian society over the past two centuries.

An instance of interdisciplinary exchange happened in the linguistic turn. As I understand it, this turn replaces a transcendental subject or a subject reference of knowledge with language and argues that language less mirrors than constructs realities and truths. Therefore, the limits of language not only become the limits of knowledge, but also impose limits on how the world can be understood, described or analyzed. Language filters, structures and determines reality. It is no surprise that the meaning-creating function of language has affected many disciplines, including translation studies. What happens to our understanding of translation when it less represents the meaning of text in another language than constructs its truth in a new socio-cultural context? This concern logically ends up into an epistemological issue, as one wonders how to solve the problem of knowing into telling or documenting by using a discourse that "is not merely a neutral discursive form that may or may not be used to represent real events in their aspect as developmental processes but rather entails ontological and epistemic choices with distinct ideological or even specifically political implications" (White 1987: ix). That is why representations of others turn into "fictions" and this not in the sense of something false but in the sense of "something made", "something fashioned" (Geertz 1973: 15), for such writings themselves are not merely interpretations but rather thought experiments contaminated by discursive tools, i.e. "scholarly artifice". Discourse is not a vulnerable raw material to be formed or flexibly reshaped by the force of the reality that imposes itself, but on the contrary it is a powerful tool to cover and shape the reality. In the same vein, translation not only represents other texts, but also constructs, more importantly, realities.

A change of direction in the study of translation that does not limit itself to the philological-textual dimensions of translation but rather incorporates epistemological and methodological achievements of further turns such as "interpretive", "reflexive", "post-colonial" and "pragmatic" turns in cultural studies and linguistics (Bachmann-Medick 2006; Snelly-Hornby 2006) is, since the late 1980s, known as "cultural translation" in the study of translation. It is a logical ramification of such openings-up from a rigidly linguistic perspective of translation towards a

socio-culturally oriented operation of translation, which can perform a wide range of functions in the target culture.

Such a self-critical reflection on discourse as fiction has far-reaching political and epistemological implications. Parts of these undertones have been studied in post-colonial studies. In fact, the dynamics of power involved in cultures translated into an anthropological discourse is a key turning point where cultural anthropology and postcolonial theory with their critical interests intertwine. The ethnographic problem of translation and representation is politically loaded and the attention is directed towards suppression or subordination with tools of representation (cf. Said 1989). Translations always function under certain constraints, and one of these constraints is the manipulation of power relations to construct an image of the Other in order to preserve, extend, or to subvert the hegemony (cf. Sengupta 1995; Niranjana 1992; Cheyfitz 1997; Robinson 1997). Yet translation does not always have a negative function in reinforcing the hegemony. On the contrary, it might serve a useful function as an active site of resistance to colonial and neocolonial powers (Rafael 1993, Tymoczko 1999), for translation, as Bhabha (1994) holds, creates a space of "hybridity", "negotiation" or, as Iser (1994) maintains, initiates "recursive loopings", that permits an interaction between the sides of power imbalance.

These interactions have allowed a greater understanding of translation, whose philological-textual dimensions with traditional qualities such as equivalence, faithfulness and translatability have dramatically expanded during the last four decades to include more generic topics in a cultural translation practice such as identity, appropriation and representation. Translation is no longer seen as a social medium to overcome the differences in languages or cultures but as a social medium that allows the interaction of different spheres of society in spite of their differences. This means cultural and social elements that are usually hidden or scantly emphasized in textual translation (cf. Buden and Nowotny 2009: 202 f.) are brought to our attention in order to construct an analysis category out of the concept of translation. Therefore, it is possible to analyze and describe the cultural challenges of our modern society, which is mainly characterized by social fragmentations, as translation processes. The ways cultural, national and religious identities are constructed, manipulated or resisted are the domains where cultural translation with its focus on difference rather than on eliminating difference can contribute theoretically and analytically.

This dissertation formulates four key questions, the first of which concerns whether or not translation performs a social function, and if so, how. Following the linguistic turn, this question addresses the question of how translation contributes to the formation of social reality. The

second question concerns the translation of modernity into Iranian society. It asks whether or not translation has contributed to the modernization of Iranian society, and if so, how and to what extent. The third and fourth questions concern the translation of Islam at individual and social levels, respectively. With regard to the translation of Islam, I wish to use translation practice and translation theories as a framework to achieve two purposes: first, to analyze the modes and conditions that steer understanding in general, and understanding of Islam in particular; and secondly, to establish a corresponding "pathological diagnosis" (Hartmut et al 2013: 18), i.e. to observe undesirable developments, malformations and consequences of prioritizing one certain reading of religion over others. A pathological diagnosis of understanding religion becomes particularly pertinent if Islam for a large number of faithful Muslims "is not just a religion, it is a way of life" (Beyer 2006: 6). For the faithful, it is a set of principles that guide their political, cultural, social and economic orientations. Therefore, depending on how the average adherent understands Islam, their stance towards different social phenomena and their social actions and reactions might vary accordingly. This normative force of religion is reinforced by Iran's political system, a modern theocracy, which distinguishes itself from other political systems in that it not only reinforces the religious orientations of the faithful, but it also exploits religion and religious guidelines for the formation and structuring of larger societal structures. So the third research question of this dissertation is how translation can serve as an analytical framework to account for the complexity of understanding religion at the individual level. And finally, the fourth question concerns the way different social systems and spheres of Iranian society such as politics, science, religion and social movements understand Islam and use translation as a universally accessible language in order to interact with one another.

2. Definition of translation

In its definition of translation, this study is informed by the linguistic turn in philosophy as well as the cultural and sociological turns in translation studies. Following the former, language not only reflects but also constructs reality. Following the cultural turn, translation not only represents another text but also constructs its reality. Such reality is not only informed by the receiving linguistic system and culture, but it also creates further culture-specific realities. And following the sociological turn, each system has its own language and, in order for each system to introduce its issues into another social system, should translate its contributions into the specific language of the receiving system. What cultural and sociological turns have in common is that meaning is detached from the text and becomes the construct of the receiving culture or system.

Therefore, this study understands translation as a medium that less mirrors than constructs the truth of the text or the phenomena it aims to represent.

This study conceives of translation as a complex use of language that allows individuals to understand what the text says, and makes the dissemination of information across the borders of natural languages possible. As such, it is understood not only in the sense of translation proper, i.e. the translation of texts from one language into another, but also in metaphorical and social senses, i.e. translation as a metaphor for understanding and translation as a basic social operation, respectively (see Figure 1).

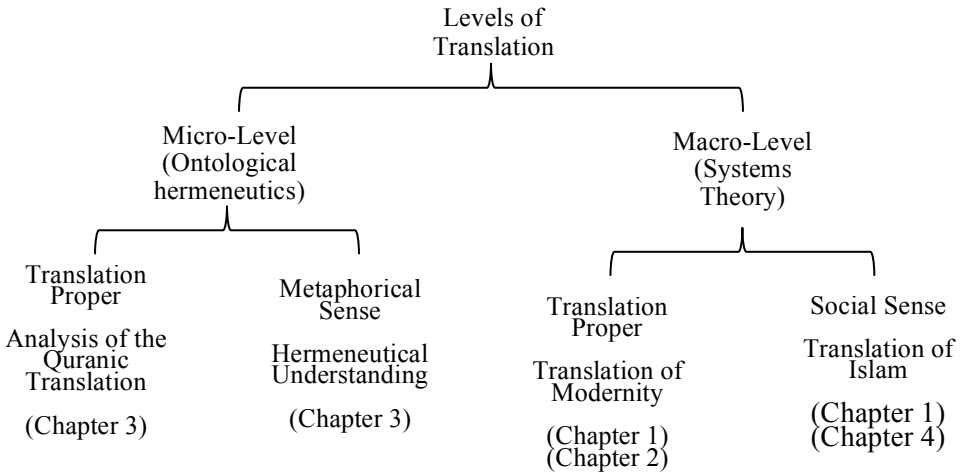

Figure 1: Translation of modernity and Islam at micro- and macro-levels in this study

There is a parallel logic between the above-mentioned typography for translation and the above-mentioned research questions. To address the first research question, the conceptual framework of systems theory is used to define translation at the micro-level as a basic social operation that allows the dissemination of information across linguistic borders. This macro-perspective of translation is less concerned with translation processes than with translation products and their impact on the dissemination of information within different spheres of society. A micro-level understanding of translation is employed to address the second research question. Actual translation products demonstrate, namely, to which themes a system is interested in and how systemic structures are developed to absorb, process and synthesize new themes into systemic elements. To address the third research question, translation is used in both a metaphorical and an interlingual senses, first, to account for the complexities of understanding in humans and secondly, to analyze the way hermeneutical understanding allows an analysis of actual translation products. This metaphorical understanding of translation in reflecting on the modes and conditions of human understanding permits the analysis of actual translation products as the

culmination of translators' interpretations of a given text. A hermeneutical analysis of translation products permits this research to demonstrate that while translations of the Quran in a religious political system can become the locus of exercising power, they can become, in the same vein, the locus of resisting power. Translation as a basic social operation is used in response to the fourth research question. Employing a sociological theory that conceives of communication as the constituents of society gives the green light for using translation as a social operation that permits the transformation of issues of non-systemic relevance into issues of social systemic relevance.

3. Theoretical framework

Since this study is informed by the question of understanding and translating modernity and Islam at both a micro-level, i.e. at the level of individuals or psychic systems, and a macro-level, i.e. larger social constellations, organizations, institutions and social systems, it relies on philosophical hermeneutics and systems theory as its theoretical frameworks (see Figure 1). Both of these theories are concerned with the question of understanding. The former makes it the very theme of its observation, and the latter takes understanding as indispensible for communication, the most basic elements of society, to come into being at all.

3.1. Hermeneutics

Hermeneutics is generally understood as the study of understanding phenomena, especially the task of understanding texts (Palmer 1969: 8; Ricoeur 1973: 112; Gadamer 2004: 393). Understanding ensures the appropriation of (textual) meaning, which the history of hermeneutics has primarily located either in the textual intention (classical hermeneutics), in the rediscovery of the authorial intention (philosophical hermeneutics of Schleiermacher or Dilthey), or in the reader's intention (ontological hermeneutics à la Heidegger, Gadamer and Ricoeur). It is the last case that this study takes translation at a micro-level not only to study the modes and conditions that affect understanding of the Quran but also to analyze how individuals use their historical background in coming to a certain translation of the Quran.

Translation of the Quran produces a discourse that turns into the instrument of exercising political power or resisting such power in contexts where religion and politics are united in the state administration and government. A theocratic political system transforms a political and jurisprudential reading of religion into social institutions that serve to extend the public influence of religion as well as to underscore the ideological foundations of the theocratic polity. Part of

this official reading of religion is well reflected in the translations of the Quran. In the power struggle in a religious society like that of Iranian society, a hermeneutical practice in understanding and translating the Quran and Islam can establish new readings of Islam and hence resist the state's monopoly in the understanding and implementation of religion.

3.2. Luhmann's theory of systems and society

Hermeneutics is primarily concerned with understanding at a micro-level, i.e. at the level of individuals. Being a branch of philosophy, it does not address the question of understanding at the social level. Building on how hermeneutics functions as a motor for reformist or resistant readings of religion in Iran, this study is concerned with the question of how a reformist reading of religion can affect the themes a theocracy adopts to make publically binding decisions, and how this theocracy observes and understands modernist communications on religion and reacts to them. In either case, understanding is addressed at the level of social formations. Therefore, this study adopts a sociological approach that conceives of modern society as a comprehensive system that is internally differentiated into several systems, and these systems can observe and understand one another in their own ways. The most comprehensive way of describing modernity as a process of societal differentiation is suggested by Niklas Luhmann, whose reflections are assumed as the second theoretical framework of this study.

Niklas Luhmann's theory of society can well address and thematize the social function of translation. Society for Luhmann consists of communication, the synthesis of three contingent acts with two actors: alter (traditionally the sender) selects a piece of information and finds a verbal or non-verbal form to express it, and ego (traditionally the receiver) observes, i.e. makes a distinction between information and utterance and indicating one side of the distinction, i.e. either the utterance side or the information side, in sum, understands. While both alter and ego can take the form of individuals, they often take the form of the social systems of face-to-face interactions, organizations and functional systems. An essential condition for ego to understand alter's utterance is that ego can distinguish between utterance and information. Such a distinction is hardly possible when alter uses a linguistic form that is unknown to ego. The incomprehensibility of an utterance for ego can disrupt the completion of communication. Translation can be seen as a social operation that functions as a medium to render an otherwise incomprehensible form of utterance into a comprehensible form of utterance for ego.

This social understanding of translation allows the current study to address our second research question, namely the way translation has helped Iranian society to understand modernity by drawing information from the modern world society. One can formulate the hypothesis that it would have taken a much longer time for Iranian society to participate in different world social systems, to increase in complexity, and to construct the much-needed information about its European environment if translation had not facilitated the interaction between the two. By drawing on Luhmann's theory of society and theory of evolution, this study can trace the impact of translation on the modernization of Iranian society. Modernization is understood as a form of differentiation of society on the primacy of functional differentiation of social systems.

The social understanding of translation, moreover, makes it possible to address the fourth research question: given the fact that modern world society is most inclusive in that everybody is allowed participation in different spheres of society, this study investigates how religious intellectuals and reformists can participate in the political system by transforming issues of non-political interest into issues of political interest. Such participation is most acute in a theocratic political system, which relies on a monopolized reading of religion as the basis for many socio-political formations.

4. Historical background of the study

This study focuses on two periods in order to address the translation of modernity and Islam in Iranian society.

The first period includes Iranian society during the 19th century, when Iran commenced integration into the globalized world society. In this period the Qajar dynasty reigned for a period of 131 years, from 1794 with the rise of the first Qajar king to the crown to 1925 with a coup d'état that brought Reza Shah and the Pahlavi dynasty to the center of political power. Crucial for Iran's perhaps unwilling integration into the European-centered globalized society were disastrous defeats of the Iranian traditional army against Russia's modern army in 1804-1813 and 1826-1827, increased diplomatic contacts with the West resulting from intense European diplomatic rivalries over Iran, and the rapid expansion of the European-centered globalized economic system. While these events violently shook the pre-modern structures of Iranian society, they helped it to become aware of certain values and requirements of the modern world. As a result, western science, technology and educational methods found their way to Iranian society and the modernization of the country began from the second half of the 19th century.

The second period comprises the 1990s, the second decade following the Islamic Revolution. This period is marked by important events such as the end of the eight-year Iran-Iraq war in 1988, the death of the Ayatollah Khomeini, founder of the Islamic revolution, in 1989, the appointment of the conservative Ayatollah Khamenei as the new supreme leader, and the election of the rather pragmatic Ayatollah Hashemi Rafsanjani as the president of Iran in 1989. These events undermined the ideological tone of the post-revolutionary polity and introduced a new pragmatic turn, which led to the gradual recovery in economic, social, cultural and political spheres of the society during the 1990s. It was within the context of such restricted opening up of Iran's civil society that religious intellectuals were engaged in disseminating reformist readings of Islam with their political, legal and social implications in public opinion. These ideas not only challenged the ideological and religious foundations of the theocracy, but also contributed intellectually to the introduction of modern values and institutions into Iranian society, as well as co-founded a reformist discourse that found unanimous approval in the political system in the 1997 presidential and 2000 parliamentary elections.

5. Research outline

This study addresses the four research questions formulated in section 1 in four chapters, respectively.

Chapter one addresses the question of how translation might be conceptualized within Luhmann's theory of systems. It tries to define translation at the macro-level. Luhmann argues that fundamental units of society are communications and not individuals. This has two consequences for the study of translation; first, society's understanding is not the same as human understanding; and secondly, translation can affect society, because it is a form of communication, to varying degrees depending on the degree social systems observe, understand, and take it as the premise of further communications. As for how translation might be located within Luhmann's sociological framework, I rely on his theory of communication media to conceive of translation less as a functionally differentiated system (Tyulenev 2012; Hermans 1999, Vermeer 2006) than a communication medium that facilitates the interaction among social systems. Translation plays a social role when understanding, with which a cycle of communication rounds up, becomes problematic due to linguistic and understanding barriers.

How can interlingual translation perform a social function? How does translation contribute to the evolution of a society? These two questions are addressed in the third chapter, in which the social

function of translation and its contribution to the modernization of Iranian society during the 19th century are investigated. In doing so, the chapter looks into different aspects of Luhmann's theory of society. One characteristic of modern society is that communicative borders of world society replace geographical borders of pre-modern societies. Two evolutionary achievements make this possible. First, the printing press, when coupled with the market economy, multiplies communication offers and dissemination of information around the globe. Physical presence as a condition for communication becomes, with this social achievement, less relevant. Therefore, the limits of the modern world become the limits of communication. Translation pushes the border of these limits further outward. Translated communications can go beyond linguistic borders. Secondly, modern society is distinguished from pre-modern societies through the primary mode of differentiation. While segmentary, stratified or hierarchical modes of differentiation characterize the latter, modern society is internally differentiated on the basis of social function. Different systems of society monopolize the competence of addressing a social function. For instance, scientific communication occurs in a world society. Different regions might participate to different degrees in different fields, moving them to the center or periphery of the different fields of research in the system. Modern society is polycontextural in which no one system occupies a central position or steers others. Iranian society was a pre-modern society at the turn of the 19th century, for it was communicatively cut off from the European-centered world society. One reason for this separation was that it did not have many means to interact with the modern world. One condition for interaction is to understand the other, and different languages served as a significant impediment for Iranian society to observe the modern world.

The second chapter takes the position of a second observer in the system of science and adopts translation as an observing perspective to investigate which aspects of modernity the Iranian society chose to observe, and how. An analysis of the kinds of texts translated, the agents commissioning translation projects, and the original as well as the intended audience of these translations provide valuable information, which might be used for a better analysis of the modernization processes of Iranian society.

The third chapter addresses translation at the micro-level. To show how a metaphorical use of translation might be made productive for analyzing the translation of Islam, I have chosen different understandings of the Quranic verse 4:34. This verse discusses the issue of marital and/or men vs. women relations in Islam. It is usually interpreted as assigning men the responsibility of financially maintaining women. In return, women are urged to abide by their husbands' demands, the violation of which might allow men to take disciplinary measures. The

selection of verse is contingent, as another verse could also be selected for the purpose of analysis. Four translations, two into English and two into Persian, are chosen for analysis. A hermeneutical analysis of the four translations discloses how the subjectivity of individual translators colors the final translation.

Social systems have a hermeneutic of their own. Political or legal systems, for instance, have their own systemic rationality and follow their own logic to observe and understand their environment. In any case, they can observe and understand phenomena that are distinguishable/understandable for them. In the case of Iran, a theocratic political system or a *Shari'a*-based legal system are particularly irritated by the system of religion, i.e. Islam and the Quran. Following the theory of society, there is no Islam *per se* that would lend itself to a definition. This study defines Islam, in line with systems theory, as a set of communications with the binary code of transcendence/immanence about Islam. Therefore, legal and political systems observe communications, i.e. translations, exegeses, commentaries, about the Quran selectively, and understand them selectively as well. This two-fold selective observation requires and justifies the study of translation at the macro-level. A reply to the questions of whether or not, and if so, how, translation affects society, and how a translation of modernity and Islam has affected Iranian society of the 19th century and the post-revolutionary political system of the 1990s, respectively, requires a conception of translation at a sociological level, to which Luhmann's social theories are adopted.

The fourth chapter is dedicated to an analysis of how Islam has been translated in Iran's post-revolutionary political system. It adopts Luhmann's theory of social systems to investigate the way religious intellectualism as *translation proviso* has affected decision-making processes in Iran's theocratic political system. The process is a labyrinth and requires several aspects of Luhmann's theoretical thinking. In doing so, the chapter first investigates Luhmann's political theory as the criterion for the description of Iran's political system. World politics is differentiated in a segmentary way into nation states. Politics in nation states is further differentiated into the subsystems of politics, administration, and public. Different forms of political systems make the internal differentiation of subsystems to different degrees. The more differentiated and autonomous are these subsystem, the more efficient becomes the political system in addressing the widest range of problems with political decisions. What distinguishes political systems from democratic, at one extreme, to totalitarian, at the other extreme, include factors such as how they observe themselves and their environment; interact with other systems; derive issues of political relevance; use these in the processes of decision-making; and use

legitimatized power to make these decisions binding for the society; etc. A comparison between a democratic system and Iran's theocratic system clearly demonstrates that the subsystems of politics and administration are not sufficiently differentiated. This has consequences for the way theocracy carries out its social function.

Secondly, this chapter analyses why and how Iran's political system is irritated by the system of religion. How systems interact with one another and how psychic and social systems are structurally coupled constitute the crucial aspects this section adopts from Luhmann's theoretical reflections to investigate the way theocracy observes its environment and interacts with other systems. The structural coupling between religion and law through *Shari'a* law, and between law and politics through the constitution explain how a particular reading of religion is reproduced and disseminated in Iranian society.

Thirdly, the chapter examines how and why religious reformists might be of particular importance to the political system. The nature of theocracy makes the political system highly irritable to the system of religion. The latter, like any other social system, consists of communication about religion, in which everybody is allowed to participate. Religious intellectuals who produce reformist readings of religion, in contrast to the state's official reading, can draw the attention of a larger segment of society. The more widespread disseminating of communications on religious reform and modernism can provide religious intellectuals with a prominent status in the system of religion. Compared to secular counterparts, these intellectuals are more likely to co-determine communicative themes in public opinion. However, this likelihood is exploited in a more complicated way. That is why theocracy's control over the system of mass media is introduced. The latter gives form to the otherwise invisible public opinion. Only an autonomous system of mass media can use its binary code as sole criterion for the observation and representation of the world. Such representation is then used by a variety of systems to observe themselves and other systems and the way in which systems are observing one another. The political system can observe other systems and itself in the mirror of public opinion. Therefore, religious intellectualism can affect political communication and decision-making depending on the degree to which it can co-determine major themes in public opinion. While the logic of 'good fences make good neighbors' describes well the status of modern society, in which functional systems are most efficient when systemic fences block mutual communicative influence, the Iranian theocracy assumes steering roles and sets many redlines for the system of mass media in its observation. Furthermore, since air-waves and broadcasting, together with a

large number of printing presses, are state-run and follow state policies, the system of mass media in Iran not only under-represent, but also misrepresent these intellectuals.

Fourthly, the chapter borrows the concept of *translation proviso* from Habermas to introduce a metaphorical concept of translation at the micro-level. Religious intellectuals are seen as mediators who take the task of *translation proviso* seriously and carry out two functions simultaneously. They produce a second-order observation of Islam. In doing so, they lay bare what traditional or conservative readings of Islam, which constitute a point of reference for theocracy in its observation of the religious system, do not see. At the same time, they translate secular or civil contributions into a religious discourse. In doing so, they make these otherwise invisible contributions visible for the theocracy.

And finally, to follow the circulation of religious reformist communication, communications on the relationship between religion and democracy and civil society are discussed and analyzed in the intellectual journal *Kiyān,* which was published during the 1990s.

Chapter one
Translation in society

Introduction

This chapter is concerned with the questions of understanding and translation at the macro-level. It addresses the question of understanding at social level and how translation serves as a social evolutionary mechanism to make understanding across linguistic borders and dissemination of information across spatial, temporal and social barriers possible. To demonstrate the social function of translation, it relies on Niklas Luhmann's super theory of society. The advantage of the theory is that it shifts the emphasis from individuals to meaning processing formations. The latter is comprehensive enough to include both psychic systems, i.e. individuals, and social systems, i.e. interactions, organizations, social systems and social movements.

It will be argued that translation needs to be defined with regard to its function in society to allow for an analysis of its contribution to social transformations. Luhmann's theory of social systems lends itself well to study the social impact of translation in introducing modernity and reformed Islam to the Iranian society. The theory "claims *universal* validity" (Luhmann 1995: 12, emphasis mine) for the description of society's reality. Therefore, in this chapter an epistemological question is discussed: how can translation be explained in terms of Luhmann's theory of society? An adequate answer to this question creates a theoretical basis to analyze the social function of translation, first, during the modernization of Iran during the 19th century (chapter two), and during the religious and political reform movements of the 1990s (chapter four).

At an epistemological level, this chapter is primarily concerned with locating translation within the framework of systems theory. Only when translation's function within Luhmann's theory of society is properly understood will it be possible to use the theory in the analysis of how translation can function in the evolution and transformation of a society. After briefly reviewing the literature on the topic, this chapter will consider translation as a communication medium. The first section is dedicated to a brief review of systemic studies of translation. It begins with Even-Zohar's polysystem theory, which makes use of the system concept borrowed from the Russian formalism, and continues with more recent considerations of translation as a social system, which make use of the system concept borrowed from Niklas Luhmann's theory of social systems. The second section will introduce some of the key concepts of Luhmann's systems theory. These

concepts will provide an insight into the mechanisms that allow systems, among others, to gain information from their environment, process them in their reproduction and incorporate them into their structures of reproduction. They will shed light on the epistemological question, i.e. whether or not translation is a social system, which will constitute the theme of the following section. It will touch upon the key arguments in favor of conceiving translation as a functionally differentiated system. These arguments will be approached rather skeptically. After reviewing the distinction between medium and form in the fourth section, it will be argued that translation could also be understood as a medium that facilitates the dissemination of information within the system or facilitates the interaction between system and other systems. The fifth section builds upon Luhmann's theory of communication to introduce translation as a communication medium. The key idea of the theory is that communication is originally an improbable phenomenon, which is nonetheless transformed into a possibility thanks the evolutionary mechanisms of language, dissemination media and success media. Translation is an evolutionarily mechanism that helps systems overcome the improbabilities of communication at the levels of understanding and communicative utterances reach more addressees in society.

1. Systems in translation studies

Over the past few decades, translation studies has seen a number of turns in the direction of its research (Snell-Hornby 2006). Following the focus of research on cultural issues pertaining to translation theory and practice during the 1980s and 1990s (Bassnett and Lefèvre 1990, 1998), the first decade of the 21st century has witnessed an increasing attention to the social dimensions of translation (Wolf and Fukari 2007). Beginning in the late 1990s, a sociologically informed investigation of translation began with "the exclusion of the real translators and the cognitive, cultural and social resources they brought to the translation task" (Prunč 2007: 42). Objects of investigation in a sociological investigation of translation included, among others, "the function of translation in the global distribution and reception of cultural goods; the influence of market forces on translation practices; the role of translation and interpreting in articulating socio-political and symbolic claims of the nation state; translation and globalization; translation and activism; and translators' agency" (Inghilleri 2011: 279). Bourdieu and Latour have been among the sociologists, whose conceptual frameworks have been widely adopted by translation scholars to explain different dimensions of translation (see Simeoni 1998; Guanvic 1997; 1999; Wolf 2006; 2007; Heilbron/Sapiro 2004; Buzelin 2005).

Similar to the cultural turn, a sociological reflection on translation occurred in response to

attempts to move beyond the modes and conditions of re-constructing textual meaning across linguistic borders and to study the socio-cultural function of translation products within the receiving culture. Early sociological studies of this kind happened in the 1970s. The leading figure was Itamar Even-Zohar, who adopted the concept of system from literary criticism and developed polysystem theory. He drew sources of theoretical inspiration from the influential Russian school of literary criticism during the 1910s to 1930s, known as Russian formalism. Then, he used the theory to analyze the contribution of literary translations to the formation of Hebrew literature. One reason why this kind of research originated and boomed in Israel might be attributed to the significant relevance of translation to the formation of national identity and national literature of a nation that did not exist as such priori to 1948.

Russian formalism conceived of systems more as dynamic than static formations, which undergo change in reaction to their environment. They evolve in a Darwinian sense, for they are sensitive to their environment and adapt to it accordingly. The Russian formalist Tynjanov introduced this concept of system into literature so as to "understand better the relationship of the innovative formal element to the specific text and to the existing literary order" (Gentzler 2001: 112). If literature can be viewed as a system, it would be possible to study the development of literature as the development of systems. It is based on this conception of system that Even-Zohar developed polysystem theory in the 1970s. His aim was to develop a "theory of translation" to describe "the intricate historical structure of Hebrew literature" (1990: 1). In fact, polysystem theory was a theory of literature; about the way a literature behaves, de-stabilizes, evolves and re-stabilizes itself. Therefore, literature is seen as a complex whole that consists of interacting segments or systems. The theory refers "to the entire network of correlated systems – literary and extraliterary – within society" and polysystem theory is an attempt "to explain the function of all kinds of writing within a given culture – from central canonical texts to the most marginal non-canonical texts" (Gentzler 2001: 114).

If one is ready to understand a system as a "closed set-of-relations" and yet an "open structure consisting of several such concurrent nets-of-relations" (Even-Zohar 1990, 12), then a polysystem turns into a highly complicated and structured entity that encompasses all the functions of individual systems. These systems are hierarchically structured. Such hierarchical structures evoke that systems struggle with one another to acquire a dominating position. For instance, translated literature, which constitutes a system in the polysystem of literature, can occupy a place in the hierarchy of literature that might stand closer to or farther from the center. This is to say that translated literature in different systems of literature can hold a central or peripheral position

(see Even-Zohar 2004).

Even-Zohar holds that the marginalization of translation in the historiography of literature is owing to a lack of systemic study of it. If polysystem theory holds valid, then translated literature should be seen as a constituting component in literature. As a system, it carries out a particular function for the polysystem of literature and, depending on its importance for the formation of literature, it occupies a particular position within that literature. As a closed system of its own, the system of translated literature is open to other systems in the polysystem. The modes and conditions governing the interaction between translated literature and other systems determine the status of the former within the polysystem. Translated literature, as Even-Zohar shows, has played a crucial role in the formation of national literature of Israel. This leaves little wonder why he conceives of "translated literature not only as an integral system within a literary polysystem, but as a most active system within it" (1990: 46). In fact, the position of translated literature in a cultural and linguistic community depends on the overall constellation of the polysystem. In other words, it is the polysystem of literature, which can partly determine the primary or marginal function of translated literature. When a literature is young and not well-established, peripheral or weak, and when in turning points or in crisis or in lack of certain innovations, translated literature will occupy a central position (see 1990: 47f.).

Polysystem theory was an innovative step to move beyond a mere systematic study of literature to a systemic study of translated literature. As such, it "was only an initial step in the socialization of translation" (Tyulenev 2009: 148) with some strengths and some shortcomings. The theory allowed an investigation of translation at a macro-level. The significant contribution of the theory consisted in shifting the focus of attention from the classical areas of reflection on translation such as translation equivalence, word-for-word or sense-for-sense translations, possibility or impossibility of translation, etc. to an examination of the role that translated texts play in new contexts. It studied the impact of translation in the formation or transformation of the sphere of literature or arts in society. The theory, at the same time, suffers from some shortcomings. One such shortcoming is that polysystem theory, in spite of claiming of the social contextualization of translation, restricts its attention to (translated) texts and does not investigate other social forces and spheres that affect the reception of translations in the target context. In fact, as Hermans (1999: 118) points out, "polysystem theory is aware of the social embedding of cultural systems but in practice takes little heed of the actual political and social power relations or more concrete entities such as institutions or groups with real interest to look after. For all its emphasis on models and repertoires, polysystem theory remains thoroughly text-bound". Another shortcoming

is the theory's resource to explain the dynamism of polysystem, which is basically conceived as a struggle among systems to move from the periphery towards to center or to maintain the central position. Reduction of dynamism in systems to the opposition between center and periphery reduces the actual complexities of systems. And last but not least, polysystem is primarily concerned with the translation of literary texts with the system of literature. If translations produce social repercussions, they go beyond an individual sphere of society and can affect different spheres of society. These shortcomings call for the necessity of adopting a more comprehensive concept of system with a more detailed conceptual apparatus to explain the multifaceted function of translation in society.

One such comprehensive concept comes from social systems theory, the most known representative of which is the German sociologist Niklas Luhmann. No sociologist has expanded the concept of system more detailed than Luhmann has done. His theory of society, since society is itself taken as a social system, falls within the theory of systems. The latter has drawn the attention of translation scholars to describe and analyze the social dimensions of translation. A brief review of some of the theory's key concepts seems necessary before going into what avenues it has opened up for translation studies.

2. Key concepts of systems theory

The most fundamental concept in Luhmann's theory is the concept of system. Luhmann assumes that there are systems (1995: 12), but they do not exist in an ontological sense. There are systems because an observer, e.g. Luhmann, decides to observe certain phenomena as systems. "Thus the statement 'there are systems' says only that there are objects of research that exhibit features justifying the use of the concept of system, just as, conversely, this concept serves to abstract facts that from this viewpoint can be compared with each other and with other kinds of facts within the perspective of same/different" (ibidem: 2). The difference between system/environment is the starting point of the theory. Systems exist when they can distinguish themselves from their surroundings or environment. This distinction gives the system an identity of its own, which is maintained as long as the system carries out its operations. Operations of each system produce the elements unique to the system. Operations of a living system like a cell produce life, and life distinguishes the biological system of a cell from non-biological systems. It is through operations that a system draws a border from an environment that does not belong to it. Cell exists as long as it distinguishes itself from its environment. This distinction creates a border: while the system marks the border's inside, the environment marks the border's outside. A system

continues to exist as long as the distinction between inside and outside the border remains stable over time.

System's distinction from its environment by the system's reproducing its constituting elements autonomously, i.e. independently from its environment. The "production of a system by itself" (Luhmann 2012: 52), i.e. autopoiesis, allows a system to acquire an identity of its own, and be at the same time autonomous from its environment. An autopoietic system stands in contrast to an allopoietic system. The latter cannot reproduce its elements from its own operations. It relies rather on a particular input to produce a particular output. For instance, a car engine requires gas and oil to produce the electricity required for the smooth movement of the car. Unlike an autopoietic system, the allopoietic system of an engine is incapable of producing its own elements. If anything goes wrong, i.e. the motor fails to produce the expected output, a non-systemic force such as a mechanic can intervene and fix the problem.

Depending on what operations constitute, characterize and identify a system, there are different kinds of autopoietic systems: living, psychic and social systems (see Figure 1). The operations of living systems produce the elements of the system, i.e. life for biological systems, thoughts for psychic systems, and communications for social systems. Elements are the ultimate entities that cannot be decomposed by the system. These systems are strictly separated from one another in their operations and do not interfere in each other's operations. The operational separation of autopoietic systems from their environment and from other systems is called operational closure.

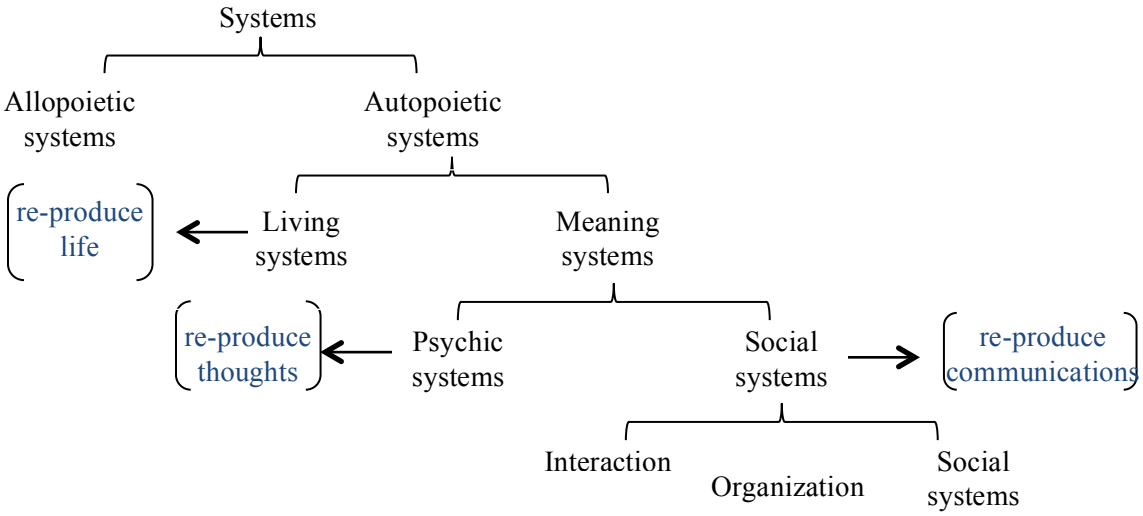

Figure 1: Distinction of systems

The underlying thesis of operational closure is that no system can operate outside its borders. Operational closure means that all operations leading to the production of the system's new

elements rely on the system's earlier operations. These new operations, in turn, are equally required for the emergence of the following operations. Such operational closure is the *conditio sine qua non* for the system's autonomy and its differentiation from its environment. For instance, life can be produced only within a cell, even if the latter requires other materials such as oxygen and nutritious materials from the outside to fulfill its task of producing life. Or thoughts are produced only with the mind or the psychic system and nowhere else, although something outside the mind always gives an impetus for the production of thought. By the same token, communications as the specific operations of social systems result from earlier communications and provoke further communications. It is only in society that communication is produced, and not in psychic systems. The strict operational closure of system means that psychic systems or humans cannot communicate, and are therefore neither part of a social system nor an element of it. It is such strict separation of systems that helps Luhmann to argue why individuals do not constitute society and why they should be put outside the realm of the social (see Luhmann 2005a: 33f.).

The operational closure implies the self-referential character of systems as well. Operations of an autopoietic system allow the system to refer constantly to itself. Self-referentiality is that characteristic of an autopoietic system that allows to distinguish between the operations that belong to the system from anything else belonging to the environment. Self-reference stands in contrast to foreign reference. This is the case when the system refers to the environment. Depending on what the self of the self-reference alludes to, "an element, a process, or a system" (Luhmann 1995: 33), there are three kinds of self-references: basal self-reference, reflexivity and reflection, respectively. Basal self-reference refers to the connected operations and makes a further distinction between element and relation. Reflexivity also based on the distinction between before and after, hints to the specific encompassing communication process. Reflection, in making a distinction between the system and its environment, refers back to the system.

An autopoietic system's operational closure does not mean that the system is independent from its environment. The system is closed, namely, at an operational level, and is open at a cognitive level to its environment. The simultaneous openness and closure of an autopoietic system is not a contradiction. "One must formulate the closure and openness of systems not as an opposition but as a relationship of conditioning" (Luhmann 1995: 219). It goes without saying that if the requirements of a system are not given, the system will automatically cease to exist. For instance, a psychic system can function only when it is embedded in a biological organism. If the latter ceases to produce life, the psychic system will automatically cease to operate. In the same vein,

autopoiesis qua life and qua consciousness is a presupposition for forming social systems, which means that social systems can actualize their own reproduction only if they can be sure that life and consciousness will continue (ibidem: 218f.). Beyond these requirements, however, the systems operate recursively. Only life produces life, only thought will create further thoughts and only communication will generate further communication.

A key concept to explain operational closure and yet the cognitive openness of systems is structural coupling. The concept explains the system's relation to those environmental requirements that should be given for system to continue its autopoiesis. In this sense every system is adapted to its environment. Otherwise it would risk its survival. But the system pursues its operations in spite of the space of dependencies autonomously. In fact, "structural coupling is an orthogonal relation to the self-determination of the system. It does not determine what happens in the system, but must be presupposed, because autopoiesis would otherwise come to a standstill and the system would cease to exist" (Luhmann 2012: 55). For instance, social systems cannot do without psychic systems, for there should be psychic systems to participate in communication in order for the latter to come into being in the first place. The structural coupling between the two is made possible with the medium of language. Or, the social systems of politics and law are structurally coupled through the constitution, and the social systems of mass media and politics through public opinion. Even if the systems mutually need each other, they cannot determine and regulate the operations of each other. Environment can affect a system through irritations, which are then processed internally in the system. This does not say that environment irritates, but it is the structure of a system that is in the first place irritable to certain phenomena outside its borders, and the system is irritable to these phenomena.

Autopoietic systems can make sense of their environment. Meaning systems, i.e. psychic and social systems, understand their environment. Such understanding is made possible through systemic observation. A system's cognitive openness allows the system to observe, to make sense of, and to understand its environment. The theory of observation, borrowed from Spencer Brown, indicates that every observation calls for a distinction between something as opposed to something else, or something as opposed to anything else. In the operation of observation, there is side that is marked and indicated and the other side that is unmarked and hence un-indicated. For instance, when indicating a bicycle, it is distinguished from cars, trucks, motorcycles, or from anything else from the viewpoint of observation. Although the indication of bicycle does not say anything about the kind of distinction made, it takes the distinction of the observed object for granted. Therefore what might be called as the identity of an entity like bicycle is nothing more

than a distinction or differentiation. The same goes for a system, for a system can observe only when a scheme of difference is assumed. A meaning-processing system (ego) understands by making a distinction, and there is no pre-given criterion as to what kind of distinction should be made. It is through observation that an autopoietic system gains information from its environment (see Figure 2). For instance, more tourists get burned on their skin while swimming in Ontario Lake. This might be taken as a form of utterance by different systems: system of science observes the utterance and derives the information that it might owe to the thinning Ozone layer above the city (completion of a communication cycle), for the verification of which it sets up research groups and projects to investigate the hypothesis (continuation of scientific communications); system of law derives the information that something illegal might have happened (completion of a communication cycle), for which members of the city council might be sued for having neglected public health care (continuation of legal communications); system of politics might see this as a result of false policies of the government (completion of a communication cycle), which can encourage the opposition to attack the policies of the government in power in the hope of winning the next elections (continuation of political communications); etc.

Furthermore, observation is crucial for system to keep its border with the environments. A system maintains its border by processing the difference between itself and its environment operatively as the difference between self- and foreign-reference. To show the preceding point in an example of psychic system, it is worth recalling that thoughts connect to thoughts (self-reference) and are at the same time thought about something in he environment (foreign-reference). Each new thought is connected to the previous one in the context of this distinction and can indicate only one side of this distinction, i.e. either the system itself or an object in its environment. For instance, while I am playing soccer, I recall that I have not heard from my supervisor for long. I can connect to the content of this thought in a certain number of ways. One way is to assume that he is too busy with his research or that he has forgotten about my last submission. One other way is to wonder how weird it is to think at this particular time about the issue. In the first case, the following thought marks the foreign referential aspect, and in the second case, it marks the self-referential aspect of the previous psychic operation. In each instance, however, each indication of the difference aspect requires necessarily the other aspect, which for the moment of indication remains un-indicated. Each new operation observes the previous operation through the distinction between self- and foreign-reference and then indicates one of its sides. The reproduction of a system implies that every operation observes its previous operation and entails in this respect the continual self-observation of the system. Luhmann writes

> All observation of the environment presupposes the distinction between self-reference and other-reference, which can be made only in the system itself (where else?). And this also makes it clear that all observation of the environment stimulates self-observation and every gain in distance from the environment raises the question of self, of one's own identity. Since we can observe only with distinctions, the one side of the distinction makes us, as it were, curious about the other, stimulates us to "cross" the boundary (as Spencer-Brown would say) that is marked by the form "system ad environment" (2012: 49).

Operations of psychic and social systems share a common characteristic. They are both meaning-processing systems. Meaning in its systemic sense deviates from its conventional understanding, either related to a particular purpose and end, or to what is meant by a word, text, concept, or action. In his elaboration of meaning, Luhmann relies on Husserl (Kirchmeier 2012: 117f.). What is constitutive for a system with regard to meaning is the distinction between actuality and possibility. "Meaning is the continual actualization of potentialities. But because meaning can be meaning only as the difference between what is actual at any moment and a horizon of possibilities, every actualization always also leads to a visualization of the potentialities that could be connected up with it" (Luhmann 1995: 65). Meaning is therefore the constant new arrangements of differences between actuality and potentiality, i.e. the constant actualization of possibilities. Meaning has therefore always two sides, namely what is selected or actualized, and included with it the large number of other possibilities as potential.

It is decisive for the autopoiesis of a social system, which operate in the medium of meaning, that not all meaning potentials are rendered actual but a careful selection is made from the large number of possibilities. This selection is made with the help of the structures of meaning system. Structures are the conditions, which delimit the connection range of a system's operations; they are the conditions of the autopoiesis of each system" (GLU 1997: 184). They mark the selection of operations that are permissible in a system. In other words, structures indicate a limitation of possibilities that are allowed for connections in the system. There is a circular relationship between structures and communicative events of a system: social structures define which communication events are more probable to appear; at the same time, structures of a system are themselves the product of communicative operations, i.e. social systems produce with each operation at the same time their structures. While structures give direction to the connection of new communications, they are themselves subject to confirmation, stabilization, modification, transformation and evolution with each communicative operation. Neither elements nor structures exist independently. "To this extent structure as the selection of constrained possibilities is presupposed in the constitution of qualified elements and thus in autopoiesis. Yet it is no productive factor, no underlying cause, but merely the constraint on the quality and connectability

of the elements" (Luhmann 1995: 284). Elements and structures of a system are therefore produced in the system itself and nowhere else. A system cannot import elements and structures from its environment. It cannot operate in its environment either. A system refers with every new operation to its earlier operations and the intersystemic connection of operations continues as long as the system exists. Autopoietic systems work self-referentially, for they refer to themselves with every new operation.

Operations and elements of social systems are communications. Social systems are autopoietic systems in that they constantly produce communication from communication in a recursively closed process. According to Luhmann, communication as the element of social systems is understood as the synthesis of a three-dimensional selection process: contingent selection of a piece of information from a horizon of possibilities; contingent selection of utterance from a wide range of other possibilities; and finally a contingent selection of understanding in the form of distinguishing between information and utterance. This definition unfolds two key divergences of non-systemic conceptions of communication. One the one hand, it denies communication as the transfer of intentional meaning from one mind to another. Inputs and outputs are not elements of communication. On the other hand, communication happens only if at least two meaning processing systems (alter and ego), for instance two psychic systems, are present. Communication does not result from the action of an individual. The selection of information, utterance and understanding requires the participation of a number of psychic systems. This being said, communication is not the operation of individual psychic systems participating in communication. Of course partners of a conversation do process and understand the communicated information, but they do so in the form of thoughts and as such, thoughts are unique operations of the psychic and not social systems (see Nassehi/Kneer 1995: 83ff.).

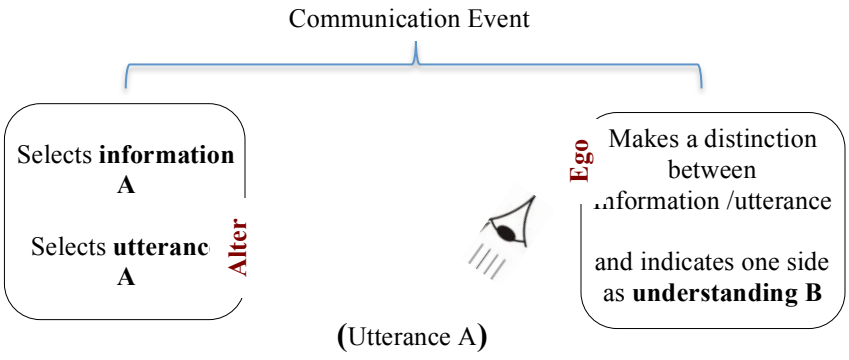

Figure 2: Communication event with three acts and two actors

In the observation of their environments, systems might undergo evolution. Evolution happens in society as well as in individual functional systems. Environment is more complex than the system, and this difference requires the system to adapt to its surrounding in an appropriate way. This adaptation should be, however, understood less in a Darwinian sense. While in the classical theory of evolution the environment plays a crucial role in causing changes in the evolution of system, according to which the system is either capable of adequately adapting itself to the environmental changes or risks its chance of survival, system's adaptation to the environment is achieved as long as it can continue its reproduction. The different degree of complexity between a system and its environment constantly provides the former with desaturations. Systems can react to these desaturations in two ways. The system either increases its indifference to these changes, or it reacts to them through variation of its structures. In the latter case, the system becomes irritable to its environment. Once irritated, however, it is up to the system either to ignore the environmental changes altogether, or to evolve internal mechanisms allowing the incorporation of environmental distributions find an echo in the system's structures and hence in the system's autopoiesis. Structural and evolutionary changes might be explained with the help of the circular and threefold mechanism of variation, selection of variation and stabilization.

3. Translation in social systems theory

3.1. Social systems based approaches in translation studies

Application of Luhmann's concept of systems in translation studies is young and has not thus far drawn the attention of many translation scholars. Early application of the theory to translation began from the late 1990s onward. These attempts might be divided into three interrelated approaches. The first relates to an application of Luhmann's theory of society to describe translation as functionally differentiated social system. In his monograph of translation on society, Tyulenev (2012: 1) writes that his approach "aspires to continue Luhmann's original series by adding a systemic description of one more social function system—the translation system". Since translation is such a complex phenomenon that hardly lends itself to a linear description, it requires a more complex concept of system to explain the multi-faceted dimensions of translation. In this approach, translation is juxtaposed with other social phenomena such as politics, law and art, and it is studied as a functional social system. There are some advantages attached to a social and systematic investigation of translation. Tyulenev (ibidem: 7f.) lists some of them as follows: it allows a strategic development of research by overcoming simplistic models of linear causation; it has the potential of developing a table like Mendeleev's period

table, allowing the accommodation of diverse aspects of translation practice and theory under the umbrella of translation system; it explains how translation as a social activity might relate to other social activities; it provides an analytical tool to describe the intended or unintended consequences of translation activity in society; and last but not least, it sheds light on the crises in the domain of translation theory and practice. This approach is explained in more detail in the next section.

The second approach focuses on how the conceptual apparatus of social systems theory lends itself to re-define certain themes in translation studies in a new light. The theory introduces a new conceptual apparatus to observe and describe translation as a social phenomenon. So the main question becomes what social systems theory or elements of it brings to the world of translation. This might explain why Hermans becomes in his later writings less interested in proving translation as a system and draws his attention rather to what would otherwise go unseen or unnoticed if an observation of translation from a macro-level were not taken into consideration. He writes that "the aim of describing translating as a social system is not ontological proof but the deployment of a conceptual apparatus, so as to see what we can see when we decide to see things from this vantage point" (2007b: 111). Translation training and translation history are two of the areas that Hermans attempts to re-describe with the conceptual apparatus of systems theory.

Tyulenev (2009) argues that systems theory can address macro-sociological types of research, which has been an under-researched area of sociologically informed translation studies. While translators and interpreters as social actors as well as groups of translators and other agents involved in the social activities around translation have been given some attention in the literature on translation research, larger formations such as cultures, nation-states and civilizations have thus far acted less as the principal focus of scholarly research. A general systems theory that reflects on society as a whole and attempts to explain it in terms of a systemic phenomenon lends itself well to the highly complex social function of translation and its relation to other social structures. In applying Luhmann to translation, Tyulenev (2009) suggests three paradigms. The first paradigm conceives of translation as a system (2010b, 2012: part I). The second paradigm takes translation as a subsystem in a system. This paradigm is an extension of Even-Zohar's investigation of translated literature as a system in the polysystem of literature. Here translation is taken as a subsystem to account for the social function of translation (2012: part II). The third paradigm takes translation as a boundary phenomenon, that allows social system to open to and close themselves from their environments and make operational closure possible. This paradigm, in a sense, expands the polysystem theory and studies the role or impact of translation in the

overall social system of society. In this latter sense translation is understood as a social activity informed by place and time of its realization, and as such, it constitutes the boundaries of system.

The third approach in using systems theory in translation concerns the social impact of translation in particular societies and historical periods. These studies might also be seen as an extension of the boundary nature of translation phenomenon, which Tyulenev makes the topic of a case study, the role of translation in the Westernization of the 18th century Russia in his PhD dissertation. Translation as a systemic boundary fulfills a twofold function, namely closing the system in its operation and opening it up to its environment for interaction. To explain the function of boundary, Tyulelev (2012) adopts the Luhmannian distinction between element and relation. While the elements of every system remain within the very boundary of the system, relations can penetrate the boundary between the system and environment, ensure the opening up for both the system to gain information from the environment, and allow the system to produce a representation of the self in the environment (2012: 146f). In fulfilling its mediating function, translation acts as a means of allowing materials or items pass through the boundary of the system either to the system or to its environment. The case of Russia demonstrates that "virtually all the system/environment dealings were carried out through translation. Translation became a mechanism of "throughput" between the system and its environment" (2010a: 177). While the system was mainly the recipient of output from the environment in the former half of the 18th century, it created a balance in the second half of the century in terms of acting as the recipient of information from the environment as well as delivering data to the environment. In the latter case, the system made use of translation to introduce an output about the system. There existed various reasons for this, of which the existence of an unfavorable image of the system in the environment was one. Translation served as a systemic mechanism to correct this image. This is to say that the system makes use of translation to produce a positive representation. Translating these texts was an indispensable means for making them available to the environment, and was thus a constructive act for Russia's positive image in its environment.

3.2. Translation as a social system

After having discussed some key concepts of the systems theory, the question that attracts our attention is whether translation lends itself to be conceived as a social system. All translation scholars who have applied Luhmann's theory of systems to translation assume the possibility of conceiving of translation as a social system (Hermans 1997, 2007a, 2007b; Vermeer 2006; Tyulenev 2009a, 2009b, 2010a, 2010b). If assumed as a social system, it should disclose all the

characteristics that make translation into a social system, such as differentiation from other systems, operational closure and cognitive openness, observation, autopoiesis, and self- and other-reference.

Hermans (2007b) argues that translation has evolved, historically speaking, into a social system from the 18th century onwards. As a neo-Darwinist theory of evolution, systems theory conceives of evolution in terms of a recursive process of variation, selection and stabilization. According to Hermans, two crucial moments in history have contributed to the formation of translation system. The first moment occurred during the latter decades of the 15th century with the invention of the printing and carried on during the 16th and 17th centuries, when the European society was undergoing functional differentiation as the new mode of societal differentiation. The printing culture had allowed from the earlier decades of the 16th century onwards not only the wide spreading of books across society, but also the dissemination of better, more authentic and error-less copies than those produced by copyists. The similarity of book copies brought authors to their readers closer than ever. As printing encouraged more audience to read books and produced a market for cultural and scientific materials, and more readers provoked the production of more practical knowledge, authors began to orient themselves to the market, i.e. to the tastes and needs of their audience. "Translation from and into various vernaculars as well as into the international language of the time, Latin, proved an effective means of increasing the volume of reading material for different types of readers" (ibidem: 131). It was in response to their readers and the market that for the first time several translations of the same work began to appear. This marked the origins of the autonomous system of translation: "translation began to observe itself and to cater deliberately for particular markets" (ibidem). The second happened with the Romantics, where "the discovery of the Latin and Greek classics generated high-prestige and therefore self-conscious translations" (ibidem: 132). Theoretical reflections on translation, e.g. distinction between learned vs. vulgar or literary vs. commercial or day-to-day translations, led to internal differentiations of the system. Distinction between different kinds of translation products was indicative of such early differentiations. And finally translation's reflection on its status came to its peak when Romantic philosophers and translators reflected on the possibility of translation. Hermans argues that the possibility of translation was not doubted because writing itself was perceived more as an imitative than an original creation. "It is not until the demise of imitation as a formative principle in the course of the seventeenth and eighteenth centuries that translation will need to redefine itself against the new concept, originality" (ibidem: 133). When juxtaposed with an original, the question that preoccupied the romantic translators was whether it was possible to re-produce the original meaning, which was intertwined with the modes of thinking and feeling of

its language, into a new language, with its engine to produce different modes of thinking and feeling. At this period, authors and translators like Humboldt, Schleiermacher, Jean Paul and Hölderlin ran against the dominant assumption of translatability and postulated for the first time the impossibility of translation. Reflections on the possibilities of translation within the emerging system of translation "helped to establish precisely these boundaries [of translation system] and made them visible" (ibidem). This was to bring the difference between certain texts as translation and any other semiotic forms into the system (re-entry), and as such it proved a final push to "the emergence of translation as a functionally differentiated system" (ibidem: 134).

Hermans (2007b) further argues that translation as a functional system carries out a unique function in society, and as an autopoietic system re-produces itself by coherently connecting its unique communicative elements to one another. System of translation consists neither of translators, nor of their thoughts, dictionaries, translation tools, clients or their professional associations. It consists of communication events, which disappear as soon as they appear, and in order to continue as a system, it should find mechanisms to ensure more coherent communication events follow the ones that appear and disappear. The communicative elements of the system are "translations or [statements] pertaining to translation" (ibidem: 113). Composition of a new translation can less be conceived as an element of the system, as translation might occur, in a hermeneutical sense, in the mind of a reader who is reading a foreign text and translating it into the horizon of his language and expectations. In order to be system elements, "translative communications" (ibidem: 114) need to disclose two characteristics: first, they should not be any but a particular kind of communication so as to fit the system of translation; and secondly, they should have a social dimension, i.e. they should be articulated and recognized as translation and have the potential of ensuing responses. Like any communication, a translative communication synthesizes the three components of a communication: utterance or enunciation, which is the representation of something as a translation; information, which is in reference to another text, particularly one that exists in another language; and finally understanding, which marks the distinction between what someone says by saying something in a certain way (ibidem: 114).

Tyulenev (2012) argues that translation is an autopoietic system, i.e. a system that determines its own making with the aid of a network of relations within its well-defined boundary. In contrast to allopoietic systems that are thoroughly dependent on their outside for their production, autopoietic systems are operationally closed in producing their constituting elements and are yet interactionally open to their environment to receive the required material and to ensure their autopoiesis. If translation is taken as a system, then it should demonstrate a self-organized whole

with adequate mechanisms to regulate and maintain an increasing internal order. An autopoietic system increases order and combats entropy. The history of translation demonstrates an evolution from a lower to a higher degree of organization in both translation practice and theory (Tyulenev 2012: 36). Educational establishments and professional institutions are involved in establishing the professional field of translation. By mediating the know-how, the field provides individuals with the credentials to practice translation as a profession. In addition to the evolution of translation into a professional field, the evolution of translation theory further contributes to the determination of translation as a unique phenomenon with certain characteristics that clearly distinguish translation from other social activities.

On a more systemic level, if translation is to be seen as an autopoietic phenomenon, Tyulenev argues, translation should answer three questions positively: (1) Is the system self-bounded? (2) Is the system self-generating? And (3), is the system self-perpetuating? (2012: 37; 2010b: 361). Translation is self-bounded, when translation exists as a specific type of communication and when all communicative events might be classified either as translations or non-translations. Only the positive side of the distinction would belong to the system. Translation is self-generating, when no other social system but translation is in charge of generating translation communicative events. And translation is self-perpetuating when it operates in a boundary, which it draws by its operations, and generates its elements within the very same boundary.

To show that translation addresses all the three questions, Tyulenev (2010b) provides more detail by elaborating the communicative event of translation. The most basic form of a communicative event (CE) requires the involvement of at least two information processing systems, i.e. one alter (A) and one ego (B). As the synthesis of information, utterance and understanding, a single communicative event (see also Figure 2) might be demonstrated as follows:

CE1 [A: Utterance1>Information1≈B: Understanding1]

Alter approaches ego and asks: “what time is it?” Ego understands A in that he first realizes being addressed by A and secondly makes a distinction between the utterance and its informative content. With B’s understanding of A’s utterance, irrespective of whether B has understood A’s intention correctly or not, the cycle of communication is complete. In other words, as soon as B realizes that A is addressing him with a statement, question, warning, gesture, or any other form of action, and that this address involves a piece of information for him, a simple cycle of CE is complete. How B reacts to the action of A, i.e. to her utterance, is a matter of connecting another CE to the earlier CE.

A translational communicative event (TCE) is the case when A's action is uttered in a semiotic system that is unknown to the other participating partner in communication. Although B realizes that A is addressing him – and in doing so the cycle of communication is complete –, he cannot extract the information of A's utterance action due to the unknown semiotic form of action. The possibility of a new CE following the previous one is hence jeopardized, for the initiating CE is "communicative-wise defective" (353). Although the statement is understood, a further communication cannot follow. This is the case of a TCE, which requires at least three such psychic systems to participate in the communication process: one alter (A), one mediator (B), and one ego (C). Accordingly, one cycle of communication is complete only after the second CE, i.e.

TCE: [A: Utterance1>Information1≈B: (Understanding1=Utterance2)>Information2≈C: Understanding2]

Although in a TCE, neither A nor C expect the full participation of B in the communication process, they do recognize the necessity of B as a catalyst, without which the continuation of communication would take a long time.

This paradigm of TCE is used by Tyulenev to demonstrate two points. First, translation is "a specific kind of communication" that serves "a particular social function" (2010b: 354). This mediating role of translation is a function that no other system in modern society carries out. "The fuller translation", adds Tyulenev, "manifests itself as a social subsystem" (ibidem). The function of translation consists hence in increasing "the likelihood of intrasystemic communication and intersystemic interaction" (ibidem: 352). This function is carried out more by translations as such than by translating agents, for translators are less visible than what remains open for communication. Secondly, and more importantly, if translation is a system consisting of TCEs as its constituting elements, one should be clear about what constitutes the system of translation, i.e. whether only translational acts or rather the two CEs complemented by the translational act are the most basic elements of translation system? The answer to this question should help demarcate the borders of a particular communication event that is translation. Tyulenev believes that a TCE is composed of not only the mediator's participation but also that of A and C in the process of communication. "A and C exercise trigger-causality on TCE. TCE, however, cannot be generated without A and C and therefore the entire TCE should be considered as the unit of translation system" (ibidem: 354). Tyulenev concludes that translation is an autopoietic system in that it replies to all the three questions positively:

> As has been shown above, in the TCE chain A→B→C neither A nor C operate in the fashion B does and it is this part B that is translation *per se*. Part B stands apart in terms

> of its operations and therefore it is self-bounded. Part B viewed as a bounded zone generates its own elements and therefore it is self-generating. In its recursive reproduction, it perpetuates itself. Thus, based on these criteria, translation can be said to be an autopoietic system (2010b: 361).

Autopoiesis of translation system indicates the reproduction of systemic elements with a more or less predefined structure. TCEs need to follow one another in such a coherent way that identifies the system from its environment. System's identity implies that operations should not follow each other in a random way. It would otherwise not be able to distinguish between communications belonging to the system and those not belonging to the system. Operations should follow each other in coherent way, which is ensured by the structures of the system of translation. Structures define what systems should expect, for a meaning processing system expects under certain conditions the actualization of some possibilities by potentializing all other possibilities. With expectations, communications might follow one another in a coherent way. For instance, ego sees dark clouds in the sky and he expects that it will rain, or it will be cooler. He orients his actions therefore against the backdrop of current experiences of reality toward certain possibilities in future. Among a wide range of possibilities, he selects to take an umbrella or a jacket. Expectations construct the structures of social system, and structures define the range of operations in a system. "Structures of expectation are basically the condition of possibility for connective action and thus the condition of possibility for elements' self-reproduction through their own arrangement" (Luhmann 1995: 290). Structure means that certain occurrences, processes or combinations are more likely than others. When re-modeled in translation, the horizon of expectations opened by translation is determined by conditioning factors that govern concepts and practices of translation. Translation system can channel communications in unique direction only when capable of connecting CEs in a structured way. Conditioning factors in translation are usually equaled with norms. To approach the question of translation's structures, Hermans (1999) discusses the question of translation norms that in a general sense provide the criteria as for which textual products might be labeled as translations. Norms might be cognitive or normative. While the former is subject to modification and mutation, the latter is rather rigid and more prescriptive. "Constitutive norms" of translation set the expectations for "polic[ing] the boundaries of translation" (1999: 141). A violation of these fundamental norms will exclude some textual products from the range of TCEs. "Regulatory norms" (ibidem) set expectations of other kind, namely those that govern appropriate representations that pertain to a particular text type or discourse.

By producing translations and statements about them as systemic operations, the system draws a border with its environment. Translation becomes an autonomous whole in that it produces a

unique social activity. The temporal dimension, or "the internal memory" (Hermans 1999: 142) of translation is responsible for the continual generation of possibly connectable communications from previous similar communications under the right conditions. And by constantly reproducing this unique communication, the system distinguishes itself from the environment. The continual flow of TCEs in translation system marks certain phenomena as belonging to translation while at the same time rejecting all other, alien, phenomena as non-translational communications. Tyulenev (2010b) draws on systemic study of biological organism to show how unique a translational communicative act is. The component A enters into a biological system. The system requires A from its environment to process B in itself. The biological organism then transforms B into C. C is the ultimate element of the organism, and as such a *conditio sine qua non* of its survival as an organism. Although C could not be produced without A, the latter is only a precondition of the system and as such plays no role in processing B into C. By extending this analogy to translation, Tyulenev holds that no other system but translation could transform A's utterance into one that is communicable to the party C: "Just as the element B [in the example of the biological organism], which makes the chain A-B-C possible, is found only within the system B, translation communication event is generated only within the translation system" (2010b: 358).

No operation can happen outside a system and no system can exist without operations. This is to say that translation system and the operations that lead to the production of the system's elements exist thanks to their mutual existence. By constantly connecting to each other, communicative operations form the system of translation. And translation, by relying on its operations, draws a border between itself and everything else that does not belong to it. TCEs are operations that can occur in no other system but in translation. Translation connects its constituting elements to its own elements. In other words, it is operationally closed. Luhmann's theorem of operational closure hints to this bicephalous relationship, i.e. specific operations happen only within a particular system, no operation can either leave the system or enter into it from the environment. Operational closure of translation would therefore mean "texts and other semiotic constructs are processed with an eye to their 'translational' aspects" (Hermans 1999: 143). Although operational closure gives an autonomous entity to translation, it does not make it autarchic. Some conditions should be given in the environment in order for the system to operative within its communicative borders. Ego's psychic system cannot reproduce thoughts if it is not located in a biological system as its environment and the latter cannot produce any life if it is deprived of nourishing materials in its environment. It is true that only translation system can produce translation, only a psychic system can produce thoughts and only the life of a frog can produce the life of the same frog according to the operational closure. But such a closure requires openness in its borders to the

environment in order to import resources from and export influences to its environment. Structural coupling is the term Luhmann uses to account for the constant mutual influences and impacts societal systems have on each other. Structural coupling in translation ensures "its ability to interact with the environment and its readiness to absorb the irritations the environment has in store" (Hermans 2007b: 67). Translation is structurally coupled with a wide range of societal systems such as art, religion, and science. For instance,

> when a legal document is translated from one language into another, translation mediates (1) between two linguistic systems and (2) two social systems. These two types of systemic interactions are structural couplings. When translation is carried out, certain legal responsibilities on the part of the translator(s) are imposed. Translation enters structural coupling with the legal subsystem. These are different types of interactions: linguistic and thematic. The latter is the irritation of the translation subsystem by the legal system's code (legal/non-legal) (Tyulenev 2010b: 366).

If translation is taken as a system, there should be two mechanisms to ensure the self-reproduction and operational closure of the system. The first one is a unique function of translation. A system's orientation toward a particular function serves a distinct reference point for the system's self-reference. This particular societal function happens merely within the borders of a communicative system. Translation's function in society is to "extend society's communicative range, typically across natural languages" (Hermans 2007a: 66). The second mechanism is the formation of binary codes: "functional systems perform their own autopoiesis on the basis of their codes. It is only as the result of such orientation towards codes that functional systems come to their differentiation" (Luhmann 1997: 725, my translation). Specific operations are needed to make the autopoietic closure of functional systems possible. If accepted as a system, translation reproduces itself thanks to the connection of constituting operations as a recursive network of system-specific elements. Operations cannot be assigned to a functional system, unless they are oriented toward the specific codes of a system. Operations are differentiated on the basis of the binary structure of codes, and these codes contribute to the formation of autopoietic systems by clearly identifying whether this or that communicative operation belongs to a given (sub-)system. For instance, communicative operations that use the code of legal or illegal belong to the system of law. Accordingly, those communicative operations that are distinguished as "'valid' or 'not valid' as representations" (Hermans 1997: 143) belong to the system of translation. Translation is a representation, if the latter does not understand the sole exclusive copy of the original, for translations are either proxies or resemblances (cf. Hermans 2007a: 68). Tyulenev suggests "represented/not represented" (2009: 153) as the binary code for translation system, for although Hermans' suggestion for binary code might be true if translation is seen as a functional system, it is not so when it is seen as a subsystem, which is more often than

not the case. In the latter case, translation lacks the authority to determine whether or not a TCE is valid or not, for it is rather "at the discretion of the system or subsystem that commissions translation, not of the mediating translation subsystem" (ibidem).

If assumed as a self-referential system, translation should possess the competence for observation. It is through observation that a social system makes sense of, i.e. understands, its environment, constructs information from/about it, and uses this information for internal processes. In broad terms, observation is a complex operation of a system that allows the system to gain information from its environment by making a distinction in a phenomenon, by dividing it into the marked and unmarked space, and by indicating one side at the expense of the other side. Similar to operations that follow one another, observations follow one another as well. Another observation might follow the first one, etc. The recursive network of observations allows a system to draw a border between what happens inside and what happens outside the system. Observation cannot be thought independently from its constituting operations and operations cannot follow each other unless the observing system caters for the flow of coherent connections. From this standpoint, "all communicative events are either translations or not" (Tyulenev 2010b: 352) for the system of translation.

Observation happens at two levels: an observer/system observes a phenomenon, and another observer/system observes the first observer/system in its observation. Luhmann calls the first observation first-order observation, and the latter the second-order observation. Translation, thanks to its operations, draws a border between itself as a system and anything outside it as environment. It is within this system/environment distinction that the social system of translation observes. Observation is a highly complex operation of system that copies the distinction of system and environment into the system itself (re-entry) to introduce a further distinction in system, namely self- and other-reference. A first order observation is the case when operations of the translation system lead to the observation of an original text, its reconstruction in the form of representation. A second order observation is the case when other professional role players in the system of translation, i.e. translators, "comment on the work of other translators, not just in paratexts but through the form of their own translations" (Hermans 2007a: 72). This does not require a passive but an active observation. Translation as a system operates thanks to its representational/mediatory function and creates a systemic border. As a system of its own, translation also observes at a more complicated level, and by doing so, it re-enters the same distinction into itself and holds a claim such as we, i.e. the translation system, observe and distinguish anything in the world according to the schemata of representations that are either valid

or not. In other words, if translation can be viewed as a system, as Hermans does, it observes the environment thanks to the distinctions made earlier by the system's communicative operations, selects its resources by distinguishing certain semiotic entities from its environment, and incorporates them as communicative themes in its autopoiesis.

Before moving to the next section, which suggests a different way of observing translation in terms of systems theory, it is worth mentioning the capacity of the theory of observation to introduce self-criticism in translation. A theory of observation contributes to the expansion of theoretical frameworks. These frameworks can do justice to the increasing areas of research in the field of translation studies. It also helps theories of translation to be self-critical and self-reflexive. The significant amount of research on historical translations, for instance from an Orientalist, feminist, post-colonial and ideological viewpoints, might be well explained from the perspective of a second-order observation. "The bias [in these critical viewpoints of translation practices and theories] is the second-order observer's construction: the first-order observers were only doing what came naturally to them" (2007a: 72). A constant self-reflexivity results from the blind spot of every observation. Although an observer can observe a phenomenon, it cannot observe how it observes it. Put differently, an observer cannot see the object of observation and its own observation at the same time. This is to say that an observer is blind to the "how" of its observation. However, another observer can observe both the observer and the vantage point it takes for its observation, hence a second-order observation. This second observer, although it observes the blind spot of the first observer, cannot see itself observing and is hence subject to its own blind spot, and as such a first-order observation to a later observation, *ad infinitum*. The anti-foundational underpinnings of the theory of observation of a constructivist theory like systems theory or the theory of observation tends to constantly deconstruct theories of translation. An instance of such deconstructionist steps in translation theories goes to the earliest attempts of socializing translation theories with descriptive theories, but does not stop there. Hermans observes rightly that "early descriptivists were undoubtedly right in criticizing the limitations inherent in the prescriptive approaches to translation. However, their own primary orientation towards the academic discourse of literary theory, historiography and semiotics cannot immunize them from the concepts of translation they work on, jut as their own position cannot be wholly neutral, detached, objective or external. The ambivalence always remains" (1999: 146).

4. Skepticism: medium vs. form

Translation scholars put forward arguments for why translation could be conceived as a social

system. However, there are other ways of exploiting Luhmann's theory that introduce translation less as a social system than a communication medium. Although the idea of TCE might characterize translation as a unique social phenomenon, it seems that the "mediating" function of translation serves to turn the improbability of communication into a probability. The crucial point is to see translation as a mediatory mechanism that allows a "system to comprehend the incomprehensibility of the environment" (Tyulenev 2009: 153). Let's take a translation scholar, the ego, who is interested in a systemic study of translation, as an example. After reading Luhmann, Hermans, Vermeer and Tyulenev, ego feel that translation might be seen less as a functionally differentiated system than, depending on who the observer of the phenomenon is, a subsystem of science, literature, or mass media. But how can ego proceed with his argument? He needs to know more about what Luhmann says about science for two reasons: first, because he orients himself in science's binary code of truth/non-truth, and secondly, because he wants to argue that different disciplines, including the young discipline of translations studies, constitute the different subsystems of the functionally differentiated system of science. Therefore, he becomes highly irritated to Luhmann's work on science, the "Wissenschaft der Gesellschaft". He selects Luhmann's work and by doing this, he is well aware that not only the book contains content he did not previously know about, but also he is ready to make use of its arguments to prove his own point. As soon as he makes the distinction between the book and its content, this first cycle of communication comes to an end. To use Luhmann's book in his work, however, he needs to become involved with the content in some detail. With regards to the content, he can interpret/understand the meaning of what different sections of the book say; he can find these plausible or not; he can accept the propositions made or not. These content-based understandings of the text are, however, not a part of the first communication cycle, but part of the following cycles of communications. The main point is to make new distinctions, resulting in understandings. But if he does not know German, and the book is not translated into a language he knows, it becomes highly improbable for him to participate in the oncoming communication events. Improbable is not the same as impossible. It would be possible if he had the time to learn German for himself, or if he had the financial means to ask for a translation. If the work is, however, already translated into English, an initially improbability is transformed into a probability. This mediatory function is not assumed by a system, but by a communication medium.

In what follows, I would like to adopt the distinction between form and medium from another perspective to investigate whether or not translation can be conceptualized as a (communication) medium as opposed to a system. This is a different way of conceptualizing translation within the

framework of Luhmann's theory of society. Tyulenev argues that when I read, for instance, Luhmann as saying that media "serve in a functionally adequate way to transform what is improbable into what is probable" (Luhmann 1995: 161), and (mis-)understand the content in such a way that remains compatible with my understanding of translation as a medium, then the whole cycle of communication is a TCE, and as such it belongs to the system of translation. In other words, a TCE is a communication event consisting of three actors (alter, alter-ego, ego) and six acts (information 1, utterance 1, understanding 2', information 2', utterance 2', understanding 2). The main idea of taking translation as a communication medium is that translation is and remains always invisible. The translation product serves as a potential horizon of meaning in the environment of society and might be actualized at any point by any system. Put differently, translation is a meta-communication about a text that in the moment of its perception might fall into a functional system. In fact, a TCE à la Tyulenev consists of three units of communication that, depending on the translation system as the observer, could belong to one and only one system at a time. My argument is that translation in a TCE remains, similar to the medium, invisible in the process of communication, and as such, does not operatively reproduce itself.

Medium and form are two crucial concepts of Luhmann's systems theory to explain how communications connect to each other. He takes the distinction from the Austrian psychologist Fritz von Heider, whose main concern in "Medium und Ding" published in the 1920s was to explain how humans recognize certain noises from others, hear certain voices, and see the things around them by drawing a border from those items next to them. In answering these questions, he makes a distinction between medium on the one hand and thing or gestalt on the other. He calls medium as loosely coupled elements, which as such are invisible and yet turn things to physically intelligible forms (Luhmann 2005: 45f.).

Luhmann extends the definition of media to a social level and moves to "Medium und Form" (Luhmann 2000: 102-132). He defines medium and form as loose and strict coupling among the very same elements, respectively. Media are invisible and latent and can come into notice when condensed into forms. One cannot see light or language (media), but things or sentences (forms). Forms and media require one another mutually. There is neither a form without a medium nor a medium without a form. In addition to this, the difference between the two is highly relational. It is only on the basis of media that forms are defined and vice versa. The key factor in distinguishing between the two is the strength of couplings in elements. This is to say that the distinction between medium and form cannot be investigated in isolation. There are many words, which can be combined with each other in correct and commonly accepted syntactic and semantic

structures, allowing the formation of sentences. Sentences are forms in the medium of words, while words in their turn are forms in the medium of permissible sounds or optical signs. And finally there is light and air as media of perception, allowing in their turn the formation of words, oral or written. It is important to note that system's reference determines what counts as form and what counts as the medium for the form. Furthermore, while there is a difference with regard to loose and strict coupling of the same elements, there is no difference with regard to the quality or material between language and sentence. And finally, it depends on the observer to define what serves as medium and what as form. In fact, "both media and forms are constructed by the system and therefore always presuppose a specific system reference. They are not given 'as such'" (2000: 104).

The distinction between form and medium should help demonstrate my skepticism about the argument that a cycle of communication with the mediation of translation should be considered as a TCE, and as such, as an element of the translation system. Following Luhmann, communication comprises a synthesis of contingent selections of information, utterance and understanding as well as two information-processing systems such as two psychic or social systems, i.e. alter and ego. While one system cares for the selection of information and utterance, the other makes the third selection, i.e. understanding/mis-understanding.

Let's take a conversation between an immigration officer and visitor in a Canadian airport as an instance of the social system of interaction (see Figure 3). Interaction is a social system that requires the physical presence of at least two communication partners (alter and ego). Like any other social system, the interaction system re-produces itself in a self-referentially closed system. So alter's possible question of 'how much money do you have?' could be followed by ego's reply 'I have less than 10,000 dollars'. The interaction communication could then continue as 'Is that all the money you are bringing with you to Canada?' and so on. Each individual communication event could be seen as a synthesis of alter's selection of information and selection of utterance and ego's selection of understanding, i.e. a distinction between what alter says in that he makes the utterance. The information denotes a selection from a variety of possibilities, of which something as opposed to anything else finds entrance into the communication. The selection of information in an interaction is contingent, is not arbitrary, and is the construction of system. Psychic systems do not communicate, but participate in communication. Contingency means that that selection of an option could have been the selection of another option. The selection of one option, however, carries its consequences. The officer could have engaged in the interaction with a completely different, though not any arbitrary, question. For instance, the officer could have just

scrutinized the visitor's passport and then said: 'Excuse me, I have to have your passport checked for the authenticity of your visa in the office next-door'. The selection of information is less the construct of the officer's physic system than of the interaction, as the police officer might have thought about his upcoming vacations and how to arrange for accommodation during vacation trip when choosing a question on the financial situation of the visitor. As for the second selection, a number of possibilities lend themselves to formulate the question. Which possibility is adopted, however, is more a matter of communication's selection than the psychic system of the alter, here the officer. The psychic system can neither communicate nor produce utterances understood as a component of a communication event. Understanding marks the third phase of a communication event. Similar to information and utterance, understanding is not determined or realized through the involved psychic systems but through the communication itself. This happens in that each emerging communication reveals the way the previous communication event has been understood. 'I have less than 10,000 dollars' demonstrates the way the officer's question is distinguished from its information value. The visitor could have made another distinction, namely deriving the information of whether the officer is asking about his financial status generally, and could have replied 'I am very well-to-do!' Whether the visitor derives the correct information from the officer's question or not, is not a matter of communication success. Communication is successful as long as the visitor has a statement to make on the basis of the officer's statement. Whether or not the visitor has understood the officer correctly, or whether or not a correct mutual understanding is necessary, will fall upon the continuation of interaction to decide. When feeling that he is misunderstood, the officer could have reformulated the question in 'I mean how much cash are you bringing with yourself to Canada? etc. Interaction is therefore a recursive or self-referential phenomenon, in which each communicative event refers to the previous communicative event.

In case the two sides of the interaction do not share a common language, the presence of an interpreter become necessary for the success, i.e. the continuation, of interaction. Linguistic incomprehensibility would bring the communication success most probably to an end. This is due to the two-sided nature of understanding of an utterance act. The first belongs to the first communication cycle in which the visitor makes a distinction between the officer's question and what the officer says by asking the question. The second belongs to the following communication cycle, when the visitor uses his understanding as the basis of electing a piece of information from a horizon of possibilities. While in the first phase the absence of translation does not disturb the completion of the first communication cycle, absence of the translation can disturb the success of communication. In the first instance, which is characterized through difference, ego should

understand something as utterance. In this phase it makes little difference whether or not the officer and the visitor share a common language, as the visitor will understand that he is being addressed with a meaningful utterance. The cycle of communication at this point is complete without translation being necessary. In the second instance, ego needs to understand the meaning or the semantic content of the utterance act so that it can either be accepted or rejected. It is only when a certain degree of hermeneutical understanding is achieved at this state that the visitor can use the officer's selection of information as the premise of his own action or experience. This second understanding is, to be more concrete, a fourth selection, and as such does not belong to the initial communication event, but to the following one. This fourth selection would be highly improbable without translation. At this stage "communication transforms the difference between information *and* utterance into the difference between acceptance *or* rejection of the utterance" (Luhmann 1995: 151). Ego should be able to understand the content of the first utterance action before it is capable of participating in the following communication acts.

Although it is up to ego to start a new communication or not, he has the motivation to adapt his reaction to the information derived from the officer's utterance to avoid problems. It is at this stage that translation becomes necessary. Since it is important for the interaction to continue to a certain degree, for the continuation of which both alter and ego are highly irritable, i.e. attentive, to one another, the necessity of translation in the absence of a common language becomes a must for the successful reproduction of the system. Ego can only accept or reject the imparted meaning possibilities, contents, claims, evaluations, accusations or questions of alter, or understand or misunderstand the meaning of utterance the way alter has had in mind, when the utterance is hermeneutically understandable. In a verbal communication, linguistic knowledge is the *sine qua non* of understanding. Once the cycle of communication comes to an end, ego turns into alter by turning the act of understanding into an act of information, for which it selects an utterance from the range of possible options. In doing so, alter initiates another communication, which can be completed if ego makes a distinction between alter's selections of information and utterance.

What translation does at this stage is to intervene between alter and ego so that ego can make sense of the information provided by alter. The continuation of the interaction between the officer and the visitor without the presence of an interpreter is not possible. But this does not mean that the translator is part of the interaction. What the translator does is to convert or transform an otherwise hermeneutically incomprehensible utterance into a comprehensible one so that the continuation of the interaction between the officer and the visitor is ensured. In fact, interaction systems dissolve as soon as the condition of a real time communication among the present

psychic systems is dropped. The interaction between the officer and the visitor stops when translator intervenes and takes the role of ego to first understand the utterance and second to understand the content of the utterance act so that he can use this as an information to put in an utterance to address the visitor. Only then the tourist can make a distinction between the translator's utterance and its information and use the understanding as the basis of a new utterance to continue the interaction with the police officer. The point is that the interaction between the officer and the visitor breaks down each time the translator takes a turn to translate each side.

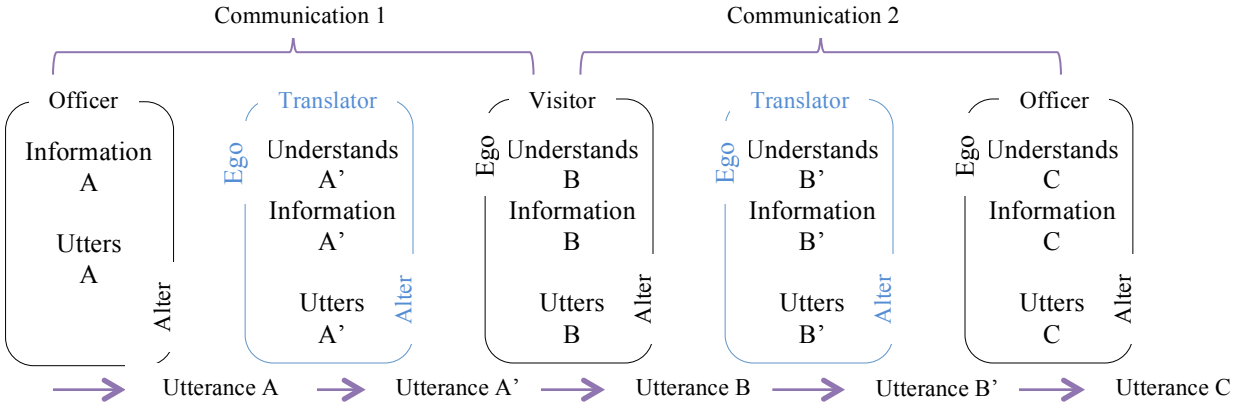

Figure 3: Interaction in the medium of translation

Similar to the translator, who according to my understanding does not belong to but contributes to the success of and continuation of the interaction system, the translation communication does not belong to the interaction. It serves as a bridge to make interaction possible. Translation is rather a medium, against the backdrop of which an utterance act acquires a form that could be used in further communications. The officer's question gains a form in the medium of translator's translation. It is only through the latter that the visitor can adopt the form as the premises of his upcoming action. It is also important to note that the visitor reacts to the translation as if the officer is directly addressing him. It is the officer's utterance that serves as the premises of the tourist's reaction. This is to say he chooses his upcoming utterance in ways that addresses the expectations of the officer and not the translator. If either sides of the interaction feel that a misunderstanding is the case at a certain period of time during the interaction, it can turn into the subject of the following communication. It remains at the discretion of interaction to decide how long it takes for a misunderstanding to be settled.

It seems that translated texts are forms as a rule of interlingual sort and translation is the medium. These texts disseminate in society and might be adopted by any processing system. In that case

translation becomes either a constituent of that system or a theme of communication. The communication medium of translation makes at best a weak and formless substrate. This is the typical characteristic of media, be they language, print media or functional media (see the following section). We know that language does not speak, just as print media do not determine what should be written or published and just as scientific facts do not produce cognition. Similarly, translation does not determine the *'what'* of translation. This is perhaps the reason why Hermans characterizes translation as a less clearly differentiated, i.e. less autonomous system than other functional systems like religion and art (2007: 143). These media can, however, be more strictly coupled to shape forms and only the latter is operatively connectable in systems. A system cannot participate in a communication with the formless or loosely coupled elements in a media. This is clear in the media of perception: one cannot see the light but things. Even when one can see the light, it is perceivable against the backdrop of things. It is highly unlikely for a form of utterance to irritate a system, to whom the form is although distinguishable but not hermeneutically or content-wise (mis-)understandable. This unlikelihood has less to do with the importance of the form than with its incomprehensibility. Translation as a medium serves to overcome the problem of hermeneutical incomprehensibility of the utterance form. One cannot see translation but the translated text, and when one can see translation, it is in the form of translated texts. Translated texts are forms that represent other forms, claiming a high degree of resemblance to the original texts. Hermans (2007) calls translations meta-communications, for they do not talk directly but indirectly about the world by re-enacting other texts or by representing other communications. Translation liberates texts from their linguistic and geographical bounds and makes them available in those contexts, which would remain inaccessible without translation.

5. Translation as a medium

The main reason for attributing the status of a functionally differentiated system to translation is the unique function translation carries out in society, namely "extend[ing] society's communicative range, typically across natural languages" (Hermans 2007, 66). By doing this, translation acts as "a social subsystem whose function is mediation on the intersystemic level" (Tyulenev 2009: 172). The very nature of translation, "which is mediation" (Tyulenev 2010b: 351), allows "intrasystemic communication and intersystemic interaction" (ibidem: 352). Absence of translation in certain cases of interlingual communication might greatly slow down the autopoiesis of communication. This is particularly the case when neither of the sides of an

interaction knows the language of the other. Or when a system, due to its incapability of understanding different linguistic and non-linguistic forms of utterance of another system, cannot make sense of the contribution of another system in its environment. In cases where ego is particularly interested in alter's utterance and nonetheless cannot –due to insufficient knowledge of alter's linguistic medium– understand it, translation plays its role in rendering the unlikelihood of communication into a likelihood. Without translation, a cycle of communication in the above-mentioned instance might at best semi-successfully come to an end. This is to say that hardly an appropriate utterance might follow the previous one and hence the chain of communication will soon come to an end. Ego realizes that alter is addressing him, but given the fact that he cannot hermeneutically understand alter, he is unable to connect a new utterance to that of the alter. Utterances, or communicative events, cannot follow one another, for communication under the problem of incomprehensibility of the utterance is highly improbable.

It is true that completion of an interaction under the mutual unintelligibility of languages is improbable. However, such an improbability is in Luhmann's theory of communication part and parcel of any communication. In calling into question those theories of communication that take the occurring and success of communication for granted, he assumes the improbability and not probability of communication as the cornerstone of his social theory. Luhmann writes that the "improbabilities of communication processes as well as how these improbabilities are overcome and transformed into probabilities therefore regulate the development of social systems" (2005,3: 31, my translation). The fact that communication happens on a daily basis in a more or less frictionless way makes it difficult to see how an improbable phenomenon the formation and continuation of communication is. In order to see how communication happens in spite of the unlikelihood of its success, Luhmann looks into the social mechanisms, which have been evolutionarily developed to make such an improbability not only into a probable but also into a highly expectable phenomenon. Although Luhmann does not tackle the question of translation, it seems that it can be explained best as one such social mechanism to turn an improbability into a probability. That certain interactions or communications rely on translation to be successful is a particular instance where the improbability of communication is multiplied. This is less a difference in nature than in degree of improbability. Therefore, one can justly argue that those mechanisms that are evolutionarily used to overcome the improbability of communication can be equally true for the case of "translational communication".

5.1. Improbability of communication

Luhmann's theory of communication takes communication less as a probable than an improbable phenomenon that nonetheless happens on a daily basis. As already mentioned, communication in its systemic sense is understood neither as a transfer of information from sender to receiver, nor as a process of agreement or disagreement on communication's content among the partners involved. Communication for Luhmann–is "a play with two actors and three acts" (Berghaus 2011: 76): alter and ego are the actors, and information, utterance and understanding are the acts. Alter is the meaning processing system that selects a piece of information and selects a piece of utterance to formulate it, and ego is the other meaning processing system that understands a meaningful utterance and brings the cycle of communication to completion. So communication starts from ego, or the receiver of the message.

The three acts and the two actors each contribute to the improbability of a communication to occur. Each of these acts, because of being selections in their own right, is an improbable occurrence. As it is said earlier, selections are contingent. Contingency means that a selection "could also be otherwise" (Luhmann 1995: 159). Each component in the process of communication is fully contingent for itself. Moreover, the factual, temporal and social dimensions further raise the improbability of communication. Luhmann writes

> Information is a difference that changes the state of a system, thus generating another difference. But why should one particular piece of information and no other impress a system? Because it is uttered? But the selection of a particular item of information for utterance is also improbable. Why, given the many possibilities for meaningful activity, should anyone turn to someone at all, and why with this particular utterance? Finally, why should anyone concentrate his attention on another's utterance, seek to understand it, and adapt his behavior to the information uttered when he is free to refrain from doing so? All these improbabilities are then multiplied in the time dimension. How can it be that communication attains its goal rapidly enough? And, above all, how can it be that one communication is succeeded by another (not the same!) with expectable regularity? (2012: 113f.).

At the social level, since each of the meaning processing instances makes their selections autonomously, a state of double contingency further complicates the probability of communication and communication success.

Paradoxically enough, double contingency makes the occurrence and continuation both improbable and at the same time probable. Although alter and ego are non-transparent for one another, they act and experience one another mutually. In the interaction between the officer and the visitor they are aware that they are both the subject and object of observation. Although ego does not know how alter is feeling and cannot calculate its actions, and vice versa, it is ready to get influenced by alter and to take its utterance into consideration. In the same vein, alter counts

on ego's attention and its interest to connect to its initiative communicative action with another communicative action. Therefore it restricts the selection of information and the adequate means of imparting information with an eye on ego. In fact, the "black boxes, so to speak, create whiteness when they come upon each other, or at least sufficient transparency for dealing with each other" (Luhmann 1995: 110). Negative in negative does not produce negative, but positive. This produces a circle. "I will do what you want if you do what I want" (ibidem: 118). Neither sides will block the other, as the circle is dynamic and at a given time only one of the actors is capable of acting. If alter is aware that ego is paying attention to the communicative action it puts forward, then it gains the incentive to meet the expectation of ego, select the appropriate information and find the adequate form of imparting, and hence increase the trust of ego in accepting the communicative action. That's how Luhmann puts forward the thesis that "double contingency necessarily leads to the formation of social systems" (ibidem: 127).

Although contingencies contribute to the emergence of an otherwise improbable communication, more social structures should be given to make the autopoiesis of communication possible. Improbabilities of communication are overcome with the aid of communication media, which include all the provisions that serve to transform improbable into probable communications" (Luhmann 2005c: 32, my translation). Put differently, media are "evolutionary achievements that enter at those possible breaks in communication and that serve in a functionally adequate way to transform what is improbable into what is probable" (Luhmann 1995: 161). Communication media address the problem of the improbability of communication at three levels: first, at the level of its constituting components, alter's form of utterance should be intelligible for ego; secondly, at the level of distant communication, utterances and information should reach absent addressees; and thirdly, at the level of its connectability to other communicative events, communication should have a high chance of being accepted by ego as the premise of its further actions (see Luhmann 1995: 158f., 2012: chapter 2). Communication cannot ensure its continuation, self-reproduction and expansion unless these problems are adequately addressed and resolved.

It will be argued that translation might be conceived as a communication medium, whose main function is to make the improbability of communication into a probability. This is done either by transforming utterances into forms connectable to other forms in the process of autopoiesis or by extending society's communicative range across linguistic borders. Translation might be considered a social mechanism that reduces the first two improbabilities.

5.1.1. Language

The first improbability is whether ego understands what information alter is trying to formulate. To put it differently, a key requirement for the continuation of communication is that ego can first make a distinction between utterance and information and secondly understand what alter says in that it says something. This requirement is, however, absent if ego cannot reasonably notice whether it is addressed with an act of utterance. Here the communicative action is reduced to a behavior. Action and behavior distinguish from one another, following Weber and Habermas, in that the former is endowed with meaning and the latter is devoid of such meaning (Edgar 2006: 3). Ego can take a phenomenon as a communicative action only and only if it can first distinguish it from an inherent meaning, and secondly, if it can hermeneutically make sense of it. Whether or not a phenomenon is taken as a communicative action remains thoroughly at the discretion of ego. This is to say that alter's intention to communicate something is at best of a secondary importance. The requirement of understanding is equally absent, when "a behavior probably intends to utter a piece of information, but it is not possible to understand what information is uttered" (Schneider 2009: 304, my translation). In fact, understanding happens when a distinction between utterance and information is made. Only if linguistic or non-linguistic phenomena are understood as utterances with distinct information attached, a whole cycle of communication becomes complete. An utterance does not need to be necessarily linguistic or verbal. In a heavy traffic, the driver of the car next to another one scratches his forehead to signal a message to ego. Although it comes to his notice that alter is scratching his forehead, ego does not take it as a statement but a physical reaction to an itchy spot. Since ego does not feel addressed, the cycle of communication does not reach its completion and the whole interaction remains at the level of perception. Or to give an example where a linguistic utterance is involved, one can think of a student who makes a soft statement about the new professor to his neighboring student. While sitting next to alter, ego does hear him but takes the statement as a think aloud phenomenon and does not understand it as a statement with a particular piece of information. Even if the student does notice that alter is making a statement and that alter does intend to impart a piece of information, yet the utterance is not hermeneutically understandable to ego, the cycle of communication comes to an end defectively. Either no other utterance can be attached, or if any is attached, it has little chance of being followed by another. In none of the above-mentioned instances is communication understood and hence no communication has come about.

In fact, it is ego's understanding that plays the pivotal role in both psychic and social systems. As Luhmann holds, "communication is possible without any intention of utterance, so long as ego

succeeds in observing a difference between information and utterance nevertheless" (1995: 154). In fact, it is not alter's imparting intention but ego's interpretation of alter's utterance that decides whether a communication has come about. It is up to ego to decide whether it wants to participate in communication. So ego's understanding is crucial, and understanding means for ego to interpret a linguistic statement or non-linguistic phenomenon as a piece of information. Only ego can contribute to the reproduction of communication. "Understanding is never a mere duplication of utterance in another psychic system. It is rather a condition for the connection of communications in a social system, i.e. a condition for the autopoiesis of the social system" (Luhmann 2005,6: 112, my translation). Therefore there is no communication when ego interprets the observed behavior only as a sign of something else. For instance, rushing about can be observed as a sign of urgency, just like dark clouds might be taken as the sign of rain. But if ego interpreters these behaviors, independent from the intention of the behaving actors, as a demonstration of urgency, or of being busy, or of having no time to stop and talk, then a cycle of communication rounds off, and depending on the ego's willingness to continue with a communicative action, a certain kind of communication might connect.

Society has evolutionarily developed language as a solution to the problem of understandability of an action. The importance of language stands out when the possibility of communication without the existence of language is taken into consideration:

> At the zero point of evolution, it is, first of all, improbable that ego *understands* what alter means – given that their bodies and minds are separate and individual. Only in context can meaning be understood, and context is, initially, supplied by one's own perceptual field and memory. Furthermore, understanding always includes misunderstanding, and if one does not add on presuppositions, the component of misunderstanding becomes so great that the continuation of communication becomes improbable (Luhmann 1995: 158).

The main function of language is to regulate the difference between a communicative action and its informative value. Without language it would be more difficult and time consuming for ego to notice whether alter is trying to address him or is simply behaving in a certain way. Language further helps to overcome the realm of perceptions and allows communicating about those phenomena that are either absent or only possibly existing.

Language plays in Luhmann's theory of social evolution a crucial role. Human societies began existing with the invention of language. Society in systems theory does not end where territorial or cultural borders are drawn but where communication operations come to an end and language is the *conditio sine qua non* of communication. The fact that the utterance character of speaking presupposes a difference between utterance and information makes language the main

communication media. In fact, "in linguistic communication the intention to communicate cannot be denied" (Luhmann 1995: 153). Alter scratches his forehead. Although this could be an attempt to capture ego's attention, ego would rather take it as an unintentional movement. But if alter, instead of scratching his forehead, whispered softly to ego how complicated the mathematic problem on the blackboard is, ego would far less doubt alter's intention to communicate. Since it is constitutive for communication to distinguish between information and utterance, and language makes this distinction clearly definable, the possibility of communication is conditioned with the emergence of oral language.

It is worth mentioning that systems theory's conception of language differs from that of philosophers of language or semiotic theorists of language, who define it as a system or even the only system to coordinate social relationships. It is important to emphasize that language does not constitute a system for Luhmann, for there are "no language-own operations which define the borders of language. Communication and psychic systems delimit on their own what lies inside and what outside their systemic borders. For doing this, however, they depend on the function of language, for language is required to allow for a constant structural coupling between the two systems" (Luhmann 1992: 51, my translation).

Constructivism is part and parcel of systems theory's conception of language. There is hence a crucial similarity with de Saussure's definition of it. Signs in the language system of de Saussure lack positive meanings, i.e. they are not referred to non-linguistic entities to acquire their meaning. They gain a meaning because of their combinatory and associative relation to other signs. Signs are both arbitrary and differential. Linguistic termini in systems theory are no longer understood as sings that stand for an external reference but as articulation of autopoiesis of psychic and social systems. Autopoietic closure of systems radicalizes the arbitrariness of language in attributing linguistic operations not to the external world but to the internal operations of the same system. Sings are equally radicalized, for they are "structures for (repetitive) operations that require no contact with the outside world. They do not, as so often assumed, serve within the system to "represent" states of affairs in the outside world. The distinction between signifier and signified is rather an internal difference that does not require what is signified to exist in the outside world" (Luhmann 2012: 124). This detachment of linguistic signs from the world allows these signs to remain the same and repeatable over time whether or not the themes or objects of the discussion are present or whether or not these objects exist in reality at all. This is to say that linguistic signs produce their own reality, i.e. a semiotic reality, independently from the reality of the real world, or a real reality. "It is, after all, obvious that language functions only

if we become aware – and become aware that others have become aware – of the fact that words are not the objects of the factual world but only indicate them. This gives rise to a new, an emergent difference, namely that between real reality and semiotic reality" (ibidem: 131).

Since language produces its own reality, it produces its own time and place. Every communicative action would be bound to the simultaneity of time and place without language. Although involved parties in an oral communication should be co-present, communication might be on issues that go beyond the participants' perception in the past or future. The real duration for the change of new moon into a full moon is fifteen days. The linguistic duration of it is however a few seconds. Language, in addition to the construction of its own reality, time and place, unfolds a further duplication, namely the "doubling of propositional [i.e. uttering] possibilities" (Luhmann 2012: 133f.). This latter character constitutes the binary code of language. In the form of yes/no, it can duplicate, and precisely at the same time, the semiotic reality of language. A distinction between what there is and there is not in the real world exists solely in the constructed or imaginary reality of language. The world lacks negation or 'no'! It is only in the language that the distinction between with vs. without can happen.

The main function of language and translation at this stage seems to be the same. Both of them make the understanding of an utterance act probable (see Figure 2). In fact, it is important to underscore that oral translation extends but does not replace the function of language. Translation is a form of language. It is a form in the medium of language. Language makes it possible to transcend the realm of perceptible phenomena and, in making use of symbolic generalizations in the form of signs, to communicate about different themes. In addition to facilitating a clear differentiation between communication and perception and making an adequate understanding possible, language plays two crucial functions. One cannot fail to see the similarity of translation's function to that of language, for translation is a strong linguistic tool to compensate for the linguistic incomprehensibility. Understanding without language would be far more improbable than probable. Although understanding is traditionally seen as a property of psychic systems, Luhmann takes it as a component of communicative systems and separates it completely from the former. In detaching it from understanding proper, or a hermeneutic understanding, Luhmann not only includes mis-understanding in the definition of the concept, but defines it also as a distinction between utterance and information. Secondly, it ensures the structural coupling between psychic and social systems. "Language separates consciousness and communication by automating a structural coupling between the two" (Luhmann 1992: 51, my translation). Communication systems are structurally coupled with psychic systems and no other systems.

Only perceptions of consciousness can connect communications to the world and hence create socials systems. This is to say events occurring in the environment can influence communication by the aid of consciousness. However, the mediation of consciousness between the external world and communication does not mean that perceptions of consciousness can enter communication and serve as its elements. These perceptions remain the sole operations of individual psychic systems. Only the information that arises from these operations is a part of communication, and the information cannot serve as communicative element unless it is expressed in the form of an utterance act. To see an accident, for instance, is not a part of communication, but to talk about and engage in a conversation about the accident is a part of communication.

Similar to language, society has evolutionarily come up with translation as a mechanism to address the improbability of understanding, i.e. making a distinction between an utterance and its information. It is within this very first problem that translation plays a role. No distinction can be made between an utterance and information if ego is not capable of understanding the utterance in the first place. To put it differently, no information can be derived from an utterance, which is unintelligible to its addressee. And even if a text is not intended for ego and yet draws ego's attention, then it has the value of causing a cycle of communication as far as it is understood as a meaningful utterance. "As metatextual communications", writes Hermans, "translations invoke the distinction between utterance and information" (2007: 68). Translation's task is to expose informative utterances in the environment of other systems with the hope of irritating the latter in a more efficient way.

5.1.2. Dissemination media

Dissemination media are the media that address the improbability that meaningful utterances reach addressees. In an oral interaction, it is improbable that communication reaches those who are physically absent. The range of the society developed on the basis of such interactions is restricted to a milieu where the participants are immediately available for one another, such as a house, the neighbor, and the village, or at best the neighboring settlements. The society under the condition of language is therefore intrinsically plural. There are societies, which exist independently from one another. When these societies, however, gain in complexity, i.e. they become interconnected to different degrees, the range and complexity of communication needs to expand accordingly. In other words, since society consists of communication, a more complex society needs to ensure that meaningful utterances are disseminated beyond the borders of interactions. This requires a certain technology, which is provided by the dissemination media.

"Dissemination media can make use of writing, but also other forms of fixing information" (Luhmann 2005,3: 33, my translation). For instance, paintings and sculptures belong to such media. It goes without saying that fixing utterances and making this available for new acts of reading bears considerable consequences for a society, whose autopoiesis is ensured by the reproduction of communications.

The key characteristic of these media is their "dependence on technology" in "expanding communication and therefore in expanding society" (Luhmann 2005a: 87, my translation). Although writing was not initially invented for communication (see Luhmann 2012: 157f.; Luhmann 2005: 119f.), it has become since its invention the first and the most important dissemination media for wider communication. Writing might be seen as a kind of technology, which "requires paper, clay tablets or something else, on which the scripture can be fixed, preconditioning a kind of industry, a kind of artisanal preparation" (ibidem: 115, my translation). Writing helped the society not only to the limits of orality, but also to introduce important changes in its semantic, i.e. communicative memory. While speaking and listening were the key means of society's operations, writing introduced the acts of writing new materials and reading these materials as two further operations.

An important consequence of writing for communication is the extension of communication across social, factual and temporal dimensions. This extension is made possible by the temporal and local separation writing creates between alter's utterance and ego's understanding. Distant communication becomes possible with writing. Such separation between utterance and understanding is particularly important for the evolution of society, as it creates both a wide range of possibilities for the recombination (utterance with a wide range of understanding possibilities) and new communication possibilities (different understandings can serves as the premises of different experiences or actions). Given the fact that society consists of communications and not individuals, actions or borders, the size of society is much bigger with writing than without. Writing does not merely indicate an enormous quantitative increase. More importantly, it also means immense qualitative changes in communication and society (see chapter two for the evolution of society along with the evolution of dissemination media).

Writing impacted the differentiation of society, allowed the evolution of ideas by producing a social memory and tradition and increased the possibility of rejecting, modifying or enlarging the information value of utterance acts. These impacts were considerably enhanced with the invention of printing, which made the further dissemination of written texts possible. It allowed a potentially unlimited number of readers to understand their information value and to use this

understanding as the premise of new communications to different ways and degrees. The enormous increase in the number of readers left a lasting impact on communication. While writing served mainly as a memory to preserve existing knowledge, printing allowed preserving and expanding the previously existing knowledge, and, more importantly, producing new knowledge.

As the European experience, compared to that of China or Korea, demonstrates, print industry and the reading public mutually conditioned each other (Luhmann 2005: 133f.). This was particularly true in the context of Europe where the print industry served the market. On the side of readers, the literacy rate dramatically increased. In German speaking territories, for instance, the literacy rate grew from less than six percent in 1750 to over sixty percent in 1850 (see Tietzel 1995: 116). With the increase in the number of readers, both authors and publishers oriented themselves toward the readers' taste. One would not read whatever was published. Books that promised a high rate of readership had a better chance for publication. They were written with respect to diverse needs of the readers, and as such, different thematic categories came to the fore (Luhmann 2012: 174-176).

The unprecedented qualitative and quantitative increase in communication paved the way for the transformation and evolution of society from the early 16th century onwards. An important aspect of this transformation concerned the liberation of individuals from the strict restrictions that social classes imposed upon them. Printing contributed considerably to the anonymity of authors and readers. The increasing publishing activities further made the relationship between the author and the reader anonymous. It is "uncertain and finally impossible to ascertain whether uttered information is accepted or rejected as the premise for further behavior. Too many, immeasurably many, are involved, and we can no longer determine whether a communication has had a motivating effect and to what end" (Luhmann 2012: 121). With the shift of authority from author to reader, both authorial and authoritative relationships in society underwent change. Authors and authorities, be they political, social or religious, are known as such thanks to the recognition in the public. For instance, the church might have intended to educate everybody to read the Bible, but it could not have stopped dissenting readings; it could not have controlled the production and dissemination of anti-church pamphlets; or simply it could not have prevented people from reading other materials. Print industry produced critical public and plural values, separated individuals from the sole domain of social class and endowed them with the capacity to satisfy multiple social tasks.

Translation might be seen as a dissemination medium. Translation in this sense follows Derrida's

deconstructionist reading of Benjamin, where translation is re-evaluated not only as a form of communication, but also as a form of continuity of the original text. By continuing the life of the original, translation turns into an original in another language. Translation serves as the after-life and survival of the original in another time and/or language (see Derrida 1985). In moving from a philosophical to a sociological dimension, translation not only facilitates understanding in inter-systemic interaction and intra-systemic communication, but also it extends society's communicative range across linguistic borders. Even if Luhmann does not address the question of translation in his theory of society, translation has far reaching consequences for the emergence, expansion, differentiation, and complexity of society. As an auxiliary communication medium, translation plays an active role in ensuring the understandability of communication, on the one hand, and in disseminating information across socio-cultural and linguistic borders, on the other.

Similar to writing, translation serves as a medium to help these inventions and technologies extend the communicative range of society spatially, socially and temporally (as in intralingual and intersemiotic translations), but also across natural linguistic and cultural borders (interlingual translation). Since society consists of communication, translation plays a significant role in expanding the size of society. For instance, when Luhmann is translated into English, it allows more readers with knowledge of English to understand his work and use it as the premise of new communications (see Figure 4).

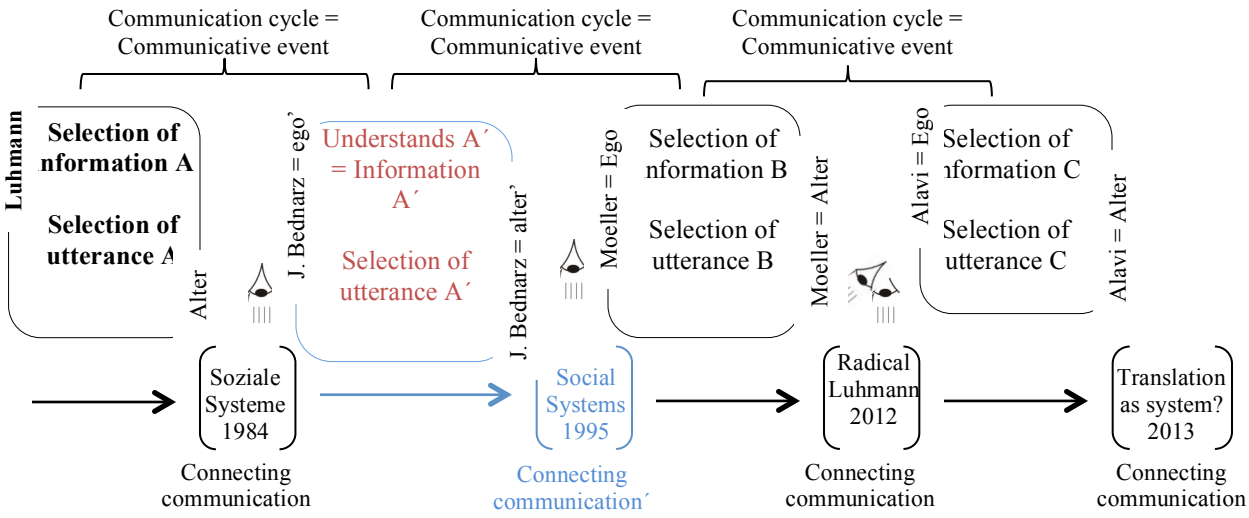

Figure 4: The contribution of translation to the dissemination of information in the social system of science

Translation allows the production of new knowledge in different linguistic borders. The limits of society have become with the introduction of the dissemination media the limits of communication.

5.1.3. Success media

The rapid dissemination of information raises the improbability of attending to, understanding and accepting an utterance and to use understanding as the premise of a new action. By referring to the Figure 4, I should wonder why I find Luhmann's social systems (1995) among so many books in the world interesting and attractive? Why should I read the book and attempt to understand it? And why should I use the work's information as the premise of my writing? All these question address the improbability of communication success, i.e. communications' following one another. To counter such improbability, society has evolutionarily evolved symbolically generalized communication media, which ensure utterances and information serve as the premise of other utterances or information. Power, truth, value, law, money and love are among such media.

Symbolically generalized communication media are also called success media. They "are special structures, which secure success probability for communication. These media transform, namely, the improbability that alter's selection is accepted by ego into a probability" (GLU: 189, my translation). Communication is successful when "alter's selection of communication content (information) is accepted by ego as the premise of its own behavior, i.e. when it is selected as a selection for other selections and reinforces with such selection its selectivity" (Luhmann 2005c: 31, my translation). Success in communication means, in other words, that ego acts or experiences on the basis on the information it derives from alter's form of utterance (requesting, ordering, suggesting, recommending, etc.). This is even the case when alter does not intend to communicate a meaning, but ego attributes a meaning to alter's act and acts accordingly. So it is less alter's intention to communication than ego's intention to attribute a meaning to alter's action that counts as the criterion for the communication success.

While language and dissemination media overcome the problem of understanding and disseminating information in society, respectively, they decrease at the same time chances for communication success. When understanding what alter says, ego can use the binary code of language to reject the information content. The possibility of such rejection becomes even greater in case of distant communication. Why should ego accept the suggestions, demands or claims of an unknown alter? Why should ego be ready to share part of his wealth with a person in another corner of the world, whom he has never seen in his life? Or why should ego accept an order, whose origin he does not know? What success media do is, first, to make possible the coupling between alter and ego's selection and, secondly, to reinforce the chances of ego's accepting

alter's selection. These media address these two problems by "motivating the adoption of selections, the acceptance of which would be extremely unlikely" (Schneider 2009: 309, my translation). Success media equip alter's original selection of information with such a force that motivates alter not only to select to observe it, but also to select its understanding as the premise of its experience or action. They serve to provide and facilitate different ways for such a combination.

In distant communication, a social actor can to a certain degree ensure the acceptance of his actions as the premise of other actions of other social actors by exploiting the potentials of the success media. Alter ensures that a certain piece of information carries a value of truth, i.e. he equips information with the symbolically generalized communication medium of truth. In doing so, alter makes this information available for ego to experience or act in a particular way in which the complexity and contingency of ego's selections are drastically reduced. A magazine report on the jeopardies of smoking that relies on a scientific research guarantees that the contingency of its readers' thoughts or experiences is reduced to the acceptance of its content. Power and law, to take two other instances of these media, can increase chances that ego observes laws as the premise of its actions. If alter combines the ban of smoking with a legal value in order to make the smoking in public an illegal action, ego's action is expected to accept the smoking ban and act accordingly, or else to accept its consequences.

As for the social function of translation, translation is more a communication medium that renders the understanding of utterance or the dissemination of information across the borders of natural languages possible. It is hard to conceive of representation of other texts (Hermans) or mediation (Tyulenev) as the medium of the system of translation, as neither of these media have the power to motivate ego to observe and understand alter's selection (order, command, suggestion, advice, etc.), accept the selection and combine it with its actions, and use it as the premise of its own actions. It is true that translation expands dramatically the range of potential egos to receive and react to a communicative action. However, it cannot do much to motivate ego to select alter's selection and act or experience thereupon.

If translation is taken as system, mediation as its medium should demonstrate both a generalized and a symbolic dimension. These two dimensions turn a medium into a success medium. In fact, what mediation does is to transform a meaningless form of information into a meaningful form of information that "can be handled within the horizon of the system – and thereby enables this information to be introduced into the system's internal communication" (Tyulenev 2009: 150). In fact, the function of the medium of mediation is to transform an otherwise incompressible into a

comprehensible utterance that could be observed by a meaning-processing system. Whether the medium alone, however, can encourage the observing system to adopt the premises of the now meaningful utterance as the premise of its own behavior is highly doubtful. It raises the suspicion that mediation is not a success medium. This is to say that it cannot ensure a communication is accepted according to the premises of the communicative action by the virtue of its being a mediation. Mediation cannot be generalized in a factual dimension, since it is incapable of coordinating a large number of actions against all the resistances available.

Following the example given in the Figure 4, I am particularly interested in Luhmann's theory of society for the simple reason that it claims to provide a *true* description of modern society. Orienting myself as a student and professional in the system of science with its binary code of truth/not-truth, I am motivated to read the book, understand it, and apply my understanding to provide a *true* analysis of the social function of translation. Translation's function of "re-enacting anterior discourses" (Hermans 1999, 142) or "mediation" (Tyulenev 2009, 152) is not a strong enough incentive to motivate ego to accept a piece of information as the premise of a new action. What it does is to turn a linguistically incomprehensible piece of information into a comprehensible one, and to disseminate it across the borders of natural languages. I accept Derrida's deconstructive reading of texts in "Of Grammatology" because it holds a claim to truth. This understanding would not have been possible if I had not known French to understand the original French text in the first place.

6. Conclusion

The main purpose of this chapter was to adopt the concept of system to theorize about the function of translation in society at a macro-level. With regard to what will follow in the next two chapters, theorizing is not an end in itself, but a means to an end, i.e. to analyze social phenomena with the conceptual apparatus of systems. In other words, the point of working with system concepts was to consider translation within a comprehensive theory of society in order to elicit answers to two key questions: how translation of texts introduced new communicative themes to the Iranian society and hence contributed to its modernization during the 19th century (chapter two); and how translation as a communication medium contributed to the interaction between the social systems of religion and politics in Iran's post-revolutionary context (chapter four).

This chapter briefly reviewed how systemic studies of translation began with Even-Zohar who investigated the contribution of literary translations as a system to the development and formation

of the (Hebrew) literature as a polysystem. Polysystem theory borrowed the concept of system from the literary criticism school of Russian formalism. More recent translation scholars, however, borrowed the concept from the German sociologist Niklas Luhmann to theorize translation at a macro-level and to investigate the social function of translation in different spheres of society and societal evolution. So while some reflections focused on the theoretical or epistemological dimension, i.e. describing translation with the conceptual apparatus of systems theory (which was the main focus of this chapter), other reflections applied the insights gained to investigate the social function of translation at different spheres of society. The former was the focus of this chapter, and the latter constitutes the focus of the following chapters.

After reviewing why translation scholars thus far have assumed translation as a social system, translation was conceptualized within the framework of Luhmann's theory of society less as a functionally differentiated system, as suggested by Hermans, Vermeer and Tyulenev, than a communication medium. In arguing why translation might be better seen as a communication medium, Luhmann's theory of communication was investigated. The theory considers communication a synthesis of three acts, i.e. alter's selection of information and selection of utterance acts, and ego's selection of understanding act. Given the contingency of these selections as well as the mutual intransparency between alter and ego, the autopoiesis of society qua communication becomes highly improbable at three levels: first, ego understands what alter says in that it says something; secondly, alter's meaningful utterance can reach ego at a different social, temporal and local context; and thirdly, ego takes alter's selection (question, demand, claim, favor, etc.) as the premise of its own action, behavior or experience. To address these threefold improbabilities, society has evolutionary developed the communication media of language to address the problem of understanding, dissemination media to address the distant communication, and symbolically generalized communication media to address the problem of communication success. Translation was observed as a communication medium that firstly complemented language to reduce or overcome the problem of understanding in ego and secondly expanded the dissemination of comprehensible information in society. It was also argued that one reason why translation is less apt as a system is that its medium of representation or mediation plays a neutral and not a motivating role in the coordination of social actions.

Chapter two
Translation and modernization:
Iran during the 19th century

Introduction

The previous chapter dealt with the question of translation in terms of systems theory. It was argued that translation is a communication medium that allows a system to derive information from its environment. This happens against the backdrop of complexity difference between system and environment, which is always more complex than the system and whose complexity should be reduced to make sense for the system. A prerequisite for a system to reduce its environment's complexity is to observe it, and to observe the system needs to make sense of, i.e. understand, its environment. This is where translation as a medium jumps in: A linguistic utterance or a communicable form of information that cannot draw the attention of a system due to its incomprehensible form is rendered observable and comprehensible with the aid of translation.

This social understanding of translation helps this study demonstrate the social function of translation in Iranian society at two distinct periods of time. This chapter deals with the integration of Iranian society into world society during the 19th century and the way interlingual translation, or "translation proper" (Jakobson 2004: 114), played a role in facilitating this process. The argument is that translation helped Iranian society make sense of what was happening in its environment. This observation of the other allowed the society to produce a self-description on the one hand, and to use the derived information to modernize its military, scientific and state bureaucratic structures, on the other hand. Both these processes made Iranian society more complex, which gradually led to its gradual societal evolution throughout the 19th and 20th centuries. A brief review of Iran's status at the turn of 19th century is important before actually delving into this chapter to understand the situation of Iranian society vis-à-vis its environment.

A Wallersteinian differentiation model (Beyer 1994: 15-19) lends itself to explain the status of Iranian society at the turn of the 19th century. Under the rule of Safavids (1501-1736) Iran –along with its Western neighbor, the Ottoman Empire – was a military and economic superpower. With the internal collapse and external invasion of Iranian territories, however, the political and economic status of Iran degraded and moved from the status of a world empire to a periphery from the mid 17th century onward (see Foran 1993). Industrial, scientific, commercial and political revolutions in Europe had pushed European powers to the center of different spheres of the gradually developing world society. With the rise of Qajar dynasty to power in 1785, Fath-Ali

Shah reigned between 1797 and 1834, during which Iranian society faced the colonial powers in several fronts. Russians from the north, the British from the southwest and the French advanced their colonial interests in Iran. Following the first Russo-Persian wars (1804-1813) it became clear to the Qajar court that Iranian society had well retrogressed militarily, politically and economically vis-à-vis the European powers. Segments of the ruling oligarchy saw the remedy in modernizing Iranian society by emulating Europeans. The growing interest to learn from European powers made Iranian society curious about the West. It was in this period that the first systematic efforts were made to observe European societies: diplomatic interactions increased; groups of students were sent aboard to learn about modern sciences and ways of life; craftsmen were dispatched to learn about their technology; and European advisors were invited to Iran. Early translation projects were commissioned.

In this context, translation became a medium, among others, to help Iranian society better observe and understand its environment. It played a crucial role in opening up the communicative borders of Iranian society as well as introducing the otherwise incomprehensible West to Iranians. Translation served, according to Tyulenev, as a "boundary phenomenon" in Iranian society, for it "realiz[ed] the functions of opening/closing" (2009: 158) the society to and from its environment, here Europe. The West, without the medium of translation, would have been incomprehensible or at best vaguely comprehensible, or it would have been an extremely time-consuming process, for which the interested society of Iran did not have the time. Modernization of Iranian society was a social process for which translation acted as a "catalytic agent" (Tyulenev 2010: 365). More importantly, translation helped Iranian society understand the West and use the information derived as the basis of self-understanding. In observing Europe Iranian society came to a self-observation, learnt about itself, noticed its shortcomings, and gradually adopted measures to transform its structures. It was in line with these measures that Iranian society adopted a series of basic symbols for modernization, of which promoting literacy through dispatching students to Europe, establishing modern educational institutions and brining new professors to Iran; disseminating information in the form of books and newspapers; development of industries; and urbanization were some of the most important ones.

This chapter studies the impact of translation in opening up the communicative borders of the pre-modern society of Iran during the 19th century. It investigates the way translation as a communication medium contributed to the integration of Iran into the "European-centered globalizing systems" (Beyer 1994: 161). In pursuing its objective, the first section will discuss the question of what sociological transformations characterize the modern society. Modernity

describes a formation of society in which systems are functionally differentiated from one another. These systems are autonomous and carry out major functions in society. This section further highlights the correlation between the evolution of communication media (see chapter one) and the differentiation of systems from one another in societal evolution. The second section will look at Iran in the 19th century, during which the society gradually began to integrate into world society. It hints at some fundamental differences between Iranian and Western societies that make it problematic to trace the evolution of Iranian society in terms of hierarchical and stratified differentiation. Therefore it contents itself with depicting Iran as a pre-modern society that tried to integrate into world society with destabilizing consequences. At the time of active interaction between Iranian society and Europe the semantics of Iranian society relied on the dialectic between the state and society. Basic attempts adopted by Iranian society to observe and interact with its European environment constitute the subject of the third section. In section four, the contribution of translation in modernization of Iran will be the main theme. Iran's gradual but difficult integration into world society turned the society increasingly irritated by its environment. It was in embodying the necessity of deriving information from its environment and in incorporating this information in the society that the social institution of translation and print technology made significant contributions in the evolution of Iranian society. Omnipresent in three reform periods initiated by the ruling Qajar (Zibakalam 2008, chapter five) were intense translation activities. Together with translation, the introduction of printing further contributed to the dissemination of new ideas in society. In the conclusion, translation is brought in the larger picture among other forces of change to study the way dissemination of communicative action in Iranian society gave rise to the complexity of Iranian society to the degree that traditional structures of society could not respond to. Hence the necessity of change. Modernization of Iran was a process that started during the 19th century, but came to the first modern social movement in the history of Iran in the first decade of the 20th century. The Constitutional Revolution of 1905-07 was a cornerstone in the evolution of Iranian society from the status of pre-modern into semi-modern.

1. Society's evolution, system differentiation and communication media

The question of what makes Iran modern is one that many scholars working on the history of Iran deal with. Many of them agree that the process of modernization in Iran happened during the 19th century (Mirsepasi 2004, Keddie 2006, Abrahamian 2008, Zibakalam 2008). While many studies approach the modernization of Iran from intellectual, historical, economic or political

backgrounds, this chapter uses Luhmann's theory of society (see Luhmann 2005a; 2012) to investigate the modernization of Iranian society from a macro-level perspective (for an example of such sociological study, see Fadaee 2012). Following Luhmann's theory of society, which is a framework to describe and analyze modern society (Stempfhuber 2012: 103), a social evolution has brought about the status of modernity to today's contemporary society. Society undergoes evolution with a simultaneous transformation of societal structures of differentiation and of communication possibilities. The theory, moreover, conceives of these simultaneous transformations in society, modes of systemic differentiation, and communication less as cause and effect relations than circular and mutually reinforcing relationships. A transformation in the means and reach of communication brings about a transformation in how society is differentiated, and how society is differentiated, brings about new modes and kinds of communication (see Figure 1).

The application of Luhmann's theory to Iranian society, however, is not without risk. Luhmann himself admits that his theory is an analytical tool to describe Western societies and its application to other non-European societies requires certain modifications. It is important to notice that the evolution of Iranian society does not fully correspond to the systematic evolution of society from segmentary to hierarchical, stratified and modern society in the Western Europe (Katouzian 2000: 2). For example, one of the fundamental differences between Iranian and West European societies was the question of private property. In fact, private property was not recognized as legitimate by Iran's ruling system, although this was a recognized fact according to the Shari'a law[1]. One possible consequence of this was that the feudal class never existed in Iran in the sense that it existed in the West (see Katouzian 2003: 237; Lambton 1991: 459). Accordingly, there were no similar groups like aristocracy to enjoy certain privileges and political power. In fact, there was no social class called aristocracy, which could pass from one generation to another by blood and family. Titles could be purchased, and the higher the bid, the more chances of getting them. "If aristocratic blood, in the Western sense, had little meaning in Iran, where titles were usually purchased and were not automatically passed on from father to son, landholding was of major importance in conferring status as well as power" (Keddie/Amanat 1991: 175). The absence of social classes produced a unique structure of bureaucracy in Iran's political system, a crucial feature which was the possibility of rising from humble origins to high positions in the court. The reformist Amir Kabir who served as the grand vizier of Naser al Din Shah between 1848 and 1851 is a case in point. His father was a cook in the royal household. He drew the attention of reform-minded courtiers through sporadic contacts and gradually moved up in the political hierarchy (see Keddie/Amanat 1991: 175). Lack of aristocracy and interest groups

of the same ilk abolished the government's obligation to represent any segment of society, giving rise to a totalitarian state that ruled over society with no law. Words and deeds of the kings were rather the law. So it is important to see what modernity means for Luhmann and how it is possible to describe modernization of Iran with a Luhmannian conceptual framework before delving into an analysis of the social formation of Iranian society during the 19th century.

1.1. Segmentary differentiation and archaic societies

Segmentary differentiation is the most basic form of society's differentiation. It constitutes the basis of an archaic society, which consists of equal subsystems. This is to say that subsystems of an archaic society do no stand in a superior or inferior relation to one another. Families are the most basic forms of differentiation[2]. This, however, does not say that families constitute the elements of an archaic family. Rather, it holds that the emergence and survival of autonomous families compose the main mode of differentiation in society. Families, namely, do not live in isolation. In reproducing themselves and increasing the units of this form of society, families form linking units such as villages or tribes and hence connect to the larger body of society. Families, tribes, villages, clans, ethnicities, etc. constitute therefore the subsystems of an archaic society. The characteristic of such a society is that each subsystem conceives of the environment as a compilation of identical or similar systems.

The communicative possibilities of subsystems in an archaic society are restricted. This makes the complexity of such a society small. Such low complexity owes to the earlier stages of the evolution of the communication medium of language. The medium of communication in archaic societies is restricted to the oral language. Although humans existed and lived together, but there came no society into being as long as they did not use language. Language is crucial for the emergence of communication and with it the emergence of society. The first evolution happened with the invention of language that allowed a distinction between information and utterance in understanding, and the emergence of a communication cycle. Since society consists of communications, language becomes a *condition sine qua non* of its realization. It is the medium that allows the perception of communication in its most basic form.

Archaic societies constitute the earliest stage in the history of the evolution of society. With regard to its mode of communication, the main characteristic of such a society is its reliance on an oral language. The borders of communication and hence each subsystem goes as far as interactions can go. Since interactions require the presence of alter and ego, the borders of the

constituting subsystems are restricted to localities and concrete situations of action. As for individuals, they are bound to the system they belong to. They do no have the required means to participate in different subsystems.

1.2. Stratified differentiation and high cultures

Stratification followed segmentary as the second dominant mode of systemic differentiation in the history of societal evolution. Following the unification of families into larger subsystems such as communities, tribes or ethnic groups in archaic societies, the balance or equality within each subsystem and among different subsystems could no longer be sustained. As time passed by, subsystems that were once equal were now aspiring to gain more of the available resources and became therefore unequal. Some subsystems gained more at the cost of disturbing the autonomy of other subsystems. Segmentary differentiation of society, for the obvious reason that equality of systems in its different forms could not remain undisturbed for long, underwent transformation and became the motive for a hierarchical mode of differentiation, i.e. center vs. periphery differentiation. A stratified differentiation remained the dominant mode of systemic differentiation up until the European renaissance. The key criterion for the differentiation in societies of *Hochkultur* (high culture) is differentiation into unequal strata. Here the society no longer consists of symmetrical or equal subsystems but from asymmetrical subsystems that stand in a hierarchical relationship to one another (see Figure 1). The resulting society observes itself with the orientational difference of above vs. below or center vs. periphery.

The key criterion for system differentiation in a stratified society is how close subsystems are to the center. The center at this stage of societal evolution is preferable as it is the locus of desired resources. Systems are unequal because rare resources such as wealth, knowledge, education, respect and social prestige are distributed unequally in society. While some systems are closer to the center and hence have more access to these resources, others are pushed further to the periphery. Since Luhmann calls the constituting elements of society communication, the differentiation of systems in a stratified society is marked by the concentration of communication potentials in the center. Communication flows more from the center in the direction of the periphery than the reverse. The augmentation of communicative complexity in the center serves as the basis for a newer form of differentiation. The center is namely differentiated on the basis of stratification and the periphery on the basis of segments. Characteristic for a stratified society is that it is represented as a ranking order and a societal order without a difference in ranks becomes unimaginable (see Luhmann 1997: 679). Stratification means an unequal distribution of resources

and communication possibilities not only in the dichotomy of center/periphery, but now increasingly in the center itself. The center is stratified by rank, and the higher the rank, the more opportunities of access to available resources. While there are cities, centers of ruling, aristocracy, clergy and traders, among others, in the center, there are villages and other less important social positions in the periphery.

Stratified mode of differentiation as the dominant form of systemic differentiation does not negate the existence of stratification in archaic societies. The same goes for the survival of segmentary differentiation in high culture societies. Ranks did exist in earlier social structures such as in segmentarily differentiated societies as much as segmentary differentiation existed in high culture societies. The question is what constitutes the dominant mode of differentiation between systems and their environments at each stage of societal evolution. Stratified differentiation ensures that subsystems of society are more or less neatly differentiated with the aid of a spatial separation. This is ensured in a number of ways. Through hierarchy systems stand in an unequal relationship to one another. The upper stratum separates itself from the lower stratum by mechanisms such as endogamy –i.e. marriages between upper and lower stratum would be close to impossible – and norms –i.e. internal and external regulation of activities of the strata –. The semantics of society evolved accordingly, so that, for instance, the superiority of the nobility is accepted and respected not only in the upper but also in the lower strata. Depending on which rank each individual belongs to, his or her behavior is pre-determined accordingly (see ibidem: 678-705).

If society is assumed as a meaning processing system, then one can say that the evolution of high culture societies occur more on a social, i.e. the way alter and ego are assigned to different strata, than on factual and temporal dimensions. This means that what counts at the end of the day is less what is said than who says it. In a courtly society, for instance, respect or lack of respect for someone is less a question of argument's vigor or appeal than the social position of the person. The same goes, to name another instance, for the communication of love. It is not a romantic love that brings the individuals together but the status of individuals in the hierarchy of society. In a stratified society, the conjugal relationship between men and women of the same social stratus contributes to the maintenance and reproduction of the social stratum they belong to and excludes the possibility of the inclusion of those individuals that belong to other social strata (see Nassehi/Kneer 2000: 126f.).

The evolution of an archaic into a high culture society coincides with the evolution of communication form from oral language to written language. In other words, the evolution of

language from an oral to a written form marks the evolution of a segmentary mode of systemic differentiation into a stratified one. Writing expands the communication potentials and with it the complexity of an archaic society to the extent that the structures of its subsystems, such as families, tribes, communities, etc. can no longer cope with. This explains how systems begin to differentiate on the basis of center/periphery. Capability of communication in the positive side of the differentiation is higher. This is to say that possibilities of communication are higher in both geographical and communicative areas where the reading and writing are more concentrated, such as in courts, rich and influential families, clerical milieus, etc. Two key forms of differentiation in high culture societies are differentiation of communication horizontally on the basis of function and vertically on the basis of social classes (Luhmann 2005c: 355). In such societies the world is differentiated both spatially and hierarchically. Higher positions on the ladder of hierarchies are closer to the center, where important and prestigious communications occur, and hence have a better access to communications and resources.

A logical conclusion results from the intertwined relationship between evolution of society and that of communication. A stratified society is far more complex than a segmentary society, and this complexity has been made possible thanks to a more complex form of language that allows the extension of communication from those present in an interaction to those absent. In other words, "communication under the condition of local and temporal presence can no longer integrate the whole society. Through writing, however, communication reaches the whole country. Society extends to its territorial borders, on the one hand, and so far as one's own language as well as the written utterances can reach, on the other" (Berghaus 2011: 266, my translation).

1.3. Functional differentiation and modern society

Around the turn of the 18th century, European society came into such a degree of communicative complexity that a stratified mode of systems differentiation could no longer handle it. This communicative complexity brought about the necessity of a new structural change (GLU 1997: 68). Following segmentary and stratified modes of differentiation, the specialization of autopoietic systems deal with specific functions in society marks the third level of systemic differentiation in society. Functional differentiation brought the evolution of society into a new stage that started roughly from the late 16th century. "The primary differentiation of society on the basis of mutually non-substitutable functions, which had already begun from the 16th century

onwards, began to prevail ultimately around the mid 19th century" (Kneer/Nassehi 2000: 131, my translation).

A society, whose primary mode of systemic differentiation is functional, is modern (see Figure 1). On a structural level, functional differentiation produces a number of subsystems, each of which carries out a particular function in society. While the system of politics produces decisions that are binding for the society, it is only the scientific system that produces truth, and by the same token, it falls on religion to care for the salvation of people. Subsystems cannot replace one another, nor can they assume the function of other systems. For instance, operations of the political system cannot produce or ensure truth, just as religious blessing cannot be ensured by operations of law and economic success by operations of education. Furthermore, by fulfilling their unique functions, there is no hierarchical relationship between systems and hence systems are equal to one another. Modern society is a "polycontextural" and "polycentric" society (see Lange 2003: 154ff.).

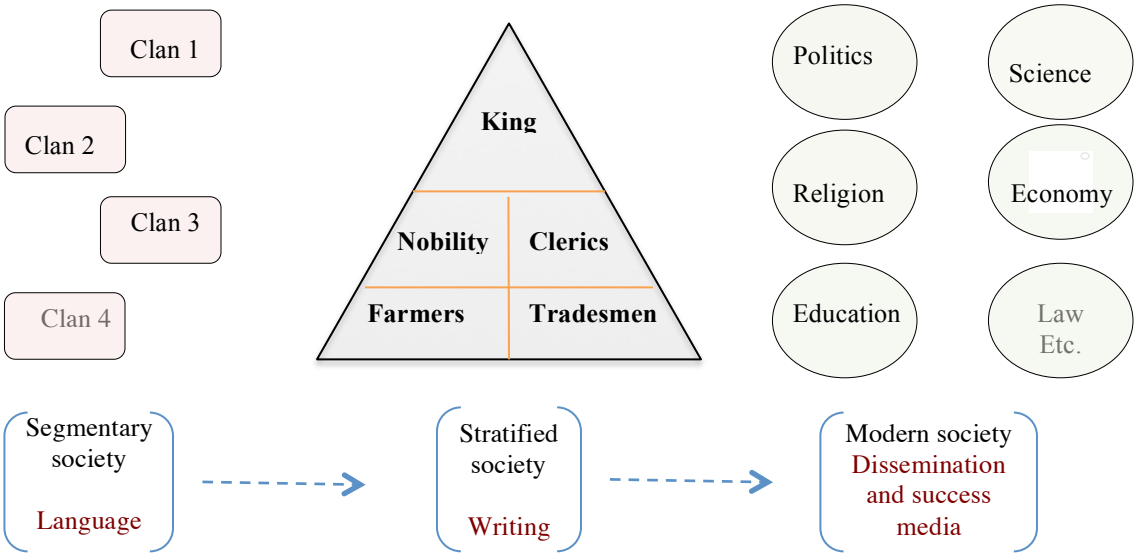

Figure 1: Evolution of society and communication media (see Rosa et al. 2013: 188f.)

Differentiation of societal subsystems on the basis of function characterizes the modern from pre-modern societies. The semantic aspect of a modern society –that allows a self-description of society as modern– is correlated with actual sociocultural developments (Stempfhuber 2012: 103). Functional differentiation underscores the evolution of systemic relationship from passing the long stage of inequality as the *modus operandi* of stratified differentiation to returning to the original state of equality. While there is a relationship of superordinate and subordinate among societal subsystems in center/periphery and stratified societies in pre-modern societies, none of

the subsystems in a modern society is superior to others for the simple reason that no system is capable of controlling other systems or the whole society. A hierarchical order of pre-modern society is replaced by a heterarchical order in the modern society (see Luhmann 1997: 634-775; Brunzcel 2010: 102-113; GLU: 65-72).

Modern society is a world society. A regional reference of the concept of society leads to "a theoretical dead-end" (Luhmann 2005: 65, my translation). Systems theory conceives of world society in the sense of global system. This is a logical conclusion Luhmann draws from his theory of communication. Society is defined as an autopoietic system, constituted by the communicative operations. If the boundary of a system is exclusively drawn by its operations, and operations of social systems are communication, and society is one such system, then the boundaries of society are communications, and as such, the range of society goes as far as communication can go. According to Luhmann, world-society evolved gradually from Europe, starting with the discovery of America, and the increasing colonization of the world, exposing it to the increasing amount of communication. And since the second half of the 19th century, there is a standard world time, allowing a worldwide communication without a loss in time. Technological achievements also played an indispensible role in disseminating communication all over the globe (Luhmann 1997a: 148ff.). By the latter half of the 19th century, the society for Luhmann had already gone beyond the geographical borders to encompass the borders of communication, and as such society extended as far as communication could reach. There is only one system on the earth. One can observe this in all the constituting functional systems that tend to construct their operations and structures on a worldwide range. One of the main reasons for this tendency is that borders of the functional systems are not locally determined. One cannot say where the borders of science, just as one cannot say where the borders of economy end. If one can think of regional boundaries for the function of individual subsystems, such as the subsystems of politics, law or education, these are secondary differentiations and they have to do with the function of system in general. This is to say that, for instance, in order for politics to function in a world society, there should be segmentary differentiation in the form of nation states that maintain the complexity of the system. "The political system of world society is internally differentiated into nation states. This segmentation in states helps the political system to carry out its function: democracy can be realized locally and special goals might be achieved with the aid of state formations" (GLU: 138, my translation; see also Luhmann 1995: 68f.).

Communication media have undergone evolution along with the dominance of functional differentiation as the main mode of systemic differentiation. Expansion of communication

possibilities in different systems would not have been possible without a transformation of communication media. Although writing did make the emergence of communication across different times and places, the speed of the dissemination of communication was still restricted. It was only with the introduction of the printing technology that communications could disseminate in a much faster and more efficient ways. The communicative range of society entered a new phase with printing. This is important, since interaction is further ruled out by the interposition of technology, and this has evolutionary consequences for communication possibilities. "A surplus of possibilities for communication thus arises [… to such an extent that] can only be regulated within the system, by means of self-organization and the system's own constructions of reality" (Luhmann 2000b: 2). Printing facilitated worldwide communication and functional differentiation of systems in society. Without the print industry the expansion and the emergence of modern society would be but an illusion. The evolution of communication media contributed to the evolution of society in that these media marked the dissolution of centers and hierarchical positions related to the spatial locations and undermined the assignment of societal functions to predefined social subsystems (see Berghaus 2011: 285-288; Luhmann 1997: 634-775; Brunzcel 2010: 102-113; GLU 1997: 65-72). And since more recently, new broadcasting and electronic media along with the World Wide Web have tremendously and unprecedentedly intensified the possibilities of communication over geographical borders. These media have made the worldwide communication both easier and faster. Political, economic, scientific and technological influences keep going beyond political borders and claim to be universal.

2. The Iran of the 19th century

Modern society is a world society, which Luhmann uses as an alternative to the globalized world. Operations of such society are communications, which produce further communication. The borders of world society are not territorial or geographical but communicative. Society is internally differentiated into functional systems, which differentiate themselves from others by organizing their communications around specific binary codes. The dominance of world society poses the question of whether or not it is possible to talk about Iranian society of the 19th century as a distinct society. Luhmann does not deny this. He argues that a number of societal systems may well exist "only in the absence of communicative links between these societies or, from the point of view of the individual society, where communication with others is impossible or without consequences" (2012: 83).

It seems possible to talk about Iranian society as a distinct society during the 19th century[3]. For

even if world society with its functional differentiation was reaching its full boom during this time in the West, Iran was more or less communicatively cut off from the Western world. While functional differentiation of social systems such as science, economy and politics was bringing about an unprecedented amount of progress and development to the Western Europe of the 17th and 18th centuries, Iranian society remained fairly blind to these changes. Different reasons might explain this blindness (see Zibakalam 2008; Abrahamian 1982). As for the communicative aspect, two reasons stand out. Structurally speaking, Iran at the turn of the 19th century lacked, first, the infrastructure for the reception of information from its environment, and secondly, the mass dissemination of information in society. There were no print industries at the time and the illiteracy rate was soaring. Furthermore, while Iran was deeply involved in internal problems and dealt with its immediate neighbors, Western Europe was both geographically distant from, and linguistically incomprehensible, for Iranian society. It is understandable that Iranian society would be at best *irritated* (in the systems-theoretical sense) by those phenomena that were linguistically understandable.

The evolution of Iranian society does not fully correspond to the systematic evolution of society from segmentary to hierarchical, and from stratified to modern society. Basic features of Iranian society such as property ownership, social stratification and mobility, the relationship between political power and the state, law, political legitimacy, succession in political power, tyranny and rebellion, with all implicit and explicit consequences, were fundamentally different from that of Europe in the same and previous centuries. Iranian society was for instance never stratified. As Katouzian (2000) argues, Iranian society has historically lacked "state, social class, law and politics as observed in European history and analyzed by European theorists" (2). The nucleus of the political system was the king's arbitrary rule.

The unique political structure of the Qajar dynasty (1885-1925) further disturbed the integration of Iran into world society during a great part of the 19th century. The Qajar king had a monopoly over political power, property, bureaucratic institutions and the military. There was no law, as his word would serve as law and law could be changed arbitrarily at any time. In the absence of ownership rights independently of the state there did not exist any feudal, lords or aristocracy as social classes that could impose some pressure on the center of the political structure. The king was independent of and superior to any social classes, if there existed any. Zibakalam (2008: 49) writes:

> The king was at the head of the ruling oligarchy and was the absolute sovereign. His decrees were law, his words just, his will unrestricted, his intellect over that of anybody else, his orders binding and his ideas were effective. His presence was the shadow of God

> on earth and every moving being would find refuge in his blessing. There were no political parties, no political associations, no union rights, and no political and social security. There existed equally no political power or law that stood against that of the king. The mass of the people were considered as poor dependents and the state saw in them the responsibility of following like a cattle their shepherd, i.e. the 'world's point of reference' (qeble-ye 'alam) (my translation).

The state monopolized all political and economic resources, and used this monopoly less in a legal than an arbitrary way.

The relation between state and society in Iran of the 19th century was one directional: social classes and groups were generally dependent on the state (the higher the social class, the greater the dependence) and the state did not represent any social classes. In the unique "dialectic between the state and society" both the mighty and the humble rightly understood that anything was possible, and social, economic and political positions could easily change not only from one generation to another, but within the very same generation. This relationship was made possible mainly because there was no law in the sense of a regulating framework of the exercise of power of the political system in Iran. Arbitrary governments ruled in Iran and they ruled with no law. There was neither rule of law, nor rule by law. The decisions of the kings would serve as law, and laws would change without following the required procedures. Lack of law not only made the relationship between state and society, but also the inter-social classes inconsistent and irregular. In the absence of law there was no politics either. Up until the turn of the 20th century there was no word for politics. Its Persian translation, *Siyasat*, meant up until then either the art of governing the realm successfully, or the punishment of fallen notables and state officials. These characteristics made the socio-economic evolution of Iranian society discontinuous. Arbitrary use of power brought the personality of rulers and their state organization to the center of large and rapid fluctuations in the country's fortunes and society's life (see Katouzian 2000: 1-24; 2003: 1-60).

Absence of law in Iranian society up until the turn of the 20th century has had far-reaching consequences for the evolution of Iranian society. One such consequence concerns the evolution of social classes. In the history of the West, law allowed social classes to develop independently from the state. By recognizing the right of individuals to private property and property ownership, law made such an economic right inalienable for individuals and social groups to the extent that even the most absolutist king could no violate it. Furthermore, kings relied on social classes for a number of reasons, such as financial grounds. This automatically made the king into the representative of certain social groups. In Iran, in the absence of law, the rule of the king was both absolutist and arbitrary. He would not rely on social classes for the legitimacy of its

rulership, but on a metaphysical authority, in case of the pre-Islamic society the principle of *Farrah-ye Izadi*—God's Grace—or Divine will or the vicegerent of the prophet or the Hidden Imam since the Safavids. As a result, if the state derived its legitimacy independently from any social classes, the latter could not claim any right from the state. If there is no right but the right of the ruler, the right of private ownership loses its relevance altogether. Of course there were lands, which were assigned to landowners, but these very lands could be confiscated by the state at any time without undergoing any ceremonial steps. This explains the reason why lands could hardly pass from one family member to another on inheritance and lands could remain within the same family beyond a couple of generations. Absence of law and the political system's repudiation of private property were among the key factors to turn Iranian society in a short-term society, in which not only property and inheritance but also the future of individuals within and without the government was highly unpredictable. With the absence of any independent law to regulate private property and ownership, social classes did not emerge, and if they ever did, they were subject to the states that in their turn would change in a matter of time (see Katouzian 2000: 1-24; 2003: 236-249; Ashraf 1970: 308-311).

3. Iran's observation of its environment

As a social system, Iranian society of the 19th century observed other societies and distinguished itself from them. The distinction between self and other is the condition for the self not only to observe the other, but also to observe itself. Systemic observation "stimulates self-observation and every gain in distance from the environment raises the question of self, of one's own identity" (Luhmann 2012: 49). Through observation, systems construct information and define their environment, their world. "The limits of an observer are the limits of its distinction and the limits of its world" (Fuchs 2010: 81).

A system's observation of its environment corresponds to the system's pre-structured categories of observation. This is to say that each system has its own structures of observation, based on which it constructs reality, derives information, and incorporates the information in its communication. As for the modes, conditions and the procedure of such observation, it is important to highlight two points. First, it is up to the system to decide whether nor not, and if yes, how to observe or to interact with its environment. It is the system that defines the environment, and not vice versa, it is up to the system to observe or to learn from its environment and to develop accordingly. However, like any decision, the concomitant consequences remain unpredictable if the degree of complexity in the environment exceeds to that of the system to the

extent that the system can no longer make sense of it. This is to say that a system cannot remain blind to its environment for long without risking its survival. This is the case when the environment can pose danger to the status of the system. Iranian society remained fairly ignorant of its European environment from as early as the 16th century up until the turn of the 19th century. It was only in direct exposure to the colonial powers that Iranian society paid the price of its thorough ignorance of modern developments in the society. Such ignorance had resulted in the underdevelopment of the societal structures to observe, understand and incorporate the environment's complexity within the society. Secondly, the way a society observes its environment corresponds to the system's pre-structured categories of observation. This is to say that each society has its own structures of observation. It is based on these structures that societies construct the reality of what they observe, derive information from their observations, and incorporate the information derived in the following chains of communication.

During the 16th century and the earlier decades of the 17th century, Iranians were the second most important players in global politics after the Ottomans. Economically, they were doing far better than Europeans during this period. However, the unique economic structure in Iranian society did not allow products of economic value to enter a global market and restricted its economic partners to its immediate neighbors. Iranians prided themselves on their glorious civilization to the extent that they called the capital city of Isfahan half of the world, second only to the heavens, the other half (see Rajaee 2008b: 334). That is why Iran's interaction with the Western world did not go beyond the Ottomans. This made Iranians blind to the important events that were sweeping across the European society of the time. Autonomous and parallel development of functional systems such as politics, science, economics and the military coincided with the intense participation of European societies in these spheres. The active participation of European powers in different social systems brought an unprecedented degree of progress to these societies. The result was that these societies were quickly moving to the center of different systems while pushing the rest, which were communicatively cut from such systems, to the periphery.

At the turn of the 19th century Iranian society was almost cut off from the fundamental changes that were happening in Europe from the mid 15th century onwards. If there were any contacts, they were at best restricted to more or less equal economic and political encounters. Absence of printing, scarce individual and diplomatic interactions between Iran and the Western societies, and lack of diplomatic ties with modern powers coupled with the constant instability of the central governments in Iran restricted the society's interactions, at best, to its immediate neighbors. Nonexistence of dissemination media coupled with the unavailability of

translation was another significant impediment to society's observation of the modern societies. This made the self-observation of Iranian society increasingly problematic. Such ignorance of the modern world reached the extent that the Qajar king Fath-Ali Shah, reigning from 1797 to 1834, had an amazingly vague image of Europe and America. He believed the way from Europe to America was a tunnel dug underneath the Atlantic Ocean (see Zibakalam 2008: 48).

This state of ignorance had to change as Iran got involved in European-centered systems of economy and politics. The establishment of the Qajar dynasty happened at a time that the avalanche of the industrial revolution had gone beyond Europe to reach even the remotest areas of the globe. Political, economic, industrial and scientific revolutions were happening along with the full-fledged differentiation of functional systems, and since these were systems of communication, they were reaching all areas of the world with the aid of dissemination and success media. The ignorance of Iranian society of its modern environment was producing destabilizing effects in the society. From an economic perspective, for example, imports had considerably outstripped exports by the mid 19th century. The value of imported manufactures, in addition, were much higher than those exported. This led to high trade deficits and consequently large deficits in state budgets. Quick consequences were direct foreign loans, currency deprecations, business and trade concessions, and as a result, increasing economic and consequently political dependency on foreign powers. This was an indication that Iran's trade pattern increasingly resembled a classical colonial pattern, moving it from the status of economic independence of 15th to 17th centuries to a highly dependent situation during the 19th and 20th centuries. To put that in Wallersteinian terms, Iran's position into a world system deprecated from a world empire into a periphery. "The increasing exchange of Iran's raw materials – opium, cotton, rice, wheat, tobacco, dried fruits, nuts, silk, and wool – for Europe's manufacturers, and European control of the terms of trade, tariffs, shipping, and transport, were all powerful indicators of this new pattern of peripheralization and dependence" (Foran 1993: 116).

These economic developments coincided with the rapid expansion of political communications from Europe to other corners of the world. Following the expansionist policies of the Russian Emperor Nicholas II, the Russian army moved to its southern territories and reached Iran on its northern fronts. This mobilized France and Great Britain, who stood in rivalry with Russia in Europe, to become involved in Iran's political scene. Basic conflicts between the Russian and Iranian armies gave finally rise to the first Russo-Persian wars (1804-1813). The immediate aim of Nicholas II of Russia was to secure the Southern frontier of Georgia, which had been annexed to the Russian Empire in 1801. Abbas Mirza (1789-1833), the Qajar Crown Prince, was sent to

Tabriz to face the Russian invasion. Tabriz soon became the destination of English and French envoys. Ambassadors from the dominant powers of Europe entered the city one after another. These diplomats had the difficult task of taking initiatives in Iran with an eye both on the fluctuating diplomatic situation in Europe, on the one hand, and the unstable socio-political and economic situation in Iran, on the other.

Now Iran was not only militarily, but also politically and economically involved in world society. The earliest impetus for Iranian society and above all the Qajar court to observe its environment and itself came from the Russo-Persian wars. The Russian army was professional, well organized, and well equipped with modern artillery. It used sophisticated and unpredictable military strategies and tactics. It surprised the Iranian army to the extent that almost every war led to a defeat for the Iranian side. As war continued, an increase in the diplomatic dynamics between Iran and the West emerged. Upon the first encounters with the modern Russian army, the crown prince and the head of the Iranian army, Abbas Mirza became aware of the fundamental differences of modern armies, and upon his meetings with European envoys, of modern societies with Iran's traditional army society. During a meeting with a French military advisor the prince wondered about what had produced such a gap between Europe and Iran and at the same time confessed the feeling in the following terms:

> I feel ashamed of the army surrounding me. A band of Russian soldiers has exhausted all the power of my army and is constantly threatening us. [….] What is the power that explains the priority and advantage you have over us? What explains your constant progression and our constant retrogression? You know very well the means of governance, victory and use of all faculties and talents of the human being, while we are sunk in ignorance. We are fluctuating in unawareness and negligence, and we never reflect about the future…. You foreigner, hurry, tell me what should be done to awaken Iranians from their dream? (Abbas Mirza, in: Azarang 2008: 247, my translation)

Or elsewhere, Mirza Shafi', one of prince's top advisors, addresses the French convoy as follows:

> There is no doubt that we have fallen behind European civilization. While Western are gradually expanding the circle of their knowledge and that of the human being, Iranians are still what they were during the time of Alexander [the Great]; they have not come up with any significant invention to be proud of…. We used to deride Russians for sinking into unawareness and ignorance, but now they are ahead of us in many respects. (Mirza Shafi' in: ibidem: 248, my translation)

These comments mark the emergence of reflections on the necessity for changes and reforms. Following Zibakalam, the origins of the reform movements of the 19th century might be divided into two broad categories. One of them concerns the reformist movements within the political order. The initiating agents of these reforms were office holders of the Qajar oligarchy such as the King, grand viziers, crown princes, diplomats or agents with fairly easy access to the ruling court.

Another reform movement emerged from other social groups that did not have a tie with the ruling oligarchy such as the intellectuals, educated individuals, merchants and the clergy (2008: 156).

The first impetus for reform and modernization came from the crown prince Abbas Mirza (Abrahamian 1982: 52). The prince was carefully educated in the traditional manner under reform minded courtiers and grand viziers. He also became knowledgeable about European history and political events in Europe, probably through the works published in the Ottoman Empire. Being chosen as crown prince sharpened his interest in influential personalities and kings. An indication of such interest is reflected in the use of numerous pictures and portraits from the leading personalities of Western political history such as Caesar, Napoleon I, Alexander the Great and the Ottoman Sultan Selim III, which were used to adorn his residential palaces. Abbas Mirza was an open person, and willing to put in place some reform. He secretly emulated the Ottoman Sultan Selim III, who was highly receptive of the Western reforms. Furthermore, when entrusted with the government of Azerbaijan, he came into direct contact with the achievements and values of modernity during the early 19th century (Busse 1982). Azerbaijan, the province under his rule, was "Iran's window on the West" (Avery 1991: 827) at the time. This was thanks to the geographical position and the political situation of this region of Iran as the crossroads of Iran's encounter with modern European powers. In fact, western ideas reached him first via Ottoman Turkey and Russia and later on via the French and British embassies. That's why prior to the capital city of Tehran it was Tabriz, the capital city of the Azerbaijan region that became the focal point of modernization in the country (see Busse 1982).

4. Translation and modernization of Iran

Translation was an important step taken by Iranian society to acquire information about the modern world. It served as a "boundary phenomenon" (Tyulenev 2012: 146) that opened the communicative borders of Iranian society. Translation became a *sine qua non* of linguistic communicative understanding of the environment. Not only did translation make it possible for the system to observe a wide range of phenomena with information value in its environment, but also it made many communicative themes and possibilities understandable for the society. Translation helped Iranian society to abandon its communicative isolation from the rest of the world and to participate more effectively in what constituted society, namely communications.

Losing political, military and economic fronts one after another to the European powers brought the Iranian officials, above all the crown prince, to the conclusion that Europeans were superior to

Iranians due to their military force, economic superiority and exclusive access to modern sciences and technology. The court in Azerbaijan noticed immediately that these factors were all missing in Iran's traditional society. Therefore the court became highly interested and –or to put it in system theoretic terminology– irritable to its European environment. The system saw the necessity to adapt itself to aspects of its constantly modernizing environment. It saw the solution in abandoning its communicative isolation from the rest of the world and in participating effectively in what constituted world society, namely communications. It further noticed that an active participation in military, scientific, technological and economic spheres of society could turn Iran into an important actor in the world-society.

Translation became unavoidable with the modernization of the army. The first drive for modernization happened in military reform. First Russo-Persian wars clearly demonstrated that the traditional and tribal cavalry could not stand the mobile artillery of the modern army. The crown prince therefore had his army transformed into *Nezam-e Jadid* (New Order), an order similar to that of the Ottomans (Zibakalam 2008: 159f.). European advisors were called upon for help. Mutual treaties with France and England were agreed upon. French and English military generals entered to help. These needed translators to help interact with Iranian officials and troops. The core of the reformed army consisted of six thousand troops, which were fairly well equipped with mobile artillery and up-to-date weapons. In addition to a canon factory and musket plant, the prince had a translation office established, whose main responsibility was to translate military manuals and booklets into Persian. To ensure that army would maintain reforms, he opened the first permanent missions in Europe. Offices in London and Paris were particularly active and served as the system's eyes to inform the country of events of interest in the environment. In addition to this, he dispatched the first groups of students to Europe. That these students got engaged with practical subjects of study in the fields of military, medicine, European languages and typography is a clear indication that the system was adopting an instrumental observation of Western modernity (Abrahamian 1982: 52f.).

The translational activities of the translation bureau for military purposes were marginal. They were at best functional in line with the modernization of the army. What became of great importance for the emergence of a translation movement was the decision of the prince to send the first group of Iranian students to Europe. Apart from the fact that these students would serve as the eyes of the society to observe the fundamental differences between Iranian and European societies, they would later on play a crucial role in introducing modernity through translation to Iranian society. The primary logic behind sending these students to Europe was the long-term

project of an independent development of the military. French and English military missions who were helping the Iranian army in training and modernization left Iran following constant changes in the political scene of Europe.

Dispatching students to Europe to learn about modern Europe and sciences was an important measure the court took to open its communicative borders to modernity. Two and five students were dispatched to London in 1811 and 1815, respectively, to learn about modern sciences. The main aim of sending these students to Europe was to bring science in its state of the art to the country so that Iranian courts, and above all Iranian army, would be independent from European advisors. Since the British military officers had already been involved in educating some Iranians, the new students were selected from those with some experience in the field, so that their education would produce more tangible results. These students were trained to specialize in the fields of artillery, engineering, chemistry and medicine, foreign languages and key/lock building (Moradi-Nejad/Parum-Shariati 1974: 93). Both groups of students returned by 1919. Dispatching these students to Europe had certain consequences. As eyes of Iranian society to the environment, once these students learnt about modern sciences and observed modern societies first hand, they were better able to compare Iran and Europe and became aware of backwardness of Iranian society. Upon their return, they not only received key positions in the court and were crucial players in influencing political decisions, they were also charged with educating the younger members of the court in foreign languages, modern civilization and modern sciences and hence made the future decision makers acquainted with modernity and its values.

Translation activities during the Qajar period began in the early years of the 19th century. Apart from the translation of military manuals, however, they were rare and at best commissioned by the reform-minded Qajar courtiers. During the first two decades of the 19th century there were only two translations, both of which were carried out under the patronage of the crown prince. The latter was one of the most curious courtiers who wished to learn about the modern world. His idols were great kings and reformers. Even if he could not understand foreign languages, he was proud about the small library of books in European languages he had in his palace, including the Encyclopedia Britannica (Busse 2011). The first translation was done at the height of the Russo-Persian wars, when the Iranian army under the leadership of the prince kept suffering continuous defeats from the Russian army in spite of its numeric advantage. *Havādes nāmeh* (Letter of Events), presented to the prince in 1807 by an officer at the service of the Azerbaijan court, described in detail how Napoleon's army decisively defeated in severe nine-hour military encounter a coalition of the Russo-Austrian armies. It was apparently a desperate search for some

source of intellectual inspiration to strengthen Iranian army that served for the prince as a motive to order this translation. In addition to learning about modern war strategies and machinery, the translation sharpened the attention of the political system to those aspects that had turned the West into a superior military power. Six years passed for the second translation to appear. *Tārikh-e alexānder* (the History of Alexander), presented to the prince in 1813 by an English officer at the service of the Azerbaijan court, was a biography of Alexander the Great's life and his military achievements (Afshar 2003: 79f.). These translations encouraged the Prince to take concrete measures to reform in both the court and the society.

Translation was a gateway to the modern world. New translation communications would therefore sharpen the interest of those who were in the reach of these communications. That both the patrons and the readers of these translation projects were restricted to a very small circle of individuals in or immediately around the court might be an indication of the limited influence of translation on a social scale. However, the readers were influential people who could make decisions with considerable consequences for society. As it was mentioned, the interest to translation was at best restricted to individual reform minded individuals within the ruling oligarchy. If translation played at this stage a role in opening up the system's eyes to its environment, it was less a modernizing factor in the public than in the court. In fact, only five percent of Iranians were capable of reading and writing in urban areas at the turn of the 20th century. That the rate was staggeringly small becomes even more severe when the demography of urban areas is taken into consideration. Around 1900 only 20 percent of the population lived in cities, the rest being either villagers or nomads, in both cases the literacy rate would be extremely lower. Although there were not stable social classes, literacy was basically restricted first to the graduates of modern educational institutions and second to certain members of the court, the clergy as well as the merchants (Abrahamian 2008: 6; Zibakalam 2008: 48). So circulation of modern themes was restricted to those in immediate range of translation. The public had almost no chance of being exposed to the communications introduced by these translation projects.

Apart from these sporadic translation projects, translation became a more or less systemic activity in the decades that followed. Afshar (2003: 83) classifies these translation activities into two periods: the first involves a period of 30 years and starts from the date the first and second groups of students sent to Europe return to Iran, i.e. around 1820, and ends with the early activity of *Dār ul-fonūn* around the mid-19th century. The second period includes the latter half of the 19th century and comprises the translational activities related to the professors, translators and students belonging to *Dār ul-fonūn* as well as those professional translation activities carried out by the

Ministry of Science and the Government Translation Bureau. Translation in each of these periods helped society to open up its communicative borders to its environment, which ultimately introduced attempts to reform and modernize society on different fronts.

4.1. Translation activities between 1820 and 1850

Translation activities between 1820 and 1850 were few but regular. It seems there is no record of the number of translations, as many of them were not published in the first place. They were done for individual patrons, mainly from the ruling oligarchy. Among the published records, one cannot count more than 20 translations in total. Since the ruling oligarchy was the main patron and readership of the translated texts, the themes reflected those dimensions of European modernity that drew the attention of the Qajar court. In the first period, the primary focus was on translating historical, military and geographical texts.

Mirza Reza Tabrizi was the most prolific translator in this period. He was among the students dispatched to London in 1815 to receive education in military sciences. Upon his return, he got involved in different military and diplomatic missions. Moreover, he dedicated some time to translation activities, for which he is now best known. That Abbas Mirza ordered these translations in an indication of a systemic phenomenon: it was not a translator's initiative, but the initiative of the crown, which used its subject whom the system sent to Europe for westernization. Abbas Mirza, being aware of the well-known European historians and philosophers, commissioned the translation of some popular historical works. *Tārikhe petre kabir* (History of Peter the Great) and *tārikhe sharl-e davazdahom* (History of Charles XII) written by Voltaire and *tārikhe tanazzol va enhetāt-e rum* (History of the Decline and Fall of the Roman Empire) by Gibbon were among Tabrizi's translations. As Fashahi (1973) argues, these translations played a significant role in raising the court's awareness of Europe's political, economic and social history. In their historiographies, these authors did not content themselves with a description of historical events and military conquests. Rather, they contributed to the development of the philosophy of history in that they investigated historical events critically and hence drew political, cultural and economic conclusions from each historical period under study (1973: 18-21). Obviously translation played the key role in introducing these ideas into Iranian society. After the prince died in 1833, Tabrizi was summoned to Tehran to continue his translational as well as military services for the Qajar court in the capital city. The new patrons for these new translations were either the shah or other courtiers (see Kiyanfar 1989: 24f.).

Sporadic translations continued under the reign of Mohammad Shah (1834-1848). There is no complete list of the items translated at that stage, for some of them did not come out in print at all. Some individuals from the ruling family ordered these translations and used them for personal reading. This is an indication of pre-modern society that is differentiated on the basis of stratification. Communication possibilities are, namely, concentrated in the center or at the top of the hierarchies. To such center belonged regions, where political power, economic resources, literacy rate and cultural activities as symbols of distinction and differentiation from the rest of society were concentrated. These regions were above all the Qajar court, where individual reform-minded courtiers showed increasing interest in the West. What is known about these translations is that the Qajar court commissioned Tabrizi to translate Walter Scott's *The Life of Napoleon Bonaparte*, which was published in 1838. Moreover, he was commissioned to translate two treaties on military sciences in 1834 and 1838.

The best-known literary translation of this period was the Persian translation of "One Thousand and One Nights" from Arabic in 1838. This translation resulted from the collaboration between to known poets Abdol-Latif Tasuji and Soroush Isfahani. While the former assumed the prose translation, the latter replaced the originally crude and vulgar poetry with either his own poetical translations or texts selected from those of Hafiz and Sa'di. The end result was "a sublime example of an unprecedented and memorable piece of prose during the Qajar" that "became a source of inspiration for modern narration in Persian" (Azarang 2009b: 198, my translation). This work can be an example of translation's contribution to the Iranian functional subsystem of the arts in general and literature in particular. Mohammad Hossein Qajar translated two treatises on military science and medicine in 1844 and 1845. Around the same time, two translations on the history of China and one on the history of Constantinople were published. These works were mainly translated from English and French. The most popular themes of translations were, as before, history, military, geography, military sciences and medicine (see ibidem: 195-200).

In addition to historical and military books, the court showed some interest in geographical documents. A courtier in Tabriz ordered a translation of a geographical work, a detailed description of a trade trip from England to China between 1815-1816 with precise descriptions of the geography of Europe and Asia. Although this book was not published, it was beautifully transcribed and sent as a gift to Mohammad Shah in 1846. The translation of another book on modern geography was presented to the prince Naser al-Din, who was soon to become the Qajar Shah for the second half of the 19th century. This translation piqued his interest in Europe so much that he became the first Shah to visit Europe regularly (Kiyanfar 1989: 26).

Mirza Saleh Shirazi (1790-1845) became the best-known student dispatched to London. He received his education in foreign languages and natural sciences. During his stay, he used his spare time to learn about printing and journalism. Upon his return to Iran, he came into the service of the Azerbaijan prince and served as his translator and as one of his advisors. His familiarity with European languages and his fairly detailed observation and knowledge of the key aspects of the socio-political life in England and other modern societies would introduce new ideas to the court, and this in turn, would make the political system more open to absorbing communicative themes from its environment. His political career set him among the highest-ranking officials of the court (Karimian 1998: 5f.).

Mirza Saleh was impressed greatly by the socio-political structure of English society. Among the key points that are underscored in his diaries are aspects such as the government and law, administration of justice, newspaper, prison, insurance, medical colleges, hospitals, museums, theatres, tax, routes and roads, agriculture and animal husbandry, schools as well as industrial companies and plants. He was one of the pioneers who introduced modern political thought to the Iranian court. He played a crucial role in disseminating thoughts on freedom, rule of law as well as diverse aspects of social, political and economic life of English society in the traditional society of Iran. With publishing the first newspaper in Iran, he played a crucial role in opening Iranian society to the modern world (Moradi-Nejad/Pajum-Shariati 1974: 94, see also Qasemi 2012: 26).

Translational activities of Mirza Saleh were restricted to his journalism. He is credited with founding the first Iranian newspaper. A few years after his engagement in the political scene of the Qajar in the capital city of Tehran, he got engaged into some journalistic activities, a thoroughly unknown field in Iranian society of the time. After convincing the king of the usefulness of disseminating information in society as a sign of modernization, the idea of establishing the newspaper found the approval of Mohammad-Ali Shah. Since his stay in London, Mirza Saleh was convinced that change in Iranian society would come about when people were aware of their surroundings, on the one hand, and when the society opened its communicative borders to its environment, on the other. Newspaper was one of the most efficient means to address adequately such a two-fold necessity. A few months before the first issue of his newspaper, he wrote about the "need for Iranians to be informed of world events as well as of the projection of new industries in Iran itself, for example, a paper factory, a sugar refinery, a gunpowder works, and of the encouragement of artisans" (Avery 1991: 817). Prior to the first issue of the newspaper, he wrote that since "the best form of education is to inform people about

the status of the world, therefore, in accordance to the royal decree, *kaghaz-e akhbari* [, i.e. a newspaper,] will be registered, published and then distributed in different corners of the country" (Mirza Saleh in: Adamiyat 1969: 363). The newspaper was published monthly. However, its life was not long. Only two years later the newspaper stopped publishing. Neither the shah nor the court were interested in the idea of newspaper, and therefore, they did not support its publication (see Adamiyat 1969: 363ff.).

Interaction between Iran and Europe increased as more students were dispatched to Europe in 1845. Earlier attempts to modernise the army were not perceived as sufficient. Therefore, five students were sent to Paris to train in military sciences. These students played a crucial role in the second wave of translations, which coincided with the reign of Naser al-Din Shah (1848-1898), the establishment of Iran's first modern school, *Dār ul-fonūn* [Abode of Learning] (see more below) in 1851, and the expansion of the bureaucratic system and state administration. After returning to Iran in 1848, these five students served in the Qajar court and played a crucial role in enforcing translational activities in different fields: Hossein Ali Agha trained in the infantry and served in the army; Mirza Zaki studied artillery and taught and worked as the interpreter of an artillery professor at *Dār ul-fonūn*; Mirza Reza specialised in natural sciences and mines, and served as the translator specialising in mineralogy and the natural sciences in *Dār ul-fonūn*; Mirza Yahya became the personal translator of Naser al-Din Shah and, together with Mohammad Ali Gholi, an official translator for the Ministry of Foreign Affairs.

The peripheral status of Iranian society vis-à-vis European society did not change much in spite of the significant and yet limited reformist measures initiated by the crown prince during the first three decades of the 19th century. Translation, along with other factors, such as the dispatch of students abroad, opening permanent diplomatic missions in European countries, military and diplomatic encounters with colonial powers and the expansion of the printing industry contributed to the opening of Iranian society. However, this opening up was not significant enough to encompass the whole society. The ruling oligarchy was the patron of translation projects as well as most of the publishing activities during the former half of the 19th century. It therefore determined the themes of the translated and published materials. As for translations, these themes were mainly restricted to military, history and geography and for the published materials to religion and literature (see Mir-Hadi 2002: 50). The themes disseminated in society demonstrate the nature of major communications in Iranian society and the areas the society was most interested in its observation of the environment.

Iran's restricted participation in world society had pushed the country into the periphery of the societal functional systems such as politics, economy and science. Although some measures were taken to rectify the miserable situation of Iran by reformists in the court, they did not help much to change the situation due to the insufficient development of societal structures. With the further exposure of Iran to the West, it became increasingly clear for the Qajar court that the tremendous military achievements in the West relied, in addition to the modern weapons and advanced military techniques and strategies, on scientific progress, a strong bureaucratic system and efficient social and political structure. This awareness set the stage for the second wave of modernization among the reform-minded courtiers.

Translation became a systematic and organized activity with the second wave of modernization. The latter happened around the mid-19th century and was informed by an increasing awareness that the West contained such valuable information, the acquisition of which was the sine qua non of modernization. To put it in system theoretic terms, the system became highly irritable to the scientific and military aspects of the West. It became therefore necessary for the system to learn about modern world's developments and achievements and to reproduce and apply the knowledge gained within the society. The tangible measure taken to absorb modern knowledge was to establish modern educational institutions in the country. This required the invitation of European professors as well as the introduction of educational materials in a wide range of fields. In either case, translation was needed to help professors interact with students and students to have access to educational materials. At this stage of modernization, to put it differently, translation became a crucial medium to facilitate Iran's interaction with the modern world and its integration into world society.

This wave of modernization is marked with the comprehensive reform policies of Mirza Taghi Khan Farahani, or better known as Amir Kabir. Serving as the grand vizier to Naser al-Din Shah for the first three years of his reign (1848-1851), he was one of the most capable and innovative figures to appear in the whole Qajar period. His encounter with the modern world went back to his political missions. The son of a cook at the service of the prince Abbas Mirza, Amir Kabir grew up in proximity to reformist, influential political decision-making figures at the court of the Crown Prince Abbas Mirza. Thanks to his intelligence, he made a diplomatic career and became a close member of the prince's entourage. He became familiar with bureaucratic structures, educational institutions and modern ways of life through a number of diplomatic stays in Russia for several months and in the Ottoman Empire for four years. These stays brought him in contact with modern achievements and, more importantly, with those institutions that had brought about

these achievements. These observations raised his interest in the modern European thought. While there, he compiled a series of books on European history, modern geography and contemporary events. To access their contents, he would then ask translators to inform him of the contents and translate anything of interest for him and for the court (see Zibakalam 2008: 165-169). After he became the Naser al-Din Shah's chief minister, he undertook a series of reformist policies, of which his attempt at disseminating modern knowledge and culture was narrowly related to translation.

Amir Kabir dedicated a budget to translation. Since there were not many translators upon his entering into office, he urged people with some linguistic knowledge to get involved in translating books. He hoped these books would open the eyes of the courtiers and the public, inform them about what happens beyond their immediate surroundings, and therefore enlighten them. He also encouraged educated Iranians or foreigners residing or working in Iran to write about modern sciences, achievements, technologies or anything that introduced modern thought to Iranian society. Upon entering office, he became heir to a significant order of fifty books that was ordered by the earlier Qajar king. The subjects of these books were industry, medicine, humanities, geography, military, literature and art[4]. Many of these books were either ground breaking for political, scientific or economic evolutions or they were written in light of modern thinking. In the field of humanities, there were philosophical works such as those of Rene Descartes and a big encyclopedia of key thinkers of the Enlightenment. "Perhaps the ruling oligarchy had learnt about the mutual relationship between human sciences on the one hand and natural as well as hard sciences on the other" (Mir-Hadi 2002: 62)". Some of these books were later translated into Persian. While in office, Amir Kabir ordered many more books from Europe. Following an order, to name an example, 293 books along with 323 maps arrived from France to Tehran in 1849. This was a considerable number of books at the time. The themes of these books demonstrate the areas that courts deemed the society needed the most for the purpose of modernization: natural sciences, industry, agriculture, trade, economy, politics and law, mineralogy, maintenance of domestic and farm animals, cultivation of trees, husbandry, military sciences and medicine. Two years later, Amir Kabir wrote to an envoy in Paris and ordered some books in the field of history, engineering as well as any other books that could address the needs of the government. In addition to these, he sponsored the translation as well as authoring some books. In addition to some books on history and geography, he sponsored the translation of a two-volume book on the history of France, the first of which focused on the French Revolution and the second on the life, policies and achievements of Napoleon I. These translations were then printed and presented to Naser al-Din Shah as a gift (Adamiyat 1969: 372-377).

Following these sporadic translations, translation became a more systematic activity when Amir Kabir founded the first official newspaper of the state in Tehran. Upon the beginning of his office, Amir Kabir set up an office to collect foreign newspapers. He hired some people to read these newspapers. Based on what could constitute the interest of the court and the public, he would ask them to select materials, translate, document and make them available for the officials in the court and then the general public. The prime minister would then inform the king in person about the important events of the world. As for those involved in translation, an "Englishman named Edward Burgess and *Abd-Allah trajuma-nevis*, Abdullah 'the translation-writer', were the officials responsible for this bureau" (Avery 1991:820). From these sporadic activities of news translation, Amir Kabir "founded the first official newspaper, *the ruznameh-i vaqa-y'e ettifaqiyeh* (Newspaper of Current Affairs)" (Abrahamiyan 1982: 54). The purpose of the weekly newspaper was twofold: "one purpose was to inform the government from the events happening in the world. The other was to educate people and introduce to them new sciences and some knowledge of other societies" (Adamiyat 1969: 365, my translation). Amir Kabir further ensured the circulation of newspapers in a number of ways. He made it obligatory for government officials and court officials as well as anybody with a reasonable income to subscribe to the newspaper. Furthermore, all the provinces and cities received some copies for free. Other people were free to buy the newspaper (ibidem: 366f.).

4.2. Printing

Translation brings a quantitative and qualitative increase in communication possibilities. As a communication medium, translation facilitates the observation of a linguistically incomprehensible environment and its selective incorporation in communicative forms. Once the system develops the means of observing its environment, in a later step it can learn from it. This is how translation plays a role in system's learning competence. By allowing more communication possibilities to emerge in a society, translation helps different systems in the society to evolve their structures. In other words, an increase in societal communication means that the system will face the problem of sustaining a distinction with its environment, unless it develops internal mechanisms in its structures to absorb such complexity. Development of systemic structures leads to the evolution of the system, which in case of Iranian society of the 19th century might be equaled to modernization. Modernization of Iranian society was a step towards the integration of Iran into world society, i.e. a stage of the evolution in Iranian society.

Translation could not have produced wide reaching repercussions in Iranian society unless it was coupled with other parallel developments. One such development was the introduction of the printing. In fact, printing plays a role in the evolution of society in that it dramatically increases the number of communication offers and their recipients across different times and places on the factual, social and temporal dimensions. Such technology not only allows many authors to participate in societal communication, but also allows many new themes to penetrate in the societal platform, with a larger number of readers who can potentially read and react to these communicative options. The circle of such communicative offers can dramatically increase if they are rendered in a linguistic form, i.e. through translation, that is understandable to a larger number of potential recipients. The fact that reactions to communicative actions are independent from the intention of authors and/or translators makes the evolution of society less predictable and even more so less steerable. The latter point is particularly true with attempts at reform from the center of the political system in the latter half of the 19th center, where translation projects sponsored by the state marked the awakening of the Iranian people and the emergence of a modern middle class that would no longer stand the arbitrary rule of the kings (Abrahamian 1982: 61). In addition to this quantitative increase, printing brought about a qualitative growth in societal communications. Iranian society needed to wait roughly for the first half of the 19th century for this qualitative change to yield effects in the second half of the century.

Similar to translations, reform-minded individuals from the ruling oligarchy were behind the systematic introduction of the print technology to Iran[5]. It is important to note that neither the market forces nor the middle class played any role in this regard. This is an indication of the fact that modernization was a process that started from within the center of the political system and expanded into other spheres of Iranian society (see Azarang 2008: 250). Following the end of the first Russo-Persian wars in 1813, Abbas Mirza ordered some printing machines from Russia and sent Mirza Zeyn al-Abedin to Saint Petersburg to learn about the technology. After returning to Tabriz, Zeyn al-Abedin established the first typographical print house in 1817. Two books were published in the next two years; *fath-nāmeh* (Letter of Victory), authored by an Iranian court minister. The book described the last years of the first Russo-Persian wars. The second book, *jahādiyeh*, was published a year later. It contained a compilation of fatwas (religious edicts) that the Iranian Shiite clerics had issued on the question of Russo-Persian wars. The book was written to encourage Iranians on religious grounds to fight against Russians. Following the first publications, the Qajar king summoned Mirza Zeyn al-Abedin to Tehran in 1823 to establish a big printing house in the capital. More books were published during the following years. Under the patronage of Abbas Mirza, a contemporary history book on the ruling period of Fath-Ali Shah

from 1797 to 1825 was published in 1825, followed by a translated-written book on medicine in 1829. Further works of literature such as Sa'di's *Golestan* were published in the following years (Azarang 2009: 188f.).

While printing was gaining a foothold in the Iranian court, Mirza-Saleh Shirazi, one of the students sent to London, returned to Iran in 1819 with a printing machine. Upon his return to the court, however, he was hired by the crown prince as translator and councilor and dedicated most of his time to government issues. He was particularly involved in foreign policy issues. Being aware of the importance of print and journalism, he ordered some lithographical printing machines from Russia, and sent further Iranians to Moscow and Saint Petersburg to master in printing and then had some printing houses set up in Tabriz. These attempts contributed further to the dissemination of printing technology in Iranian society (Qāsemi 2012: 180-195).

Printing technology came to Tehran almost half a decade after it first arrived to Tabriz. Up until then, neither translation nor printing had contributed much to the dissemination of information in society. Written or translated materials were not published in large numbers. These books were published with the financial support of the court and for ruling or entertainment purposes (Azarang 2009: 189). With the inauguration of the first printing house in the capital city of Tehran in 1824, however, more and more publishing products spread in the society. Fath-Ali Shah summoned Mirza Zeyn-al Din Tabrizi to Tehran to establish a printing house for the government. The purpose was not only to publish new books but also to allow for a rather fluid dissemination of the published materials in the public. The new printing house, *dar-al khalafeye hokumati*, was fairly active and published during its activities and estimated number of 800,000 copies of books in wide range of topics such as history, literature and religion. With the rapid increase in the number of the state-run printing houses, the central government decided to combine them into a single governmental publishing house, *chapkhaneye dowlati* (Government Print House), that was active until the rise of Naser al-Din Shah to power in 1849. By this time, as Azarang writes, there were four big printing houses in Tabriz and four in Tehran, along with many more in major cities of the country, which is an indication of the increasing publishing activities in Iran (ibidem: 191).

In spite of the low literacy rate, the number of items published in Tehran since the establishment of the first printing house until the following four decades was fairly high. This is a witness of the dynamism that was created in Iranian society following the further integration of Iranian society into world society. Qasemi (2012: 33) writes that in the period between the establishment of the first printing house in Tehran in 1824 and 1865 over 338 titles were published. Although most of

these books were published on religious and literary themes, there were indications of the entrance of new sciences as well as some interest in Western history and languages into Iranian society. Islamic jurisprudence with 35 titles gained the lion's share of the publications. Other religious themes included Islamic areas and disciplines such as interpretation, theology, literature, logic, Arabic grammar and language, praying and mourning books.

One might say that most of the books published in this period in Tehran were in the realm of Islamic sciences and religious fields, and as such it could not contribute much to the modernization of the traditional society of Iran. The traditional form of religious education was still dominant in this period of time to the extent that there was an interest among people to show interest towards books with religious themes. This argument might, however, be revised by the fact that the accompanying increase in the literacy rate would allow individuals with religious education to read texts that opens new horizons for them. One who could read the Quran or Persian literature could also read about the political thought, modern sciences as well as modern history. The fact that along with religious and literary themes there is a number of new themes that were thoroughly new in Iranian society was an indication of a raising interest in modern sciences. Qasemi (2012) lists an interesting number of books, which were published on modern sciences and European history: 11 titles on modern medicine, 18 on Western history or Iranian history which were translated from European languages, 10 titles on mathematics, astronomy and geography and some titles in biographies of historical figures (2012: 33).

4.3. Translation activities of *Dār ul-fonūn*

The second period of translations coincided with the reign of Naser al-Din Shah (1848 - 1898), in which the establishment of the first modern school in Iran, *Dār ul-fonūn*, in 1851, and the expansion of bureaucratic system of Iran gave rise to an unprecedented wave of translations in a wide range of fields.

Translation became a centrally organized activity when the first Iranian modern school, *Dār ul-fonūn,* a modern polytechnic college, was established in February 1951 in Tehran. It was the first educational institution in Iran to offer instruction in contemporary sciences. Initially, the school was supposed to train officers and civil servants “to pursue the regeneration of the state” started by Amir Kabir, but it came to have a far wider influence on the society (Algar 1989). Before the opening of *Dār ul-fonūn*, in 1850, the grand vizier sent an envoy to the Austrian Empire and Prussia to recruit seven professors in the fields of infantry, cavalry, artillery, geometry,

mineralogy, medicine and surgery, and fundamental sciences, as well as two miners, for a period of six years. The professors, Czech, Swiss, Italian and Austrian, arrived in Tehran in November 1851 (only two days after Amir Kabir was dismissed from office). The school was inaugurated officially the following month in seven major fields, according to the expertise of the professors invited. A total of 105 students were registered for the first year, and for the first time modern sciences found their way into Iranian society. Students were assigned to different obligatory fields of study. In addition to the requirement of mastering each field, these students were also expected to take courses in related fields such as history, geography, cartography, Iranian medicine, mathematics as well as Persian, Arabic, French and Russian (Adamiyat 1969: 347-355).

It was evident that *Dār ul-fonūn* was in need of translation and translators as much as it was in need of the presence of European professors. To help with the production and dissemination of modern sciences, the grand vizier summoned some of the foreign officials working for the Qajar court as well as the Iranians educated in Europe to cooperate in *Dār ul-fonūn*. These individuals were expected to help by either assisting foreign professors, teaching students or interpreting for students, or translating educational materials for the school. Although the majority of professors came from German-speaking territories and German was therefore their preferable medium of instruction, the language was hardly known in Persia. French was chosen as the professor's language of instruction, since more translators were available for that language (Guery and Nabavi 1993). This allowed the most recent group of students, who had been dispatched to Paris in 1845 and returned to Iran in 1848 (following the death of Mohammad Shah and the rampant political unrest in some European countries), to engage in translational activities around *Dār ul-fonūn*. The school began working with sixteen teaching staff and eight translators (see Adamiyat 1969: 356-61).

It is no surprise that the first years of *Dār ul-fonūn* coincided with a systematic increase in translational activities. The school was in urgent need of educational materials. The teaching staff suggested translation projects, and so translations were carried out to address the needs of new students. Since almost one third of the students admitted to the school in its first year were registered in military sciences, immediate attention was given to translations in that field. While some of these books were written by invited professors such as General Bohler and Lieutenant August Kržiž, others were either ordered or retrieved from earlier orders from France. Once translated, these books were published in the school's print house. Beside military publications, books on fundamental and medical sciences were also translated (Kiyanfar 2005: 88).

The most productive translator of the school was Mirza Zaki, who had studied military sciences in Paris. He specialized in translating military and engineering textbooks and made six translations in the field of military sciences. Moreover, he translated four books on fundamental sciences, all of which were written or compiled by Kreziz. The translation of more books in the field of natural sciences followed suit. Professors of medicine and surgery assumed the responsibility of writing educational books, which were immediately translated. Six books authored by Dr. Jacob Eduard Polak and Dr. Johann Louis Schlimmer prior to and during their teaching activities were therefore translated into Persian and put at the disposal of the students. Since French was used as the language of instruction, Jules Richard wrote-translated three books on French grammar and vocabulary. He also taught French at school (for a brief review of translations and translators see Kiyanfar 2005: 88-92). *Dār ul-fonūn*'s translational activities were unprecedented, and in its first years of activities produced more translations than in the entire first half of the century.

With *Dār ul-fonūn*, translation became both a systematic and an organized activity. The school had set up a translation bureau, "the first specialized printing house" (Azarang 2009b: 204), which was involved in publishing specialized textbooks as well as books on general topics. As for the former, it published around forty textbooks during the first three decades of its activity. Translation was a team activity. A group of translators would work together and an editor would polish the final translations. Translation was no longer an unsystematic and sporadic activity of individuals with different patrons, but an organized activity with clear projects defined by the school's teaching staff. Translation became, furthermore, a professional and pragmatic activity with translators having a solid background knowledge in the fields in which they translated. Moreover, these relatively experienced translators helped and collaborated with students or graduates of *Dār ul-fonūn* who had some degree of proficiency in a foreign language. Most of these translational activities happened under the supervision of the foreign professors who were gradually learning Persian during their stay in Iran. Some of these professors, after having mastered the language, began writing books and manuals in Persian (Kiyanfar 2005: 90-92).

The printing house of *Dār ul-fonūn*, which later on merged with the Government Printing Office, published more than 160 books, most of which were translations. These included 80 books on the school's specific fields of study such as medicine, military and languages; 10 travelogues, including the Naser al-Din Shah's travels to Europe; 10 abbreviated translations of Western classics from authors such as Defoe, Dumas, Verne, Descartes and Darwin; 20 biographies of world famous political and military figures; and 10 histories of Iran, which were mainly written

by Western orientalists and historians (Abrahamian 2008: 40; for a compilation of these works, see Brown 1914: 157-166).

The fairly autonomous educational and printing activities of *Dār ul-fonūn* made the first Iranian modern school more or less independent from the state. Although the second wave of reforms faded away with the demise of the reformist grand vizier Amir Kabir, the school developed further with the increase in the number of incoming students as well as of fields of education. The school played a crucial role in the intellectual and social evolution of Iranian society on at least three fronts. Firstly, it placed a great deal of emphasis on modern sciences, thereby opening the eyes of Iranian society to the modern world. In doing so, it gave rise to an intellectual turn in the semi-vacuum of intellectualism at the time. Educates of the school joined critical voices against the ruling oligarchy and called for reforms. Secondly, local and foreign professors authored and translated a number of books in modern sciences and placed these at the disposal of a larger number of readers in Iranian society. Not only students but also the literate and interested segment of the public could observe the West through the translational activities of *Dār ul-fonūn*. Thirdly, a social class gradually emerged from the educated groups of the school who were critical of the socio-political situation and the traditional and inadequate structure of Iranian society. The school took in an average of 250 students a year, and these students came mainly from the influential families of the court, military, and high-raking office holders in the government and bazaar and, once acquainted with the modern world, influenced the intellectual evolution of the next generation (Adamiyat 1969: 347-361).

4.4. Government translation bureau

While *Dār ul-fonūn* was established to foster education as a form of modernization, it also played a crucial role in further opening the communicative borders of Iranian society. It brought together a wide range of agents who introduced modern thought to the pre-modern society of Iran. The increasing "contact with the West – through travel, translations, and educational establishments – created modern ideas, modern aspirations, modern values" in a gradually growing middle class, which "shared a common desire for fundamental economic, political, and ideological change" (Abrahamian 1982: 61) in spite of their social and occupational heterogeneity. The result was a push for reforms from within and without the court. Paradoxically enough, educational and translational activities became both an 'antidote' and a 'poison' for the ruling system. The facilitating of society's self-observation helped the Qajar ruling system to identify the remedy for society's retrogression in modernizing the state bureaucracy. At the same time, it helped the

public better detect state corruption and protest against the inefficiency of the state in addressing the needs of the public.

The Qajar court initiated a new wave of reforms towards the end of the 1850s to address the modernization of the state. In 1858 the shah abolished the office of grand vizier and replaced it with a six-man council who assumed the responsibility of dealing with all issues related to the government. The council was divided into six ministries –interior, foreign affairs, war, finance, justice, duties and endowments–, with six head ministers. At this stage, the translation of certain texts on politics and administration should have been key in opening up the court and the shah to reform measures. The shah formed in 1859 two advisory councils: *majles-e shorāy-e dowlati* (Governmental Council), similar to a form of basic cabinet, which the shah consulted on important issues related to the state, and *maslahat khāneh* (Council of Advisors), which made proposals concerning to the current issues of the state and presented these to the shah; 42 top graduates of *Dār ul-fonūn* were dispatched in the same year to France for further education; a basic draft of a constitution as well as a series of laws were presented to the shah in 1860; *magma'e faramushkhaneh* (House of Oblivion), a semi-clandestine political association which aimed to bring about reform based on the ideas of the reform-minded Mirza Malkom Khan (1833-1908), was established in 1861 (see Bakhash 1983); the telegraph was extended more quickly to different corners of the country; and the number and content of the official newspaper became more varied and reformist political themes were thematized in them. Following the period during which scientific and historical text types constituted the main core of translation projects, philosophical and political texts drew the attention of some reform-minded individuals (Zibakalam 2008: 179ff). Interestingly, some Iranian thinkers published their writings as translations to escape the anger of the Qajar's ruling elite (Zibakalam 2008: 179-183; Abrahamian 1982: 57).

Yet another step in the systematization of translation activities in the state was the establishment of the Government Translation Bureau. Under the reign of Naser al-Din Shah, two ministries were in charge of cultural affairs. The first one was the Ministry of Science, which was mainly responsible for the affairs of *Dār ul-fonūn*. It took care of foreign professors who were in need of both translators and simultaneous interpreters and who published the required materials, whether in the original language or in translation, for students and professors of the school. Furthermore, it took over the publication of the state newspaper from the Ministry of Foreign Affairs in 1860. The number of state newspapers increased to four under the new patronage. The second was *vezārat-e entebā'āt,* the Ministry of Publications, which was established in 1871. Publishing

activities of the government had become so extensive that an autonomous ministry was required (Asili 2007). The ministry consisted of four branches. Each branch concentrated on different aspects of publishing activities around the government: *dar al-tarjomeye dolati* (Government Translation Bureau) translated books from Arabic, Russian, French, English, German, Hindi and Turkish into Persian. While twelve professional translators were hired as full-time translators by the bureau, there were part-time translators who would carry out translation projects for the bureau (see Afshar 2003: 92); *dayereye entebā'āt va ruznamejāt* (Press and Publication Bureau) was in charge of preparing materials for different governmental newspapers and publishing them in the capital city and other main centers of the country. In addition to the four official newspapers of the government, a number of other newspapers appeared, which were controlled less strictly by the government and were more reform-oriented. Although they were still state-run, these newspapers tried to be different in that they were written in a simpler language, contained a small amount of criticism, included general articles on issues such as patriotism, civilization, the need for learning, justice and rule of law. Moreover, these newspapers drew the attention of literate population. These characteristics made these newspapers short-lived. *Waqāye-'e 'adliyeh* (Events of Justice) was published between 1871 and 1872, *ruznāme-ye nezāmi* (Military Newspaper) between December 1876 and May 1877, *ruznāmeye 'elmi* (Scientific Newspaper) between December 1877 and May 1880, and *merrik* (Mars) between December 1878 and May 1880 (Nabavi 2009). In addition to the four full-time translators who were involved with translating texts from English, French, Russian and German into Persian, these newspapers hired several professional part-time translators on their editorial boards (Avery 1991: 825); *dar al-taba'e dolati* (Government Printing House) was in charge of publishing different books, including those for *Dār ul-fonūn*; and finally *majma'e dar al-ta'lif nameye daneshvaran* (House for the Publication of the Works of Scholars) which was in charge of bringing together works of Iranian scholars and thinkers of the time to prepare an encyclopedia of Iranian thinkers, their works and thought (Asili 2007).

With the expansion of translation activities in the government, the number of translators increased considerably. It seems the more Iranian society became integrated into different subsystems of world society, the more it needed to interact with that sector of the environment. The ruling oligarchy saw in translation and the dissemination of cultural resources a highly efficient means of modernizing society. This explains the rise in the number of state newspapers; translation and publishing also became considerably more active.

Furthermore, a national market was also emerging in Iran. With the expansion of schools and educational institutions in different cities, the number of literate people was increasing. The modern middle class that was gradually emerging was showing an interest in translations. In fact, the separation of the Ministry of Publications from the Ministry of Science was a measure the government took to address the public's growing interest in new ideas. Afshar (2003) mentions that over 130 translators were involved in the translational activities of this period. Translators came from different origins (for a complete list of translators see Qasemi 2012: 54-77). They had come to learn foreign languages inside or outside Iran. Some of them were graduates of *Dār ul-fonūn* and had learnt these languages to a certain degree of proficiency. Some were foreign nationals living in Iran. These translators were active in *Dār ul-fonūn*'s translation bureau, different branches of the Ministry of Publications, the Ministry of Foreign Affairs as well as the Qajar court in Isfahan. They were involved in different fields. Now anything that could draw the attention of the court or the public could be potentially the subject of translation. Translation was no longer a prerogative of the educational functional system. Photography, telegraph, agriculture, medicine, geology, physics and chemistry, geography, history, law, literature and entertainment—all used translation. Even books written by Orientalists on Iran were translated into Persian. This allowed Iranian society a degree of self-observation from the viewpoint of foreigners (Afshar 2003: 89ff.).

The most prolific and influential translator of the period was Mohammad-Hasan Khan, better known as E'temad al-Saltaneh (1843-1896). Upon his graduation from *Dār ul-fonūn*, he pursued a political career. Thanks to his knowledge of French, he travelled to Paris on a diplomatic mission from 1863 to 1867. Upon return, he became the personal translator of Naser al-Din Shah. In 1871 he became the director of the Government Press Bureau and a year later added to this position the directorship of the Government Translation Bureau. In 1883, in addition to maintaining his cultural offices he became the head of the Ministry of Publication. During his time in office, translation activities increased considerably. As Amanat (2008) writes, in addition to the state's four official newspapers "the bureau also published at least ten other newspapers and journals" (Amanat 2008: www: retrieved 2013). It goes without saying that these publications relied on a wide range of translation activities.

The government's Translation Bureau became an independent branch of the Ministry of Publication in 1883. To equip the bureau with its working staff, E'temad al-Saltana brought the translators involved in the Ministry of Foreign Affairs to the new translation bureau. Since the shah was himself interested in reading these works, he would regularly read some of their

translated works and receive translators. The works that might interest the king were copied by calligraphers. The head of the translation bureau would do his best to satisfy the king with the bureau's activities; he would regularly see the shah and report about the activities of the translation bureau. In the period of November 1883 to April 1885 he visited Naser al-Din Shah on six occasions, four of them in the company of the translators. During these visits over 130 titles were presented to the Shah, which is obviously an indication of the intense translational activities of the bureau. Naser al-Din Shah was himself an avid reader of translations. He would sometimes visit the bureau and talk to the translators, rewarding them sometimes in person for their activities (Afshar 2003: 92ff.).

E'temad al-Saltana commissioned many translations and himself supervised many of these translations. The Publication Bureau was active in producing historical, geographical, literary and lexicographical volumes. Amanat (2008) divides these publishing activities into three general categories. The first category comprised translations into Persian from different languages. The second category included those collective projects that Persian scholars would prepare under the commission of the Ministry of Publication. A case in point was the comprehensive seven-volume Persian-Arabic biographical dictionary that was published between 1877 and 1906. Works written, translated or edited by E'temad al-Saltana made up the third category. Not one of his works was printed. For some of these works on European histories, travelogues, and other popular literature remained unpublished. They were intended for the private use of the Shah (Amanat 2008).

5. Conclusion

A society whose mode of differentiation up until the mid 19th century was still pre-modern posed problems that became increasingly visible in interaction with an environment, which had moved into a new phase of societal structure, i.e. a functionally differentiated structure. Iranian society could not remain blind to the changes in its environment for a long time. With the significant changes in the world, such as the expansion of capitalism, the rise of nation states, the introduction and expansion of industrial and political revolutions, and perhaps the most comprehensive of all, the transformation of societal structures into one of functionally differentiated type, the need for structural adaptation in Iranian society was felt more than ever. To adapt with its environment, Iranian society needed to modernize itself in many ways, among which military, state administration and financing loomed large. This meant a new mode of differentiation of systems in Iranian society.

Translation played a crucial role in Iran's opening up to its environment. The crown prince Abbas Mirza received two translations on Napoleon and Alexander the Great in the middle of first Russo-Persian wars, which marked at the same time the court's sharp interest in the West. Finding herself challenged by the military, economic, political and cultural dynamics and advances of the West, Iran became self conscious; processes of self observation began. Translation served a major means of observation. Participating in different social systems without understanding the linguistic nature of communicative actions would be impossible or at best too time consuming without translation. Coupled with the introduction of the print industry, translation provided Iranians with more themes of communication, giving rise to an increasing communicative complexity of Iranian society since the mid-19th century. Along with this complexity new institutions emerged. Towards the mid-19th century modern institutions such as Iranian and foreign schools, first institution of higher education, newspapers, and ministries emerged. In all of these institutions translation played a crucial role. For instance, in the ministry of Publications consisted of four branches, in which some 100 translators and professional editors were hired.

Increased publications, be they translations or originals, expansion of the educational system, the creation of state and private newspapers produced more readers who could understand and participate in the continuation of communications. In addition, new ideas were gradually introduced to Iranian society. Top graduates of *Dār ul-fonūn* were sent to France and Belgium for further education, where they became familiar with modern ideas and later on brought these back to Iran and called for reform in different layers of Iranian society. Professors were equally invited from European countries to work in the capital city's modern educational institution. Some of these graduates translated new books, making modern sciences more popular in Iran. As Abrahamian (2008) holds, a few decades since its establishment in 1851, five colleges affiliated to *Dār ul-fonūn* opened, expanding the realm of expertise that the school introduced to Iran's traditional society of the time. One of these colleges focused on foreign languages that, in collaboration with the Government Printing Office, published over 160 books that included topics in medicine, military, biology, history, biography, literature and textbooks on foreign languages. Four similar institutes were opened in other major cities, giving rise to the expansion of communications on modern sciences (2008: 39f.). Translation served as a powerful dissemination medium in introducing more communicative themes in Iranian society. With the complexity of communications the complexity of psychic systems and with it the awareness of Iranians, on average, increased. "The cooperation of consciousness is indispensible for the differentiation of utterance and information. This lends itself to the assertion that no communication without

consciousness, and equally no evolution of consciousness without communication" (Luhmann 1990: 38, my translation). Through structural coupling between psychic and increasing communication possibilities since the mid 19th century in the Qajar society Iranians became aware of the backwardness and dysfunctions of their society and hence the society became highly irritable to protest communications. With the modern means of spreading reformist ideas, the modern middle class, consisting of newspaper editors and journalists, poets, translators, educators, graduates of *Dār ul-fonūn*, professionals and some bureaucrats had successfully spread a reformist communication in Iranian society. Increasing exposure to the environment had helped with the creation of new ideas, new aspirations and new values, and those who advocated these modern concepts consciously called themselves intelligentsia, or *roshanfekrān* (enlightened thinkers). The new intelligentsia was inspired by modern ideas that resulted from political and industrial revolutions in Europe such as rule of law, popular sovereignty, liberty-equality-fraternity and inalienable rights of human. Just as society became more complex and Iranians became aware of other societies, reformist communications spread throughout the society, bringing social transformations underway and producing the seeds of social movements at the turn of the 20th century against the despotic rule of the Qajar king. This social movement produced the first modern revolution in the history of Iran in 1905-1911, the Constitutional Revolution, leading to the differentiation of the political system as an autonomous social system in Iranian society.

Notes

[1] The Shari'a recognizes the right of property. Shaikh Ja'far Kashif al-Ghita' (dead 1812), a well-known shiite jurist, argues that all properties that are gained through legal means, be they from Muslims or from infidel, is sacred and immune. He then asserts that no one, including the dominant political power, has the power over the property of another (see Lambton 1941: 160). Two types of properties are legally recognized: individual property, and Muslim community property that would result from conquests. The latter property results from alienation of property rights under certain conditions. Various jurisprudential schools explain the modes and conditions that certain rights over property might be alienated in a legitimate way.

[2] Although families make up the basis of differentiation in such societies, they are in isolation an artificial and as such not social phenomenon. There is first society before there are families at all (see Brunczel 2010: 105).

[3] The existence of an all-encompassing social system of society does not negate the demarcation of different societies in terms of their integration into such society for two reasons. The first concerns the possibility that world functional systems are internally differentiated into regional territories. For instance, the world political system is differentiated in a segmentary way into nation-states to facilitate making collectively binding decisions against the particularities of different regions, religions and cultures of the world (see Luhmann 2005a: 72-73). The different dimensions to which each region exploits its political power to make collectively binding decisions explains the degree the region can participate in societal communication. For instance, a political system such as that of the Soviet Union that monopolized the right to make legal and economic decisions left little space for the region's integration into the world's legal and economic systems.

The second reason relates to the way functional differentiation does not reduce but rather increases deviation in society. Although the three communication media potentially expand the reach of communication to different corners of the world, they do not ensure that different areas of the world participate communicatively to the same degree in different spheres of society as well. Luhmann writes that "it makes more sense to build the theory of society in such a way that one finds in functional systems and in the autonomy and differentiation of functional systems the reason for the reinforcement of differences [between different regions of the world]" (Luhmann 2005a: 78, my translation). This is to say that differentiation of functional systems at the same time produces a stratified differentiation. For instance, active involvement in scientific communication in terms of expanding academic institutions, developing advanced research centers, and active involvement in scientific discoveries might push a region of the world closer to the center of a particular field in the system of science. In other words, while active participation in scientific communication can integrate a region into the center of the scientific system, inactive or weak participation pushes the region into the periphery of the scientific system. Since "exclusion from one subsystem causes a kind of domino effect" (GLU 1997: 81, my translation), a region that is in the periphery of an economic system will have it, therefore, more difficult to integrate easily and move towards the center of the subsystems of science and politics. One should account for the possibility that "the functional differentiation is super-coded with the differentiation of inclusion and exclusion" (Luhmann 2005a: 81, my translation).

[4] For a complete list of books, see Mir-Hadi.

[5] Although printing press existed in Iran since 1638, printing was an inconsistent activity with decades of interval between individual publications. It was only in the second decade of the 19th century that the Qajar court brought the technology to the country and it gradually began to expand since (see Qāsemi 2012: 183).

Chapter three
Hermeneutical Understanding of Islam

Introduction

After having discussed the macro-level translation of modernity at social level, this and the following chapters will be concerned with understanding and translation of Islam at the level of individuals and social systems, respectively. Philosophical hermeneutics and social systems theory will lend themselves as theoretical frameworks to address, first, how individuals and social systems need translation to ensure an understanding of a text or a social phenomenon and, secondly, how translation lends itself as an observation of second-order to analyze how individuals and social systems have understood. This chapter is concerned with the question of understanding and translation at the individual level, i.e. at the micro-level. To be more precise, it reflects on the modes and conditions that determine the way a translator, i.e. a psychic system, appropriates the meaning of the original text in order to produce an equivalent meaning in the target language. In doing so, it exploits the explanatory power of hermeneutics to account for the complexities of understanding, comprehension of textual meaning, reproduction of such comprehension in a different language, and inherent gains and losses in acts of translation.

In the hermeneutic tradition, analogies are drawn between translation and interpersonal communication, reading and interpretation (see Gadamer 1993, 2004; Ricoeur 1976, 2006; Steiner 1992). Transferring and restituting the meaning and the illocutionary force (i.e. the message) of a text or speech are part and parcel of what counts as success in translation or communication, respectively (Sallis 2002: 64). More contemporary theories of communication, however, doubt such transfer or restitution of information or meaning across minds and language borders as adequate conditions for the success of communication (Baecker 2012: 52f.). One reason for such doubt is the mutual inaccessibility and intransparency of psychic systems, i.e. minds, to one another (Luhmann 1984; Jahraus 2012). Therefore, it is of fundamental importance to reflect on the nature of meaning, how it is extracted, and under which conditions it is further communicated. This chapter is dedicated to this purpose

Hermeneutics is a philosophical investigation of truth, in general, and textual meaning, in particular. The more contemporary theories of hermeneutical understanding tend to underscore that understanding is not an innocent reproduction but an active construction of *the* textual meaning. Meaning is, namely, seen as a continuum and has a life of its own. Readers actualize aspects of such continuum with each act of reading. Hermeneutical insights have drawn the

attention of some philosophical reflections on translation. A hermeneutically information translation theory challenges the classical understanding of translation as a faithful reconstructing of textual meaning across linguistic and cultural borders. It joins hermeneutics in maintaining that translators do not passively reconstruct but actively (re-)construct textual meaning –for certain purposes–; they actualize selected aspects of textual meaning and represent them in society. A considerable focus is put on the translator. "L'important en traduction, c'est le traducteur" (Ladmiral 2012: 22)! A hermeneutically informed translation is understood as "a purposeful action carried out by historically and socially rooted individuals" (Stolze 2003: 11, my translation). Because each translation is conducted in a socio-cultural context, it can be seen as a purposeful action, or with Luhmann, communication event, which contributes to the reproduction of society with different degrees of importance.

This chapter sets a preliminary step to investigate the social functions of translating religion, tradition, and modernity. It is preliminary, for it focuses at a micro-level on the way individuals understand and translate Islam in the example of the Quran. Its primary concern is how individuals, or in reference to the following chapters, how psychic systems understand and use this understanding to participate in social communication. It does so by relying on a case study, the exegeses and translations of the Quranic verse 4:34, to underscore the hermeneutic processes involved in the act of translation. The verse relates to the status of men and women and their relationship in Muslim family and society. It is oftentimes invoked to criticize Islam for advocating men's superiority over women and for being sexist, patriarchal and against human rights. As usually devout believers living in the modern world of today, translators and exegetes are usually well aware of such criticism, and their interpretations are shaped in one way or another against this background. Four translations of the verse, from Arabic into Persian and English, will serve to highlight different understandings of the verse. An analysis of these translations becomes particularly interesting against the backdrop of Iran's political system, a modern theocracy since the Islamic Revolution of 1979. Iranian theocracy has united religion and politics to the extent that the main political institutions have been established on the basis of certain readings of religion, on the one hand, and religion is transformed into an official reading disseminated in the society through the mass media, on the other. This official reading is contingent upon particular exegeses and translations of the Quran, which with regard to the case study will be crucial in the formation of the Islamic Republic's official discourse on gender (see Mojtahed-Shabestari 2000; Mir-Hosseini 1999: 24). The social function of this understanding, or translation, is the subject of the chapters that follow.

In its analysis of the different translations of the verse, this chapter does not aim to judge which translations are correct and which misrepresent its meaning. Rather, it underscores the hermeneutic processes that take place in the minds of the translators; how the premises of translators can shed more light on the actual products; and what socio-political implications these renderings might have in the society. A hermeneutic analysis of translations and exegeses hopes to clarify three points in the socio-political context of Iran. First, translations are inscribed forms of interpretation. This being the case, hermeneutics serves as a key analytical tool to legitimize or critique certain translation products. Philological and hermeneutic text analyses provide linguistic and philosophical foundations, upon which the legitimacy of different meanings and/or translation of the original text at different historical stages can be put to the test. Secondly, the actualization of different aspects of the textual meaning has social and political ramifications. This is most visible in the Quran, which is understood as a guiding source of orientation for the individual and social lives of the Muslims. As for the latter, certain readings/translations of the Quran have served as the rationale for the formation of Islamic republic's official discourse on gender. Dissemination of this discourse has contributed to the formation of legal and political organizations, which systematically reproduce the theocracy's particular communication in society. And thirdly, translation is a site for undermining the legitimacy of a religiously constrained discourse on gender as well as the political and legal institutions that institutionalize such a discourse on women.

In what follows, the mutual contribution of translation and hermeneutic will be the theme of the first section. Hermeneutics and translation share a common ground in their search for and restitution of what constitutes the textual meaning. In its use of translation, hermeneutics moves from the specific to general: by moving from specificity of interlingual communication, it reflects on how problems of interlingual communication exemplify the very processes involved in human understanding. In its use of hermeneutics, translation moves from the general to the specific. Hermeneutical analysis allows translation to reflect on the modes and conditions that are at work and produce translator's understanding of a text. The second section is in response to what happens with the translation of the Quran. It is argued in this section that translations in general are accompanied with gains and losses. Against the backdrop of what constitutes a written discourse and the nature of hermeneutical interpretation, translations suffer a loss vis-à-vis their originals and yet are crucial to their survival and exposure of their meaning potentials. The verse 4:34 will be briefly introduced in the third section. It is annotated with an interlingual translation, along with a short introduction of ambiguous words and constructions that could produce its different understandings. This section also introduces four translators with a brief look at their

backgrounds, which will become important in tracing the hermeneutic processes at work in individual translations. The fourth section will raise key differences in translations with regard to the most influential Shiite exegesis of the Quran in the 20th century, done by Allameh Tabatabai. This exegesis is of particular relevance, for the author's ideas on women and their rights in family and society have considerably contributed to the formation of Iran's post-revolutionary discourse on women. The fourth section will add some theoretical reflections to explain the hermeneutic processes involved in the Quranic exegeses and translations under study. Concluding remarks will follow in the last section.

1. Hermeneutics, translation, and the Quran

Hermeneutics is no longer a new theme in the field of translation studies. There is a general image of hermeneutics as a field of study that deals with the understanding and translation of texts. Gadamer defines hermeneutics as the "classical discipline concerned with the art of understanding" (2004: 157). It is an old discipline, whose main theme concerns the art of understanding, and whose tradition goes to back to as early as the ancient Greek (for an introduction to ancient hermeneutics, see Grondin 1994 and Stanley 2005). It is based on this old tradition that some scholars suggest an affinity between the philosophical understanding of hermeneutics today and the etymological and mythological understanding of it in ancient Greek. Hermes, the Olympian god in the Greek mythology and religion, functioned as a mediator between gods and humans. His duty was to convey the messages of gods to humans. However, this was not an easy task. Gods spoke a language, whose nature was fundamentally different from that of the humans. This intrinsic difference in languages rendered the nature of messages inherently different. To successfully accomplish his duty, Hermes had to master a series of interrelated arts: interpretation, translation, and explanation of alien languages and messages into a language that is accessible to all humans. He not only needed to understand the messages of gods, for which mastering their language was a requirement, but also he had to posses the competence of expressing the messages of gods to humans, for which mastering human languages was equally required. As Grondin (1994: 20) states, this function of Hermes is reflected in the meanings of the Greek verb *hermeneuein*, from which the noun hermeneutics is derived. The verb has etymologically three meanings: expression (utterance, speaking), explication (interpretation and explanation), and translation (acting as an interpreter). The last two meanings are narrowly interrelated. To translate, i.e. carrying across unfamiliar sounds into a new language is nothing

but to interpret a strange and unknown text in ways that is understandable for a new group for readers. Therefore there remains two meanings for the verb: expression and interpretation.

Translators in a sense carry out the same function as that of Hermes. Similar to Hermes, translators enjoy a degree of freedom in the act of translation. This freedom is intrinsic to any attempt of restituting meaning across different spheres of experience if the task of translation is taken seriously. It can only be given, however, when the translator has incorporated certain competencies. Not only does he need to ensure a full understanding of the original language, but he also should fulfill the potential of adequately elucidating the meaning or the sense of what is said in the original language. The meaning of text is not well communicated in translation unless a translator or interpreter can newly bring to language what is meant in the original language. "The performance of hermeneutics is always a translation from one world into another; from the world of gods into the world of humans; from the world of a foreign language into the world of one's own language" (Gadamer 1986: 92, my translation).

Hermeneutics and translation come together in their search of meaning and its successful restitution. Each provides insights that could contribute to the understanding of the other. In its use of translation, hermeneutics moves in the direction of the specific into the more general. It takes the term translation in its strict sense of transfer of a spoken message from one language into another to pave the way for a broader understanding of translation as synonymous with understanding, i.e. the interpretation of any meaningful whole within the same speech community (Ricoeur 2006: 11). In using hermeneutics, translation studies moves in the reverse direction, from the general, i.e. what mode and conditions are at work in the process of understanding, into the more specific, i.e. the framework that allows a restitution of meaning across different languages and cultures (see Stolze 2003; Cercel 2009; Stanley/Cercel 2012).

Understanding, interpretation and translation are concepts with such intertwined borders that they can hardly be separated (Grondin 2002: 43). The focal point of hermeneutics is to understand the 'meaning' of a phenomenon. Given the diversity of the phenomena that humans aim to understand in their daily lives, such written texts, works of art, verbal statements and human actions, hermeneutics is applicable to a wide range of disciplines. By accepting that the meaning of texts, statements, works of art, etc. is not simply given, and that it requires an interpretative approach to elucidate such meaning, the main function of hermeneutics becomes to offer interpretation opportunities to help unravel meaning potentials of phenomena that would otherwise lie hidden. A hermeneutist does this by transforming the way the text constructs an inherent meaning into his framework of concepts, i.e. by integration of the 'other' in his own

'horizon'. Hermeneutics in this sense is, therefore, always a work of translation. A phenomenon is understood when it is possible to say it in one's own words. Or when it is possible to say it to oneself and to others. That is why the process of understanding is often equaled with translation. As Grondin writes, "understanding means to possess the ability of translating a (principally linguistic) meaning in my own words" (2000: 191, my translation). Centrality of translation for understanding brings to the fore the universality of translation for hermeneutics (Grondin 1993: 151).

Since this chapter studies understanding or translation of the Quran, it restricts the scope of hermeneutics to a working definition of hermeneutics suggested by Ricoeur: it is "the theory of the operations of understanding in its relations to the interpretation of texts" (1973: 112). It is a hermeneutic observation that although all texts call for interpretation, not all of them require the same amount of hermeneutical task. This observation and its relevance to translation theory and practice became the theme of a fairly detailed lecture, "on the different methods of translating", that Schleiermacher delivered to the Royal Academy of Science in Berlin in 1813. Reflecting on the difficulty of conveying the *Geist der Ursprache* in translation, he makes a distinction between two types of texts: there are texts that communicate a report and description of events; there are texts, such as artistic, literary or philosophical ones, which disclose a unique way of observation that an individual adopts. The translation of the first group of texts does not pose big problems and, therefore, follows mechanically, if the requirement of a comprehensive knowledge of the languages involved is given. The translation of the second group of texts, however, is problematic and illicits both theoretical reflections and a deeper engagement with the textual meaning. Schleiermacher makes another distinction among texts on the basis of the nature of the words used in a text. These texts are divided into two groups: while certain words refer to clear extra-linguistic entities, others are employed to give form to concepts, ideas and feelings and undergo change in their meanings with time and place. With this distinction Schleiermacher makes a distinction between texts in natural sciences and human sciences on the basis of the linguistic medium they exploit. With regard to texts in human sciences, Schleiermacher suggests two different methods of translation, domestication and foreignizing (Stolze 2008: 27f.).

Schleiermacher's threefold distinctions explain why certain works such as religious, literary, scientific and legal texts require more interpretation and intellectual engagement to expose their meaning. In these texts, to different degrees, what constitutes their subject matter is narrowly related to their tone and tempo, their modulation and articulation, and the condition in which they are spoken. There is little surprise why the pre-modern hermeneutics exclusively dealt with

sacred texts (exegesis), classical literature (philology), and legal texts. These were seen, namely, as the only texts worthy of understanding at all. And the Quran is one such text. One reason why the Quran has survived the time and place from which it emerged might be explained by its power to leave a multitude of venues for interpretation. The importance of the Quran is not determined by the response it gave to immediate readers, but by the degree to which it is capable of evoking new interpretations among different readers in different historical periods. Different venues for understanding allow religious texts like the Quran to leave a tradition behind, which in turn becomes part and parcel of the individual and collective memory. This collective memory is then transformed into what Gadamer calls a history of effects, *Wirkungsgeschichte* (Gadamer 2004: 298).

Being the most sacred Islamic text, the Quran has not only gone beyond its original time of revelation, but it also impacts the lives of the faithful in fundamental ways. It is among the texts that has outlived its time and has gained more influence over history up until our present time. There is no doubt that the superior language of the Quran was indispensible for the recognition and acceptance of Islam in the Arabian Peninsula at the time of its revelation (Kermani 2006: 108f.). The Quranic rhythm, tone and tempo are so integral to the Quranic text that characterizes the text as a miracle. While the Western view and historiography reduce Islam's quick and wide dissemination and the phenomenal success of the prophetic mission to the social, ideological propagandistic or military successes as well as the Prophet's charismatic personality and the egalitarian message he introduced, Kermani writes that the

> Muslim sources paint a different picture. Over the ages they have emphasized the literary quality of the Quran as a decisive factor for the spread of Islam among seventh-century Arabs. They refer to the numerous stories in Muslim literature that recount the overwhelming effect of Quran recitation on Muhammad's contemporaries, tales about people spontaneously converting, crying, screaming, falling into ecstasy, fainting or even dying while hearing verses from the Quran. Over the centuries, Muhammad's conflict with the poets was more and more portrayed in terms of a literary struggle, enacted partly in the imagery of a classical poet's duel (2006: 110).

There is also the belief among the Muslims that the prophet did not bring any miracle but the Quran. "The Quran tells us that when people asked Muhammad to demonstrate the authenticity of his prophecy by performing miracles, as other prophets had done, he offered them the Quran. The beauty of its language is believed to be beyond compare, and impossible to imitate" (Sonn 2006: 3f.).

The Islamic dogma with regard to the Quran, namely the uncreated and eternal nature of the text, might call for a unique hermeneutics, different from that of all other texts. This is mainly due to

the complicated nature and the great influence it exerts on the lives of many religious followers. Yet the uniqueness of Quranic hermeneutics does not mean that the text requires a hermeneutics of its own, totally independent from that of other texts. In other words, understanding the Quran does not connote the mobilization of distinct modes and conditions than those at work when understanding other texts. As a brief review of the history of hermeneutics might witness, Schleiermacher was outspoken in liberating hermeneutics from individual and regional fields of exegesis. He paved the way for a general hermeneutics that would apply to religious texts as much as to non-religious texts. This attempt was a way to de-sacralize the Bible in that religious texts did not enjoy any superior status with regard to other texts when they become subject of understanding (see Stanley 2005: 96f.). The same might be argued about the understanding of the Quran. This is to say that the same modes and conditions involved in the understanding of any texts are involved in the understanding of sacred texts, including the Quran. Hermeneutics gains, in its ontological sense, a universal significance. A hermeneutic understanding has a universal dimension for the reason that nothing can escape the domain of understanding. Understanding is, namely, based on a circle rooted in the existence of human beings. An individual's engagement with sciences, humanities, religion, art, or philosophy constitutes a circular structure of understanding, which is and can never be complete. Because of its universality, a hermeneutic understanding starts when understanding is at issue, and understanding begins when something addresses us.

2. Hermeneutical understanding and translation

If one converted the question of untranslatability, due to the actual practice of translation, into the question of faithfulness and betrayal (Ricoeur 2006: 15-19), it would be possible to discuss what is lost and what is gained through translation. From a hermeneutical viewpoint, the gain and loss in translation is related to the nature of the translator's understanding. Similar to the idea that translation is more than an innocent transfer of textual meaning, understanding is also more than a naïve understanding and reproduction of the authorial intention and the textual meaning. A hermeneutical analysis of, first, the characteristics of oral as opposed to the written language, and secondly, the nature of interpretation with its blind spots can reveal the ups and downs of what translations loose and gain vis-à-vis their original texts clearly.

2.1. Subjectivity and objectivity in understanding

One fundamental difference between oral and written language concerns the mechanisms involved in disclosing the textual meaning. In addressing the problem of where textual meaning is located, Eco distinguishes between three different intentions in any reading that potentially mark the locus of textual meaning: *intentio auctoris, intentio operis* and *intentio lectoris*. The first refers to what the author intends to say; the second locates the textual meaning within the internal network of the text by the virtue of its internal, linguistic and thematic coherence; and the third concerns what the reader draws from the text as pertinent by the virtue of his system of expectations and desires (1994: 50f.). Although a combination of all is required for understanding the meaning of a linguistic statement, written and oral discourse refer to these three intentions to different degrees.

Hermeneutics is above all concerned with the understanding of texts. An oral discourse[1] relies heavily on the speakers' intention to disclose its meaning. In contrast, a written discourse relies more on its internal organization and its reader than on the authorial intention to reveal its meaning. Texts hold their autonomy and produce their own mechanisms of channeling meaning. In other words, the coincidence between the authorial and the textual intentions ceases to exist in writing due to what Ricoeur calls the "distanciation effect" (1973: 130). The temporal, socio-cultural, spatial and psychological distance between the production of a text and its reception allows the textual meaning to be independent at least at three levels: first, the intention of the original author; secondly, the original world of circumstances, in which the author wrote, or in which s/he wrote about; and thirdly, the original readers of the text when it was first produced. With the birth of inscription, the conjugal life between authorial intention and textual meaning breaks up and the former dissolves in the latter.

The distanciation effect makes a text autonomous in its semantics as well (Ricoeur 1976: 30). This semantic autonomy closes the text from any arbitrary interpretation. It gives an objective side to the text's intention. Ricoeur defines semantics as "the theory that relates the inner or immanent constitution of the sense to the outer or transcendent intention of the reference" (21f.). The critical question of the semantics becomes how the text correlates the relationship between itself and its reality while being detached from the psychological and sociological conditions of its production. To address this question, Ricoeur adopts the distinction Frege makes between *Sinn* and *Bedeutung* and reads the coexistence of a dialectic of objective and subjective, or sense and reference, in his definition of semantics; whereas the sense creates a correlation among the elements of the sentence –namely the identification and predicative function–, the reference correlates the sentence with the world. Such a semantic autonomy allows the text to liberate itself

from any exterior world, and yet at the same time it makes possible for the text to create a world of its own. Liberated from authorial intention and the socio-cultural context of its production, textual meaning reveals itself, as Ricoeur argues, through two interrelated procedures in reading: explanation and interpretation (1976: 80-89). By distinguishing between an interior and an exterior world, Ricoeur argues that explanation confines the text to its internal world and interpretation relates the text's internal world to the external world.

Explanation is that procedure of reading in which text is conceived as authorless and worldless and is therefore investigated in relation to its internal relations or structures. In contrast to oral discourse, writing separates the link between the text and an outside, i.e. the world of signs from that of things, and confines the textual meaning to the text's internal network. In other words, writing suspends, defers, or postpones the text's relation or reference to an outside. The reference remains solely to be discovered within the textual network. So basically what explanation as a procedure of reading does is to destroy any transcendence –which as part and parcel of speech directs a piece of communication *to* someone *about* something– and focuses instead on the internal textual material.

While explanation closes the text, interpretation as the flip procedure of reading opens it up. In other words, explanation says what the text does not want to say. What the text says, however, is revealed through interpretation. It is through interpretation that the text is introduced into the situation of a living communication, i.e. a discourse, and therefore the suspension of its reference to an outside world is brought to an end. In the process of interpretation "the *Sache* or subject matter" (Gadamer 2004: xvii) of the text comes little by little to surface. Once the text is interpreted, it is no longer suspended from the world beyond that of the text. It acquires the characteristic of a discourse with its relation to an outside world. By complementing explanation, Ricoeur writes that interpretation is the "genuine aim of reading" and defines it as "a particular case of understanding […] applied to the written expression of life" (1976: 73). Explanation and interpretation do not exclude, but complement each other in the process of reading. Explanation evokes the semiological, and interpretation the semantic dimension of the text.

The incorporation of an explanatory process in reading allows Ricoeur to introduce a critical insight to the textual understanding, which adds an objective weight to interpretation (see Ricoeur 1981: 149). Texts do not lend themselves to a thoroughly subjective appropriation, for reading is "less an act *on* the text, than an act *of* a text" (ibidem: 148). In fact, what the text means is determined by what the structural analysis of textual semantics opens up to its readers. One should note that the explanative moment accounts for a critical insight into the ontological

hermeneutics. The combination of explanation and interpretation as mutually complementary processes of textual understanding serves Ricoeur to distance himself in a number of ways from the main representatives of ontological hermeneutics. As van Leeuwen (1981) writes,

> Heidegger's ontologization of understanding leaves no room for a critical theory concerning interpretation. Bultmann's hermeneutics centers interpretation too exclusively on existential decisions, assigning too little importance to the text's objectivity. Gadamer's hermeneutics disregards the 'textuality' of the text by regarding writing only as an alienation that should be overcome in a new act of dialogue (1981: 80).

Explanation is crucial to provide an objective aspect to the otherwise subjective nature of understanding. The image Ricoeur (1976: 75) uses is illuminating:

> The text is like a musical score and the reader like the orchestra conductor who obeys the instructions of the notation. Consequently, to understand is not merely to repeat the speech event in a similar event, it is to generate a new event beginning from the text in which the initial event has been objectified.

The interpretative aspect of reading underscores the centrality of the reader's subjectivity. Following Gadamer (2004), understanding follows the reader's pre-structures of understanding. These structures are formed by prejudices. In everyday language, prejudice is usually loaded with negative connotations. This is the inheritance of the Enlightenment, according to which prejudice results from an unreflective or over-hasty reasoning that leads to the subjective opinion or from an unreflective acceptance of the received wisdom or knowledge. The pre-Enlightenment use of the word, however, lacks such negative connotation. It is understood as a pre-judgment that less determines a new judgment than provides a background for a new judgment. Pre-judgments condition judgments. There is no judgment without prejudgments. Romantics revived this positive reading, and Gadamer also adopts it as indispensible for any attempt at understanding. Gadamer's positive rehabilitation of prejudices, however, does not mean that they are absolute and totalitarian in determining the content, –the what–, and the way, –the how–, of understanding. He does indicate that prejudices in general are the condition of understanding and that some prejudices are indeed the root of correct, genuine and true understanding. Nonetheless, he contends that there are also prejudices that cause misunderstanding and must be avoided (see Gadamer 2004: 277-284).

Prejudices constitute the motor of understanding, which for Gadamer begins with a dialogue. Gadamer (362) calls the "task of hermeneutics as entering into dialogue with the text". This is to say that understanding historical texts follows the logic of question and answer. Understanding what the text says to its reader results from the answer it gives to the questions that the reader,

who is bound to his historicity, poses from a vantage point to the text. The cycle of questions from the text by the reader and answers by the text to the reader lies at the center of textual understanding. Gadamer writes that suspending prejudices and sorting them out have the "logical structure of a question" (298), i.e. questioning the validity of one's prejudgments after having recognized and granted the text's claim to validity and completeness. This transposition is made possible through the reader's encounter with the subject matter of the text and its truth-value. However, it is not the text *per se* but primarily the temporal distance between the traditionary text and its interpretation that carries out the task of sorting out the *true* from *false* prejudices. "Often temporal distance can solve [the] question of critique in hermeneutics, namely how to distinguish the true prejudices, by which we *understand,* from the *false* ones, by which we *misunderstand*" (ibidem, emphasis in the original). It is the confrontation with tradition which makes possible the examination and reconsideration of one's own prejudices. The temporal distance is to be understood as a circular movement of historical reception during which false prejudices are sorted out little by little, and the true prejudices are shown to their best advantage.

2.2. Gains and losses in translation

The dialogical nature of understanding informs a hermeneutically informed translation theory about the risks involved in translation practice. If translation is understood as transferring textual meaning from one language into another, translations should come to terms with constant moments of loss. Perhaps the biggest loss in translation happens at the level of restituting the textual meaning. Given the fact that the text's autonomy closes the text and restricts its meaning to its internal network, interpretation opens it up to the world of the reader. Each interpretation, however, can evoke certain segments of textual meaning. Dialogue makes interpretation possible. Depending on what questions each reader/translator brings into play, the text will provide considerably different answers. No interpretation can ever observe all the meaning potentials of a text at the same time, as questions are always selective, and texts only answer to the questions that the reader/translator poses. The selectively of questions results in the selectivity of answers, and therefore, no translation can represent all the aspects of the original text. Translations are, therefore, always selective. Each translation is necessarily an interpretation. No translation can detach *the* meaning for the text and reenact it in a new text. That's why "a word-for-word translation can be only un-hermeneutical and naïve (Grondin 1993: 156, my translation).

The dialogical structure of understanding makes the translator inherently visible in the final translation product. The trace of the translator's interpretation of the original text cannot be

effaced from the translation. A translation that takes its task seriously cannot leave the ambiguous parts of the original text intact. In entering into conversation with the text, the translator constantly needs to make a decision by reducing the potentially ambiguous expressions to their univocal meanings and finding equivalent linguistic expressions for them in the language of translation. This makes the translation sound clearer and, at times, more comprehensible than the original texts. Yet the occasional clarity of the translation is done at the cost of losing the overtones and vibrations of the original text, lending the translation flatness compared to its original. It is this latter point that makes "each translation like a betrayal" (Gadamer 1993: 279, my translation). The process of selection and highlighting at the heart of any interpretation makes the translation look and sound flatter than the original, since it not only represents a selection of what there is in the text, it also lacks or robes some of the overtones and vibrations of the original language. It makes it less pleasurable to read the translation, for "it lacks the breathing of the person speaking, it lacks the volume of the language" (ibidem: 281, my translation). The more differences there are between source and target languages and the longer the temporal distance between the production of the original text and the production of the translation, there will be more distortions and restrictions imposed upon the text and its fine linguistic aspects.

This being said, does the loss or betrayal as part and parcel of translation abase – the necessity of – translation? Does the fact that each translation is a product of highlighting certain features of the original text at the cost of ignoring others alleviate the importance of translation? Even if it may sound paradoxical, the loss-business of translation turns into the very condition of translation at all. Gadamer writes that although it is a hermeneutical imperative to reflect more on the degree of untranslatability and what is lost in the process of translation, it is also a hermeneutical imperative to reflect on "what is gained, when translating. Even in the apparently loss-making business of translation one can find sometimes something like a gain within the more or less lost values" (ibidem: 279, my translation).

The flip side of the loss is gain in a number of fronts. A dialogical conception of language makes the text look like a conversation partner that is permanently present for new acts of communication. The task of translation is to reveal such never-ending possibilities of textual meaning. The fact that understanding is historical and that a potentially unlimited number of readers with their own assumptions, prejudgments, values and interests can communicate with the text and yet elicit different meaning from it, accounts for the inexhaustible source of meaning inherent in the text and the latter's potential to disclose new and different aspects of its meanings. Different readings illuminate each other by bringing horizons into play that make fresh and more

comprehensive observations of a text possible. It is in this sense that Gadamer highlights the importance of temporal distance, for it helps those aspects of text that are hidden at a particular time and yet constitute a crucial aspect of its meaning to be scrutinized in later observations. It is through such scrutiny that the extent of validity of earlier understandings is put to the test. How far these understandings are legitimate is a question of critique in hermeneutics, and temporal distance and critical reflection are legitimate candidates to eliminate false understandings[2]. New readings and translations of a text serve the very function of brining new aspects of a text to the fore.

New readings and translations of texts perform two important functions. First, translations lay bare aspects of texts that have been hidden or unnoticed in earlier readings. In doing so, they are critical of translation by shedding light on the tradition such texts have given birth to. Similar to prejudices, tradition is not a fixed and static entity. It is both the creation and the creator of collective prejudices. Readers or translators as well as texts constitute the wider formation of tradition. Emerging from the past, tradition not only affects constantly the present, but also makes its mark in the future. When applied to texts, tradition defines the subject matter of the text, for it brings texts' intrinsic values to the fore and reveals the hidden assumptions fused into them. The dynamic and changing nature of translation allows false prejudices lose their strength and become gradually invisible as time passes by, while the true prejudices gain more strength and become themselves part of the tradition[3]. Secondly, new translations re-create the subject matter of the text in a language that is closer to the time of reception. In doing so, they reinforce the dynamic force of translation. It is through new engagements with tradition that the latter dissolves the traces of untenable prejudices and replaces them with those that can produce true understandings. This can explain the reason why translations that are closer to our time are always more appealing to their readers.

Therefore, a crucial aspect of gain in translation concerns the new possibilities opened up by the textual interpretation. A serious translation acquires an "increase in clarity and uniqueness" (Gadamer 1993: 279, my translation) that is sometimes "for the connoisseur of the original real help in understanding" (ibidem: 281). Translators are required to understand the text in front of them before they can properly translate it in a new language. But this very obvious fact, if the task of translation is taken seriously, leads to a clarity, explicitness and lucidity. In its most elementary function, translator's interpretation strives at recognizing a relatively univocal message that is constructed in the text upon the polysemic base of the common words and language of the text. This reminds us of Ricoeur's explanatory process of reading. At this state, the text does not say

what the text wants to say, but what the text does not want to say. The interpretation that the translator brings to the text in order to understand it makes it clearer for the reader of translation what the texts wants to say.

It is also an evident gain in translation to extend the *raison d'être* of texts, which consists of the communication and dissemination of their meaning. Hermeneutics makes it clear that an appropriate understanding of a text does not make its way by jumping over the temporal distance between the text's creation and its reception. On the contrary, a hermeneutical understanding benefits from the temporal distance, puts the added knowledge of time into use, observes the tradition, and approaches the text with regard to the translator's historicity. Textual meaning cannot be acquired without taking its history into consideration. Therefore, translation of a text undergoes change along with the change in understanding the text. One can no longer rely on translations that were made in earlier times, for they reflect the knowledge of their times. Similarly, one cannot consider certain understandings of texts at certain periods of times as canonical and authoritative. These historical understandings should relate to our time in one way or another. What constitutes the subject matter of a text might be understood in the way the chains of its different understandings are connected to one another. Borrowing the logic of autopoiesis in systems theory, each understanding might be seen as an event, which disappears the very moment it comes into being, and what constitutes the textual meaning is the connection of each of these understandings. Text meaning does not come to an end, for the production of knowledge does not cease and text meaning is the product of an encounter between a text and a constantly changing reader. This basic yet fundamental gain in translation allows the dissemination of new communications based on the original text's subject matter. Translations expose the subject matter of the original text to more readings, and hence initiate communications beyond local to more universal borders.

A mix of deconstructionist and hermeneutic reading of Derrida's *Des tours de Babel* reveals another significant gain in translation. The work of deconstruction hints at the limits of language, casting aside the pure meaning and total translation from the realm of possibility. The constraints of language hint also to the inexhaustibility of textual meaning, resistance of text's meaning to totalizing and saturation, and its desire to constant deferral from the form. Nonetheless, deconstruction also calls for the need for translation, even if it seems translation an impossible task. The title of Derrida's seminal text on translation, 'Des tours de Babel', speaks for itself. As Long (2005: 2f.) writes, the title is endowed with confusion as it is with the tale of the tower of Babel. The plural form of 'tours' and the article preceding it obscure the gender of the noun. If

masculine, the meaning of 'tours' includes semantic fields as 'turns', 'trips', 'tricks' and 'circumstances', and if feminine, it includes 'tower' and 'castle'. So 'des tours' can mean 'some tricks', 'some turns', some 'trips around' alongside with its more discussed meaning as 'some towers', 'about towers', or 'of the towers' at the same time. In addition, the sound of 'des tours' is the same as 'détours', each of course with different meanings, adding more evidence to the dependence of meaning on the contextual reading of the original.

A fundamental feature of *écriture* relies on its semantic indetermination. Words have namely ambivalent meanings. Texts escape reducing their meaning potentials in any individual reading. No meaning is fixed and determined in writing, for each linguistic sign refers to another, and every writing can postpone meanings to an unlimited degree. As a result, word meanings are disseminated, dispersed and spread (dissémination). The same applies to text meaning, and this not merely in literary texts where semantic indeterminacy is a desirable way of certain writings, but also in philosophical and religious texts where certain truths and values are communicated. What is of relevance for the life of these texts is their internal law, whose very structure requires, mandates, commands and urges for translation to guarantee their survival, if survival is not understood as a simple continuation of life, but as a "holy growth" living "more" and "better". Therefore, translation is not considered as secondary in value vis-à-vis the original. It is neither an image, nor a copy of the original. It does not aim to communicate or to restitute the meaning of the original text and, hence, does not aim at its reception. One cannot talk about copying a text that is otherwise in a constant process of transformation. "The translation", Derrida writes, "will truly be a moment in the growth of the original. (…) And if the original calls for a complement, it is because at the original it was not there without fault, full, complete, total, identical to itself" (1985: 188). There is a "double bind" in the law, for the original needs translation to survive and grow, and the translation needs the original to initiate life, to attempt at liberating the essence of the "pure language" in its own tongue. A symbiosis is at work.

Hermeneutics replaces the focus on *écriture*, its incompleteness and, hence, its dependence on translation for an afterlife with a focus on the completeness of text's claim about truth. While the *intentio operis* constitutes the main locus of textual meaning in the deconstructive tradition, *intentio lectoris* gains the upper hand in re-constructing the textual meaning in the hermeneutic tradition. Unlike deconstruction that deals with the recognition of the text's otherness, the focal issue in Gadamer's hermeneutics is what the text says. In this sense, the text guides and provides a framework for understanding, which serves as a penultimate point of reference. In the final analysis, the text disappears in the event of communication. This is why in hermeneutics the

superiority of orality of conversation takes precedence over the written form of the text, as favored by Derrida. In fact Gadamer sees no opposition between the fixity of written discourse with the orality of conversation. There is rather a continuity that arises from reading. "What is written, has to be read, and so it too 'stands under the voice'" (Gadamer 1997: 403).

Because meaning potentials are inexhaustible, texts contain a "surplus of meaning" (Ricoeur 1976) that might never be acquired in individual acts of reading. In any such act, texts communicate some aspects of their meaning and leave other aspects non-communicated. A real dialogue with text is one that enacts a difference between what is said or communicated and what is not said or communicated. The negative side of the difference can only come to the surface once the text is read and reread; when it is translated and retranslated. Since elucidating the subject matter of a text is necessarily a constantly ongoing process, reading and translation remain a never-ending process and inseparable condition of the actualization of the textual meaning. Although a text is and remains the same in any case of understanding, reference to text happens at different historical contexts. A deconstructionist reading of the narrative of Babel hints to the impossibility yet the necessity of translation. In the same direction, a hermeneutic reading or translation of texts in order to acquire or reconstruct the textual truth equals betrayal for we never realize the text *an sich* but always a linguistically mediated perspective of it. The text *an sich* becomes the holy sacred, the holy untranslatable. Yet the unavoidable betrayal is compensated at a different level by other gains – and at times these gains are so noticeable that overshadow the loss – and further readings and translations are no doubt at the heart of any gain in translations. The orality of understanding makes the point clear that texts do not talk on their own, for they are silent, and they find a language once they are asked to do so.

This obvious failure in what is expected from an ideal translation leads us to view translation not as a reproduction but rather an interpretation of and hence a production based on the original, a more accessible version, which does not necessarily replicate the original. In terms of the Quran, due to the depth of the truth it carries, any understanding touches upon one horizon of its meaning, and there are many of these horizons in the form of translations and interpretations, each a "clearer and flatter" (Gadamer 2004: 388) version of the original, none of which with the claim of being the most valid compared to others. It is only a plurality and, hence, a collection of translations with the original text itself, that can bring us nearer to the intended meaning of the text. This is similar to what Benjamin calls "pure language: existing in a kinship of languages lying in "the intention underlying all languages as a whole -an intention which no single language can attain by itself, realized only by the totality of their intentions supplementary to each other;

pure language" (1992: 75). Different translations of the Quran cannot and should not be the same, but they should match each other in their combined form to shape its truth, just like the "[f]ragments of a vessel which are to be glued together must match one another in the smallest details, although they need not be like one another. In the same way a translation, instead of resembling the meaning of the original, must lovingly and in detail incorporate the original's mode of signification, thus making both the original and the translation recognizable as fragments of a greater language, just as fragments are part of a vessel" (ibidem: 79).

3. Verse 4:34. A case study

The term *Nisa*, the title of the *sura* from which verse is taken, literally means "women". The *sura* deals with women's rights and duties in family and society, among other topics. These include: the care of orphans; conditions and regulations for marriage and divorce; the conditions under which polygamy is permitted; and mutual rights and responsibilities between men and women in the family or society. Issues addressing women in this *sura* have been the subject of a variety of readings, ranging from traditional to modernist, from conservative to progressive, and from fundamentalist to liberalist. The normative character of some the statements in the *sura* has led jurists to produce different readings of women related issues addressed in the verse 4:34. Most jurists agree that the Quran produces an egalitarian and just account of men and women and the relationship between the two. What remains different, however, is their definitions of equality and justice and the way these are to be applied in society.

Because the Quran contains some normative verses, since its inceptions, Islam has been strictly coupled with politics and the law. Indication of the latter is the *shari'a*, the divine law, which is mainly derived from the Quran and the *sunna*, i.e. the tradition (words and deeds) of the Prophet. It is within the framework of *shari'a* that women's rights and duties in family and society are defined. The experts of jurisprudence, i.e. jurists, start any discussion of women with reference to the Quran, and interpret it with the aid of *sunna* and *hadith*. While many Muslims believe that the Quran is gender balanced, Muslim feminists accuse jurists of their androcentric interpretation. This might not sound like an unjustified accusation if it is taken into consideration that jurists, who claim authority in deriving laws from canonic sources, are almost exclusively men.

While there are many verses that lend themselves to justified claims on justice between the sexes, such as 4:124[4] and 2:228[5], others like 4:34 cannot make such claims. Different exegetes suggest different 'isotopies' –to borrow from Greimas's semiotic vocabulary– of different verses, i.e. an

intratextual analysis, to underscore their understanding of the text and its principles. In positioning women in the family and society, according to Davari (2006), the conservative interpretation accords a lower social and legal status to women due to their supposed psychological, sociological and intellectual inferiority. There are certain Quranic passages, whose literal reading would advocate such a position. Moderate conservatives accept the equality and yet refuse the sameness of men and women, their rights, their obligations, and their status in the family and society. They suggest the mutual complementarity of the two. Modernists assume the compatibility of Islam and modernity. By distinguishing between '*ibādāt*, laws concerning worship, and *mu'āmelāt*, social transactions, they argue that the former are not subject to interpretive change, while the latter frequently are subject of reconsideration and reinterpretation. A hermeneutic approach to the interpretation of the Quran makes an initial distinction between the text and its interpretations. While the text is accepted as universal and timeless, understanding of the Quran and application of its principles in different times and societies can and does change. What changes is the human understanding of religion, and what remains the same is the religion itself (Davari 2006: 460-61). Likewise, by adopting a Kantian distinction, Soroush makes a careful hermeneutic separation between religion itself and religious knowledge. While the former is universal and timeless, the latter is theoretically and practically located in a particular historical context. Religious knowledge expands and contracts in theory and practice in constant dialogue with the contemporary mode of knowledge as well as in response to historical changes (Soroush 1989). The separation between eternal principles and their mutable application opens up an infinite realm for interpretation, and of course their repercussions in translations. This hermeneutic approach makes the plurality of understanding the cornerstone of religion itself.

All these approaches to translation can be located in 4:34. On the level of a literal reading, the verse does not look to favor an equitable account of men and women in society. It is one of the crucial verses that advocates of the traditional interpretation adopt in order to undermine equality and the sameness of rights and duties between the sexes. At the same time, it is the place where modernists and pro-feminists contest such readings and argue for new readings that not only include women's points of view, but also claims Islam's compatibility with the values of modernity. The verse, followed by its literal translation, reads as follows:

> ***al-rijālu*** [The] men / ***qawwāmūna*** (are) protectors / ***'alā*** of / ***l-nsāi*** the women / ***bimā*** because / ***faddala*** has bestowed / ***l-lahu*** Allah / ***ba'dahum*** some of them / ***ala*** over / ***ba'din*** others /
>
> ***wabimā*** and because / ***anfaqū*** they spend / ***min*** from / ***amwalihim*** their wealth /

Fal-salihatu so the righteous women / ***qānitātun*** are obedient / ***hāfizātun*** guarding / ***lil'ghaybi*** in the unseen / ***bimā*** that which / ***hafiza*** (orders) them to guard / ***l-llahu*** (by) Allah /

wa-allāti and those (from) you / ***takhāfūna*** you fear / ***nushūzahunna*** their ill-conduct / ***fa'izuhūnna*** then advise them / ***wa-uh'jurūhunna*** and forsake them / ***fi*** in / ***l-madāji'I*** the bed / ***wa-id'ribuūhunna*** and [finally] strike them /

fa'in then if / ***ata'nakum*** they obey you / ***falā*** then (do) not / ***tabghū*** seek / ***'alayhinna*** against them / ***sabilan*** a way /

inna indeed / ***l-laha*** Allah / ***kana*** is / ***'aliyyan*** Most High / ***kabiran*** Most Great [6]/

Before reading the translations, it is worth emphasizing some ambiguous aspects of the verse that do not lend themselves to an undisputed interpretation, let alone to an accurate translation. Some of these ambiguities are:

- *al-rijālu* and *l-nsāi*: whether the men mentioned in the verse refer to all men in society or only to those in a married relationship and therefore in families. The same distinction should therefore be made for women. In other words, does the verse refer more specifically to the husband-wife relationship in a family structure or more generally to men-women in a societal structure?
- *qawwāmūna* –(are) protectors–: in what sense should the noun 'qawwāmūna' be understood? What makes men protectors of women? Is this due to a divine privilege? Are men intellectually, psychologically and physiologically superior to women? What is the Quranic stance on this?
- *ba'dahum* –some of them–: composed of a noun *ba'da* and third person masculine plural possessive pronoun *hum,* does the latter refer to men, or does it refer to both men and women, given the fact that Arabic gives a masculine gender to a pronoun if speaking of men and women together?
- *faddala* –has bestowed– given the ambiguity of the pronoun *hum,* it becomes equally justified to ask who is conferred priority over whom? What are the criteria of privileging some over others? Should such a privilege be understood in a physical, intellectual, or hierarchical sense? Is there any excellence on the basis of sex?
- *wabimā anfaqū min amwalihim* –and because they spend from their wealth–: is this verbal clause an example of the preceding clause, i.e. bestowing some upon others, or rather the pursuit of a logical conclusion of the two earlier clauses? In other words, does

this clause indicate an example, or does it indicate another general law, along with the earlier clauses of the verse?

- *nushūz* –ill conduct–: what is the extent of ill conduct? Is it understood as one against God, against family, against husband or against an assumed responsibility?
- *id'rib* –strike–: since the verb has several meanings, it has traditionally been understood as to beat or strike. How can this be explained in the historical absence of women from the realm of Quranic exegesis and translation?

Depending on how these aspects are understood in this Quranic verse, the status of women vis-à-vis men could be defined differently. This can be of greater importance if a society like that of Iran is taken into consideration, whose political system is defined by an understanding of Islam, and Quran being its most authoritative source.

It is true that translation is the "culmination of the interpretation" (Gadamer 2004: 386) a translator makes of the text; translation can only to a certain degree shed light on the kind of hermeneutic processes at work. A closer look into different Quranic exegeses can help to a certain degree track the translator's interpretive attempts at work. In fact, in addition to their linguistic knowledge of both Arabic and Persian/English, translators of the Quran are very well acquainted with the Islamic tradition and Quranic exegesis. One of the canonical texts in the exegesis of the Quran is Seyed Hossein Tabatabai's 20-volume Quranic commentary known as *tafsir al-mizān* – The Scales in the Interpretation of the Qur'an–, written between 1954 and 1972. As the most renowned Shiite philosopher of the twentieth century, Tabatabai was also the first cleric to reflect on gender rights from a philosophical perspective. His level of scholarship earned him the title of *Allameh*, the highest title reserved for non-jurist scholars of religion. An influential aspect of his philosophy was the idea of naturalness of Shari'a laws and their compatibility with human nature, which was later on popularized by his students with their access to the mass media. Since the 1979 Islamic Revolution, when religion gained political power and Islamic laws were to be implemented in society, his ideas have been crucial in the formation of the Islamic Republic's discourse on gender. One of his followers is Mohsen Ghera'ati, a well-known member of the clergy in the Iranian public since the revolution. If Tabatabai and his ideas are less known to the public, Ghera'ati is one of the clergymen who are most accessible to the Iranian public. He is a religious preacher and Quranic exegete who regularly appears on Iranian TV and media and has his own easily accessible method of preaching. In presenting his reading of the Quran, he writes down key ideas on a blackboard and uses an unsophisticated and fluid discourse to preach his religious teachings before a usually large live audience. He is the author of a complete exegesis of

the Quran in 10 volumes, which in 1998 won the award for the best book of the year in the field of religion.

In addressing the question of gender in the earlier verses of *sura Nisa*, Tabatabai accepts the categorical equality between men and women. Human beings are identical in their humanity. He is against a traditional exegesis that makes men superior to women for the fact that Eve was created from Adam's rib, as there is not a single verse in the Quran to support this myth (see Tabatabai 1989, vol. 4, 216). Therefore one should not think of oneself in terms of gender, race, ethnicity, or skin color as superior to the other, as there is no criterion for distinction or superiority but piety. However, he believes that the equality of humans before God does not lend itself to the same rights for both genders. He makes a distinction between equality and sameness of rights, and while he recognizes the former, he rejects the latter due to the inherent differences between men and women. Justice would require an unequal distribution of resources, responsibilities and obligations that would correspond to the gender difference. In other words, men and women must enjoy *equal* rights and have *equal* duties in an Islamic society, and yet they should not be subject to the *same* rights and obligations. The rationale for different rights is the unequal distribution of potentials in men and women accounting for the difference between the two sexes (Dabashi 1993: 312f.). It is within this framework that he interprets the verse. He disambiguates the noun 'qawwāmūna' as the highly emphasized form of the noun 'qayyem', indicating a person being responsible for the affairs of someone else. The verse further elaborates the fact that men are responsible for the affairs of women in the next two clauses. The first clause '*bimā faddala l-lahu ba'dahum ala ba'din*' refers to the natural characteristics that help men, compared to women, excel at certain things. While men are supposedly more intellectually and less emotionally inclined, women are more emotionally oriented. Therefore, "men are more capable of performing strenuous tasks than women, whose life is dominated by feelings and emotions and is based on gracefulness and delicateness" (Tabatabai 1989: vol. 5, 543, vol. 5)[7]. This difference makes each of the sexes more appropriate to carry out certain tasks in family and society. The second clause, '*wabimā anfaqū min amwalihim*' is another indication of difference between the two, and refers to the wealth men spend on women's dowry and maintenance.

After differentiating among the three clauses, Tabatabai refers to the clause '*al-rijālu qawwāmūna 'alā l-nsāi*' once more and holds that men's being maintainers of women is a general law, and as such is not restricted to the structure of family but applies to that of society. This clause addresses a general law in society, in which authority is given to men. This authority, however,

> concerns those common aspects, which are narrowly related to the life of every society, such as rulership and judiciary, on which a society depends for its continuance. The success of these responsibilities is contingent upon the prudence and judiciousness, which are found in men in a higher degree than in women. Defense of territories with weapons is also contingent upon physical strength as well as strategic planning, both of which are more readily available in men than in women (544).

It is these capabilities of men that make them responsible for women, allowing them to support women financially. The following clause, according to Tabatabai, produces a branch of the previous general principle and is restricted to the conjugal relationship. For the clause '*Fal-salihatu qānitātun hāfizātun lil'ghaybi bimā hafiza l-llahu*', the exegete alludes to the mutual rights of the couple in a married life. In return for the rights God has bestowed on wives, such as their financial support by husbands, women are urged to obey men and guard their secrets in their absence. Such obedience is not, however, comprehensive, as women's freedom should not be restricted to their husband's will. They submit to their husbands in intimate issues related to the conjugal relationship, such as sexual relations, and protect their chastity and common achievements in their absence. As for the next clause, the exegete translates the accusative masculine noun '*nushūz*' as "disobedience in submission to men", the examples of which had already been elaborated in the previous clause, and holds that husbands in fear of such disobedience have three disciplinary measures at their disposal, of which admonishing is the most advised, followed by abandoning them in their sleeping beds, and finally beating them, which is the least recommended measure (see Tabatabai, vol. 4: 543-546).

Four translations are chosen to show the hermeneutic processes at work in translating this Quranic passage. They clearly demonstrate the different ideological and educational backgrounds that translators bring to their understanding and interpretation of the verse. The first translation is in Persian and done by the hardline conservative cleric Ayatollah Ali Meshkini (1922-2007), a prolific author in traditional Islamic jurisprudence[8]. From the Islamic Revolution until his death he held key political and religious positions in post-revolution Iran. He was an outspoken traditionalist with strong conservative and religious political views. His translation represents an ultra-conservative interpretation. The second translation is in English, done by Tahereh Saffarzadeh (1937-2008). She was a poet, writer, translator and prominent university professor. After graduating in English language and literature in 1960, she travelled to England and later on to the US to continue her graduate studies. After publishing a few volumes of verse in Persian, she published her first volume of poetry in English following her participation in an international writing program in Iowa. Her literary activities were combined with religious activities towards the revolution. As an admirer of Khomeini, the founder of the Islamic Revolution, she dedicated

some of her intellectual activities to the translation of Islamic canonical texts and theoretical reflections on the Quranic translation. Her Persian-English translation of the Quran earned her several awards. The Third translation is in English and done by Laleh Bakhtiar (born 1938), an Iranian-American scholar and a prolific author of 25 books and translations on Islam. After meeting the well-known Islamic philosopher Seyed Hossein Nasr, she studied Quranic Arabic at Tehran University and converted from Catholicism to Islam in 1964. Her pro-feminist translation of the Quran created considerable controversy inside and outside Iran. Her translation pursues a clear goal: it is a response to the "lack of internal consistency in previous English translations and failure to pay attention to women's points of view" (Bakhtiar 2001: 431). I will finally look at the Persian translation by Abdolali Bazargan, a political activist and a modern Islamist known for his attempts to show how modern values such as democracy, science, civil society and human rights are fully compatible with Islam and the Quran. Here are the translations:

(1) Men are guardians of women because Allah has favored some over others (men over women in their intellectual, psychological and physical potentials) (and because the guardianship of the society at the level of *prophethood*, *Imamah* and an appointed guardianship on behalf of the infallible Imams are all assigned to men by God). And men are also the maintainers of their wives because of what they spend from their wealth (on women). So righteous women are compliant and obedient and thanks to God's guarding (of their rights) they are also guardians (of the rights and secrets and properties of their husbands). As for those women on whose part you fear (with regard to sexual intercourse), (first) advise them and (then) distance from them in bed and (when in vain, in the framework of Shari'a) beat them. If they obey you, do not seek a way (of annoying) them. Indeed, Allah is the sublime Great (Meshkini 2003, my translation from Persian into English).

(2) Men are overseers and maintainers of women because Allah has made one of them excel to the other, and because they [the husbands] provide the livelihood of the family. Therefore, righteous women are obedient and guard in the husband`s absence what Allah orders them to guard. As to those women on whose part you see ill-conduct, admonish them [First], [next] refuse to share their beds, [and last] beat them lightly, but if they return to obedience, do not seek against them means of annoyance; verily, Allah is the Sublime Great (Saffarzadeh 2009).

(3) Men are supporters of wives because God has given some of them an advantage over others and because they spend of their wealth. So the ones (f) who are in accord with morality are the ones (f) who are morally obligated, the ones (f) who guard the unseen of

what God has kept safe. But those (f) whose resistance you fear, then admonish them (f) and abandon them (f) in their sleeping place and then go away from them (f); truly God is lofty, Great (Bakhtiar).

(4) Men stand over (physically) (protect and guard) women because Allah has preferred some (in the general average) over others, and because of what they spend from their wealth. Therefore the righteous women are in the absence of men the guardians of what God has guarded. As to those women on whose part ye fear disloyalty and ill conduct, admonish them (first), (next), refuse to share their beds, (and last) beat them (lightly); but if they return to obedience, seek not against them means (do not seek any revenge on them, and be aware that): God is Most High, great (above you all) (Bazargan www: retrieved 2013, my translation from Persian into English).

4. Analysis of translations

On a linguistic level, the verse contains ambiguous words and syntactic constructions that render a clear and coherent understanding of the verse difficult. Words in human languages, and particularly in writing, have usually more than one signification when used outside a specific context. When following one another in the order of grammatical structures, words can serve as contexts for one another. Syntactic rules serve, to speak with Niklas Luhmann, as a mechanism of order that reduces complexity. But reduction of complexity is not the same as elimination of complexity, as order can and does produce more complexity. Syntactic structures can be ambiguous inasmuch as words are polysemous, less so with, or more so without, a context. Given these inherent characteristics of language, understanding of the verse is more the product of a conscious act. According to Schleiermacher, misunderstanding is more readily given than understanding. Difficulties and failures of understanding are not occasional but integral elements of any attempt at understanding, and these failures should be prevented in advance. Therefore, there should be an interpretive process at the most banal level of any attempt towards understanding human languages. This interpretive process becomes more conscious as translators are constantly challenged with understanding the text in front of them before they can translate them.

This challenge is visible in the face of four different translations of the case study. These differences are not a question of the translators' tastes in choosing certain words or structures to look aesthetically better or to communicate with their readers more clearly. Such differences are not the focus of this study, as they would attribute a secondary importance to the question of

understanding. They are rather indicative of completely different understandings of the verse with considerable socio-political implications, and the focus is hence on different hermeneutic processes at work. Added exegesis and adoption of certain meanings as opposed to others in polysemous words betray to a certain degree not only the translators' interpretations of the verse but also their attitude towards the question of gender.

On a linguistic level, there are a few ambiguities in regard to the masculine plural pronoun *'hum'* in the clause '*ba'dahum ala ba'din'*, for the masculine pronoun may be used generically to include both male and female human beings. The second plural pronoun following *'ba'din'* is missing due to the semantic redundancy, and this adds further to the semantic ambiguity of the verse. Consequently, there are three distinct possibilities as to whom the pronouns could refer. The characteristic of being '*qawwāmūna*' might refer to the priority of some men over some women; some men and women over other men and women; even some men and women over men; or by the same token, some men over some other men! In addition to the object pronoun, the verb *'faddala'* in the same clause has two meanings, the adoption of each would entail crucial consequences for the normative or descriptive understanding of the first clause. The base of this verb connotes namely both an increase in an entity or superiority in a quality. While nature or God gives the first one, accounting for the difference between humans and angels for instance, the second is a characteristic that one could strive for and acquire. And more importantly, the verb *'faddala'* is understood in regard to the first and third clauses. So if men are '*qawwāmūna*' over women by virtue of the first meaning, it is more a divine law that, because of the universality and eternality of such laws, does not change with time and place. And if men are '*qawwāmūna*' over women by virtue of the second meaning, it is a description of a particular time and context and subject to change with the change in the structure of society (see Hakimbashi 2002: 104-107).

These subtle yet profound differences are well reflected in the translations. Meshkini seems to thoroughly follow Tabatabai's exegesis, in which ambiguous words and pronouns are clearly defined. In removing potential inconsistencies in the Persian translation he adds his exegesis in parentheses. He even goes beyond the canonical exegesis and adds further interpretation to clarify his interpretation of the verse. His translation reads that men's guardianship over women is a general law, and is based on the fact that they have been preferred over women thanks to a divine order of things. The third person masculine possessive pronoun *'hum'* is literally translated as men, and the genitive masculine indefinite noun *'ba'din'* is translated as women. To justify such disambiguation of possessive pronoun and the noun, he argues that men are not solely physically, but also psychologically and intellectually superior to women. He draws evidence of this

interpretation from the Islamic tradition, in which religious, spiritual and political leadership of the Islamic society at the levels of *prophethood* and *imamah*, and in the context of post-revolutionary Iran, of *velayat-e faqih* –guardianship of a jurist– is exclusively assigned to men. Other evidence is given in the verse itself, where the guardianship of men over women is complemented by the fact that men spend from their wealth on women. Meshkini's translation of these three clauses evokes a divine general law based on a natural order that makes men superior to women in crucial domains and hence the rationale of men's being maintainers or guardians of women in the family as much as in society.

The translation of Saffarzadeh does not lend itself to such a clear disambiguation. Although she translates the noun '*qawwāmūna*' as "overseers and maintainers", similar to the exegesis of Tabatabai, she keeps the ambiguity of the possessive pronoun '*hum'* in the following clause in her translation, so that it does not say whether all men as a group outdo women or only some in general, irrespective of their gender, outdo others. She translates the third clause literally, but adds 'the husbands' as those in charge of financially maintaining women to underscore an area in which some have been excelled over by others.

Bazargan produces a radically different interpretation in his annotated translation of the verse to justify his choice of words in line with his interpretation of the verse. He believes that the verse contains no indication of a natural or an intellectual superiority. In commenting on men's being '*qawwāmūna*' over women Bazargan hints at a socio-historical fact that has dominated the natural order of human society, and as such entails neither a religious necessity or obligation nor a divine order or decree. To do justice to this interpretation, he translates the noun as a verb. It is thanks to their superior physical strength that men stand over women to shoulder the responsibility of protecting or caring for women. Hence this is more a social contract on the basis of different distribution of physical strength than a divine order for the construction of gender relations. Men's responsibility vis-à-vis women is to serve as advocate, defender, guardian, protector, attendant, and in sum as one who "is there for the benefit of and at the service of women, not one who is against them".

If the reference of the verse in the previous translation is only implicitly reserved to family, Bakhtiar brings the application realm of the verse explicitly to the social structure of family and conjugal life: by translating *'alnissai'* as wives, in contrast to earlier translations, Bakhtiar clearly restricts the semantic range of the verse to family as a social institution. In addition, she does not understand the noun '*qawwāmūna*' as maintainers, guardians, overseers or protectors but supporters of wives. The verse therefore, according to this translation, does not regulate the

relationship between men and women in society at large, but within the very sphere of family. The verse, equally, does not accord nor prescribe superiority in any form to men. Her translation of the plural possessive pronouns in the second clause equally stands out. Men are supporters of women by the same logic that Allah has given some of them an advantage over others. She not only keeps the ambiguity, but also takes away any gender-based preference in her translation. Since Bakhtiar refers to any indication of women by (f), her translation can be read as God's giving some men and women an advantage over other men and women.

The verse continues with women's/wives' responsibilities towards men/husbands, which for the sake of space are omitted from this study. What is of interest is that section of the verse dealing with the question of what husbands should do in case they fear their wives' disloyalty or resistance. The verse suggests three measures to be taken: *fa'izuhūnna wa-uh'jurūhunna fi l-madāji'I wa-id'ribūhunna*. This section is often quoted as Islam's not only allowing but also prescribing violence against women. Because the passage is touching upon a highly sensitive issue, namely disciplinary measures to be taken against '*wa-allāti takhāfūna nushūzahunna*', translators take concrete interpretive arguments and reflect this in their translations. Meshkini restricts the range of women's ill conduct to sexual intercourse and suggests in his translation a three-step procedure in disciplinary measures to be taken by men. The third measure is beating them, but he adds the fact that it should be taken as a measure only when the first two measures have not worked. And in addition, he mentions within parentheses that beating women should be within the framework of Shari'a, leaving it to the reader's investigation on the extent of this framework.

Saffarzadeh and Bazargan translate the passage similarly. The verb '*id'ribuūhunna*' is translated equally as beating, followed by the adverb "lightly", although "lightly" is not given in the original verse. In a comment on the translation of the verse, Bazargan holds that "not only non-believers in the truth of Islam who propagate against it, but also some educated and liberal Islamists offer other translations for the verb *'id'ribū'* (to beat) in response to contemporary expectations and legal establishments of the modern society to put forward a more acceptable meaning for the verb and thereby, unintentionally, introduce an innovation in the divine book" (Bazaragan). In his exegesis of the passage, Qara'ati underscores the same understanding of the verb and tries to rationalize it from a psychological viewpoint: "Some people acquire a sense of masochism (tendency towards desiring pain), for whom a slight physical punishment will serve as a remedy. As for physical punishments, however, Islam has recommended that it should not lead to a bruise or an injury in body".

Bakhtiar, however, gives a radically different translation of the verb, i.e. to go away from them (f). Her understanding of the verb has been possible because she has "studied the Quran from the viewpoint of a woman" (2011: 433). She understands the word *'nushūz'* not as ill conduct or sexual betrayal, but as resistance in the sense that can lead to a domestic dispute. She believes that it is only in this sense that the verb *'id'rib'* can be meaningful. After introducing the different meanings of the verb root in different possible combinations, she looks not only to the earlier interpretations but also to the authoritative sources of Quranic exegesis, namely the Quran itself and the tradition of the prophet.

Similar to Tabatabai, Bakhtiar's method of understanding the Quran is primarily based on an intratextual interpretation of the Quran, or more precisely, "using the Quran to interpret the Quran" (2011: 436). However, the same method leads to two completely different interpretations. It is the same method that allows Bakhtiar to avoid a misunderstanding of the verse, which she believes is less due to the Quran itself than due to the commentators' incorrect interpretation of the text over centuries. She derives two premises from the Quran: Islam encourages marriage and discourages divorce. By referring to 2:23 and 24:6-9, she highlights two rights the Quran reserves for women. The first is women's right to be treated honorably and be set free if a divorce is required, and the second is women's right to defend themselves if an accusation is made against them. If the verb is translated as 'beating', the logic of such an interpretation would entail a contradiction with the rights Quran has given to women: "a Muslim woman who wants a divorce must be set free without her husband injuring, hurting, or using force against her, but a Muslim woman who wants to remain married does so under the threat of being beaten". This is to prescribe immoral behavior and prohibit moral behavior, and therefore against the principles and teachings of Islam. To solve this contradiction, Bakhtiar suggests a different translation of the verb by "revert[ing] the interpretation back to how the Prophet understood it in his daily practice" (ibidem: 437). That's why she, in addition to the Quran itself, also looks into *sunna* to find a hint for the meaning of the verb. Bakhtiar argues that there is no evidence in the Prophet's life to indicate he beat anyone, let alone his wives. The facts that the Prophet's deeds and words are the second most important source after the Quran itself for the exegesis and understanding of Islam, and that the Prophet symbolizes the living Quran should lead to the logical conclusion that the Prophet's confrontation with similar situations, i.e. fear of resistance, should hold the clue for the verb's meaning. If the imperatives and prohibitions of the book were to be practiced and implemented by the Prophet, and beating were one such imperative, and if the Prophet never used any form of physical punishment in interacting with his wives, it would be a misinterpretation to understand the verb *'id'rib'* as beating. What the Prophet did in such cases was he went away to

let his emotions subside, and hence the accurate meaning of the verb should be 'to go away' (see Bakhtiar 2009: introduction and ibidem: 433-438).

5. Some theoretical reflections

The preceding analysis of the four translations brings to the fore two interrelated questions, namely where textual meaning is located and how it is re-constructed and further communicated in the process of translation. These questions gain relevance vis-à-vis the case study, for translations of the verse vary so markedly that one could assume they rendered different original texts. What translations and exegeses introduced have in common, is that they are aiming at finding in the verse either (a) what God as the source of revelation intended to say or (b) what the verse says with regard to other verses of the Quran and/or with further hints from the prophetic tradition, i.e. *sunna*. The latter highlights the dominance of a method to produce the truth of the verse at the cost of ignoring the translators'/exegetes' individuality and their embedding in a socio-historical context. This is where hermeneutics as the 'science' or 'art of understanding' can serve as a complement to explain the translation processes. Hermeneutics functions as a theoretical framework to shed light on the modes and conditions of translators' understanding and/or interpretation of the original text. To judge whether a translation is false or not is not possible unless it becomes clear which premises and assumptions are at work.

From a hermeneutic viewpoint, translation is "necessarily a re-creation of the text guided by the way the translator understands what it says" (Gadamer 2004: 387), and a translator's interpretation of the text "is not merely a reproductive but always a productive activity as well" (ibidem: 296). That translation is not a simple reproduction but an interpretation of the original text by the translator brings the question of meaning and translator intention into a new light. Eco raises the question of interpretation as a basic feature of semiosis. In *The Open Work* (1989), he studies the dialectic between two kinds of rights: rights of the text and rights of the interpreters. Readers play an active role in reading texts and hence determine the content or aesthetic value of the text. However, interpreters' rights should not be taken to the extreme, trivializing rights of the text, and by the same token, rights of the author in determining the text value. While the 'open' alludes to the wide range of interpretation possibilities, the work serves as an anchor to restrict interpretations. Interpretations are limited by constraints imposed by the text and its author. These constraints are the focus of a collection of articles, where Eco distinguishes between three intentions, towards which interpretations orient themselves: "interpretation as research for the *intentio auctoris,* interpretation as the search of the *intentio operis,* and interpretation as

imposition of the *intentio lectoris*" (Eco 1994: 50, emphasis in original). He studies these three intention-based interpretations alone and in combination by suggesting six different potential theories and critical methods, and shows that they do not exclude but complement each other to serve as the limits for an infinite number of interpretation possibilities. While the reader's intention opens the text to an unlimited number of interpretation possibilities, the other two intentions close and secure the text from any over-interpretation.

It seems the Quranic translators and exegetes have emphasized the text's rights to the extent that they leave little if any space for interpreters' right. In the introduction to his exegesis, Tabatabai rejects the idea that the Quran is enigmatic, obscure or abstruse in its import by referring to 3:96 (and a guidance for the worlds), 4:16 (a clear light) and 16:89 (the book as the clarification of everything). Unclear verses are explained elsewhere in the very text itself, and if there seems to be any ambiguity at all, it is not because of the Quran but because of its reader' inability to clarify it with reference to other Quranic verses. In the introduction to his exegesis, Tabatabahi emphasizes the difference

> between a scholar who, in reflecting upon and discussing a Quranic verse, looks into the Quran to understand what it says and a scholar who wonders how and under which circumstances to understand the verse. While the former forgets temporarily about all his knowledge and scientific theories and relies on none of them for his understanding of what the text says, the latter not only involves his theories in his understanding of the verse but also begins any discussion on the on the basis of these theories (1989: vol. 1, my translation).

This clearly demonstrates how Tabatabai labels readers' intention in shaping the Quranic truth as adaptation and rejects it. Instead, he adopts the method of explaining Quranic verses with the help of other relevant verses as the sole appropriate method of exegeting the Quran. His method of interpreting the Quran is to understand the text using the text itself. Bakhtiar adopts the same method and, in her translation of the verse 4:34 she refers to other Quranic verses and to the Prophetic tradition to justify her interpretation. That they come to quite different understanding of the verse is an indication that the similar exegesis method they adopt puts paradoxically a constraint for interpretation, but at the same time this constraint produces the possibilities of more interpretations. A text's complexity, i.e. its in exhaustible meaning potentials, is reduced through method, but at the same time the very constraints of the method allow the text gain a new complexity, i.e. a new air of inexhaustible meaning potentials. Quranic meaning or truth does not surrender itself to one method.

Gadamer argues that understanding of a linguistic phenomenon –be it oral or written communication– should be thought of as dialectic between questions and answers (Gadamer

2004: 362-382). Understanding is conceived as a game of question and answer happening between a text and its interpreter/translator. It is in the to-and-fro of questions and answers that textual meaning reveals itself. This dialectic shakes the foundations of method with regard to the knowledge acquired through textual meaning. There is no method of learning to ask questions or to see what is questionable. This dialectic starts with the reader, in whom "a particular lack of knowledge leads to a particular question" (ibidem: 359), and continues with the answer provided by the text, which in turn creates further questions in the reader, and the dialectic continues. Translators are active readers for whom an appropriate understanding is crucial. In fact, the real agent of translation is not the semantic correspondence that relates the translation to the original, and less the authorial intention, but a translator who immerses himself from a particular viewpoint, or horizon, into the living context of the original text and culture (Stolze 2003: 309). A hermeneutic approach to translation brings the subjectivity of the translator to the fore. Quranic translation might be defined as the product of an interpretive activity of understanding shaped by the way a translator communicates with the text as his communicative partner. The Quran lies silent until translators start asking questions from it. Different questions require different answers, resulting in different understandings. How translators interpret and culminate it in their translation depends on the nature of the questions they pose on the text. Philosophical questions will require philosophical answers as much as jurisprudential and ideological questions will call for jurisprudential and ideological answers. It is important to note that "questions are descended from the available knowledge and it is in light of this very knowledge that answers become meaningful" (Soroush 1989: 14, my translation). In fact, translators "approach every text with an implicit understanding and often unvoiced questions that lead to an anticipation of the meaning of the text as a whole" (Stanley 2012: 270). Little wonder that the translation of a clergyman with an ultra-conservative background in religion and politics acquires a conservative tone, that of a woman fully aware of women's rights a feminist tone, and that of a modern Islamist a modern tone. "The requirement for receiving an appropriate answer from the *shari'a* [, or by the same token, the Quran] is a deep understanding from the question, and this is only possible through having a deep knowledge of theories that generate and stimulate questions. This demands an accurate familiarity with the contemporary status of knowledge and an opening in the interaction between religious knowledge and other forms of knowledge" (Soroush 1989: 14, my translation).

Quranic translation is a hopeless and yet unavoidable activity. The Quran has the characteristics of a work, "which escapes a thorough understanding. This is to say that a reader can never obtain, when approaching it in an interrogative way, an ultimate reply from the text; one that would allow him to claim 'now I understand' once and for all. […] One cannot exhaust all the

information that is inherent in a literary [or by the same token, a sacred] text to the extent that there remains no further information" (Gadamer 1986: 7, my translation). Each reading brings the Quran to a different level, transforms it into a new text. "Reading and translating are already interpretation. Both create a new text from meaning and tone" (Gadamer 1993: 284, my translation). Quranic translation is guided by the translator's understanding of the text and, hence, it is inseparable from interpretation. It marks "the culmination of the interpretation that the translator has made of the words given him' (Gadamer 2004: 386). Interpretation means to select and highlight, from among an inexhaustible repertoire of meaning potentials, certain features of the text that are more pertinent to the reader, while automatically ignoring some or even consigning some to oblivion. No interpretation can evoke all the features of the text at the same time, and this is why Gadamer considers interpretation to be an infinite process. Interpretation in this sense is similar to what the English polymath Spencer Brown describes under the concept of observation, during which only the to-be-observed phenomenon is distinguished as marked space and all the unmarked spaces fall out of the observation domain. The same is at work in the translator's endeavor, for "in our translation if we want to emphasize a feature of the original that is important to us, then we can do so only by playing down or entirely suppressing other features" (ibidem: 389). Since it is not possible to observe everything with one distinction, so is it not possible to highlight all the features of text at the same time.

Quranic translations are the translators' construction of what the text says to them. What the text says results from the formation of topic hierarchies supported by interrelated isotopies interwoven in the text (Ricoeur 1973: 135). Isotopies, by making the structural analysis of semantics, contributes to text coherence and homogeneity and therefore helps the reader make sense of the text's subject matter. So the way the chains of isotopy are constructed defines the way a reader or translator projects a meaning onto the text. The four translations analyzed demonstrate how, in spite of the constant cross-reference to Quranic verses, they all differ fundamentally in the way they construct the Quranic meaning. These translations are not only an indication that something gets lost in them, but also an indication that the text holds such multi-dimensional meaning potentials that individual readings cannot evoke them at the same time. They are also an indication of the translators' understanding of the original text. A translation that takes its task seriously cannot leave the ambiguous parts of the original text intact. In entering into conversation with the text, part of "die Aufgabe des Übersetzers" consists in reducing the potentially ambiguous expressions of the original to their univocal meanings and finding equivalent linguistic expressions in the target language. While this marks a loss in translation, it

also paradoxically marks a gain: "a gain in interpretation, an increase in clarity and sometimes in unambiguity" (Gadamer 1993: 279, my translation).

6. Conclusion

Gadamer's ontological hermeneutics informs us that understandings and translations are historical and subjective and as such are subject to a change that is in line with the change in the socio-cultural context of their perception. Depending on how relevant the texts in particular are for their readers, subjectivity of understandings and translations might entail long-standing consequences. The case study demonstrates well the hermeneutic fact that the real meaning of the text as it speaks to its readers is not merely determined by the linguistic relation present in the text, but it is rather co-determined by "the historical situation of the interpreter and hence by the totality of the subjective course of history" (Gadamer 2004: 296). Gadamer maintains that the 'temporal distance' helps the issues of the text come to the surface. The question of sexual equality in rights seems to be a product of modern times and as such the theme introduces a new horizon – and a renewed necessity at the same time – to read the sacred texts in Islam anew.

As mentioned earlier, the conservative exegesis of the Quranic sections discussed above is visible in the theocratic discourse on gender. This discourse has, since the revolution, been disseminated through primary and secondary schools, pre-university and university curricula, and reinforced by state-run television and radio. The reproduction of this discourse is crucial for the continuance of the theocracy as a whole. If it is true to say with Luhmann that "[w]hatever we know about our society, or indeed about the world we live, we know through the mass media" (2000: 1), then it is equally true to say that mass media and communication possibilities they give rise to play a crucial role in determining the way our subjectivities are shaped.

The theocratic discourse on gender has also been reinforced by its institutionalization in the Constitution and the political and legal organizations constituted thereupon. A case in point is Article 163 of the Constitution, which clearly states that the characteristics of judges, the head of the judiciary, the public prosecutor and the head of the Supreme Court are to be in line with Sharia law. Since the principles of Sharia law are derived by Islamic jurisprudence, and the majority of conservative jurisprudents – legal experts— such as Meshkini himself reserve such positions for men due to their supposedly higher proportion of rationality and lower proportion of emotionality, the particular exegesis and translation of this verse is used as an Islamic justification to disqualify women from such positions. Meshkini's conservative translation of the

verse and its normative tone makes it easy to track the way the Civil Code is formulated within the context of Iran's theocracy. When translated into the legal system, the verse prescribes mutual rights and obligations. Article 1105 of the Civil Code states in the case of a conjugal relationship that "the position of the head of the family is the exclusive right of the husband". The following article states that "the cost of maintenance of the wife is at the charge of the husband in permanent marriages", as is indicated in the verse. However, this obligation on the part of husbands creates obligations on the part of women; thus if a woman neglects these obligations "without legitimate excuse, [she] will not be entitled to the cost of maintenance" (Article 1108). A wife is also obliged to "stay in the dwelling that the husband allots for her unless such a right is reserved to the wife" (Article 1114). A man is also given the right to "prevent his wife from occupations or technical work which is incompatible with the family interests or the dignity of himself or his wife" (Article 1117) (see Figure 1. For the detailed study of these implications, see chapter four).

A brief analysis of these translations clearly demonstrates how the exponents of conservative theology and reformist theology introduce two contradictory images of the Quranic attitude towards an aspect of the gender issue. Whereas Bakhtiar's translation expunges any patriarchal readings from the verse, Bazargan's translation shifts the focus away from the predefined authority or superiority of men to promote a sense of responsibility. As more women become aware of their existence as independent beings and fight for their rights by breaking down the patriarchal structures of society, their concerns automatically determine a part of the historical horizons for the translators who aim to transfer and revive the textual meaning. This historical horizon is crucial in determining the textual meaning. On the one hand, the translator's non-textual knowledge is used to expose the textual meaning, and this is a method used by religious intellectuals to promote an unavoidable plurality of understandings of religion and hence to deny its monolithic institutionalization within the context of theocracy. On the other hand, the crucial role played by the current status of individuals' knowledge in the formation of textual meaning emphasizes the legitimacy of new understandings and re-translations of canonical texts.

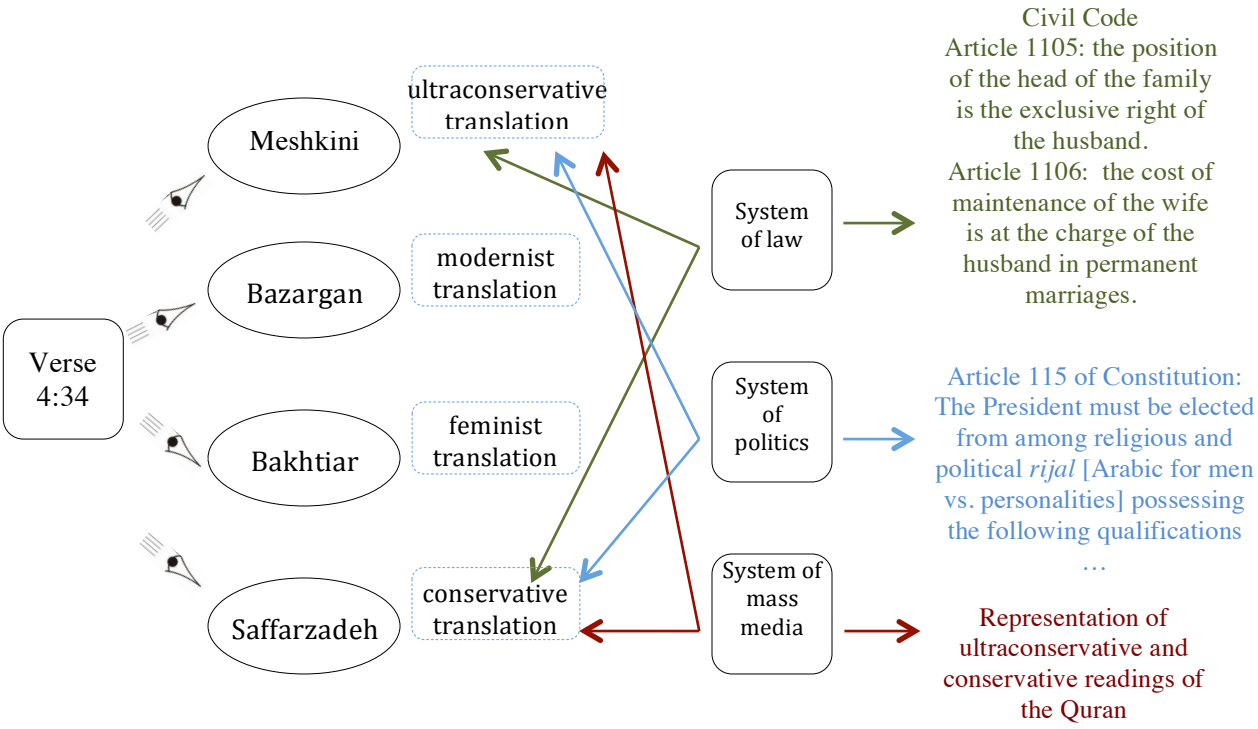

Figure 1: Social implications of Quranic translations in the post-revolutionary Iran

Reformist translations of canonical religious texts contribute to the formation of a new public discourse as a narrative of resistance against the dominant theocratic discourse. The latter is a monopolized and politically ideologized narrative of a mainly jurisprudential Islam that circulates through omnipotent state-run *dissemination media* (Luhmann) such as writing, print and electronic media to reach as many individuals as possible, and through *symbolically generalized media* such as power, law and truth to increase the acceptance of this discourse by the masses. Reformist translations of the Quran should be seen in line with religious intellectuals' attempts to reform the theocracy's public discourse, which will leave its traces in the way individuals define themselves as citizens of a civil society with rights. This reform is not possible unless opinions in the private sphere are translated into themes in the public sphere and become able to irritate the political system to undergo change (see chapter four).

The above focuses on understanding at a more individual level. However, since the Quran concerns the lives of many believers, the social implications of such different translations are unavoidable. That's why religious reformists such as Soroush, Shabestari and Kadivar in the post-revolutionary context of Iran become influential public intellectuals. Reformist translations of religious canonical texts contribute to the formation of a new public discourse as a narrative of

resistance against the dominant theocratic discourse. The latter is a monopolized and politically ideologized narrative of a mainly jurisprudential Islam, which goes into circulation through omnipotent state-run mass media to ensure it reaches as many individuals as possible. Reformist translations of the Quran should be seen in line with religious intellectuals' attempt to reform the theocracy's public discourse which will leave its traces in the way individuals define themselves as citizens of a civil society with rights. The contribution of translation is modest, yet crucial.

Notes:

[1] Ricoeur replaces the concept of text with discourse when a reader reads it. Although there are differences between text and discourse, the terms are used interchangeably in this section.

[2] Eco holds that there might not be rules for 'best' interpretation and understanding of a phenomenon, but one can definitely speak of rules to sort out bad or invalid interpretations (1992, 45ff). A good case in point is the way temporal distance and the appearance of new observations helped the Ptolemaic model postulating the earth as the center of universe to be invalidated and on its part replaced by the heliocentric model of universe. Of course we cannot ascertain the latter model to be the best possible explanation possible, but we can discard the former on the basis of a more comprehensive knowledge of the false assumptions at work. More in the realm of textual interpretations that have acquired a tradition with a degree of importance, one can hardly claim that one particular understanding of a text is absolute and counts for ever, for understandings undergo change and modification as time goes by. But one can definitely ignore one understanding as not conforming to the socio historical context of its reception.

[3] In addition to the well-known Habermas-Gadamer debate of the latter's rehabilitation of tradition, the affirmative approach to tradition has been the subject of a good deal of attack by Marxists and feminists. While the former takes tradition as a fabrication or construction that serves the interests of the dominant bourgeois class, feminists attack tradition for its patriarchal identification. This criticism does not stand on solid ground, as they seem to appropriate the creating force of tradition and leave its dynamic and changing character alone. For a positive reading of tradition as a dynamic force of creation, see Hekman 2003.

[4] And whoever does deeds of righteousness, whether male or female and is a true believer in the Oneness of Allah, such people will enter the paradise; and not the least injustice will be done to them (translated by Saffarzadeh).

[5] Women have such honorable rights as obligations, but their men have a degree above them; God is All-mighty, All-wise (translated by Saffarzadeh).

[6] For an analysis of the verse in the three levels of morphological annotation, syntactic treebank, and semantic ontology refer to: http://corpus.quran.com/treebank.jsp?chapter=4&verse=34 (last viewed Jan. 2013). Transliterations are from Arabic, as they appear in the website mentioned above.

[7] All quotes from Tabatabai's *Tafsir Al-Mizan* are my translations.

[8] Meshkini's translation, along with Tafsir-e Noor and Tafsir Al-Mizan are available online at http://www.tebyan.net/newindex.aspx?pid=18393&pn=&sr=3-176&ay=1&jz=0&hz=0&rbn=s.

Chapter four

Re-translation of Islam in theocracy

Introduction

In the previous chapter, the explanatory power of hermeneutics was exploited to account for the complexities of understanding, comprehension of textual meaning, reproduction of such comprehension in a different language, and inherent gains and losses in acts of translation. A hermeneutic answer to the question of how a translator understands the meaning of the original text and re-formulates it in the target language leads to the key question of this chapter, namely, how social systems, whose mode of understanding is completely different from that of individuals or psychic systems, understand Islam, or the Quran? This chapter will investigate, to be more precise, how Iran's religious political system observes and understands the content of the Quran based on the available translations, how it transforms its understanding into politically relevant information, and how it processes the new information for its internal purposes.

Hermeneutic and systems theory are often called "theories of reflection on understanding" (Schneider 2009: 153; and Kneer/Nassehi 1991). They investigate into understanding from philosophical and social perspectives, respectively. While hermeneutics is mainly concerned with how humans understand, systems theory is concerned with how systems understand. This is to say that not only humans with consciousness, i.e. psychic systems, but also social systems, such as politics, law and science, are capable of understanding. Yet systemic understanding is not the same as hermeneutic understanding. Luhmann conceives of systems as observers, which use the operations of observation to transform data in their environment into information within themselves. Operation of observation allows social systems to understand and turn this understanding into information. Both understanding and information are constructions of the observing system.

Understanding is indispensible for the autopoiesis of society. As it is mentioned in the first chapter, the most basic operation of social systems is communication, which is the synthesis of three selections: the selection of information; the selection of a behavior (gesture, word orders, etc.), with which information should be uttered; and finally understanding. Social systems understand communicatively, i.e. they observe an event with the aid of difference between information and utterance, and understand it by making a distinction between utterance and information and indicating one side. To understand means to indicate one side of the distinction, either the utterance or the information. Under normal circumstances, the indication is made on the

information side. Understanding indicates more what alter says than how (with which words, intonations, gesture, etc.) and why he says something. Indicating the utterance side happens usually in contexts where understanding seems problematic, or when the form of utterance becomes important.

Systems theory radicalizes understanding and its constructive nature in a number of dimensions. First, alter cannot control or steer what comes out as understanding with ego. To put it with Barthes, the author is dead and cannot control how readers understand his text. What and how a system understands manifests and simplifies itself in how it uses the content of its understanding as the premise of new communications. Secondly, understanding becomes a construction of ego, for it is ego in the first place that decides whether or not to observe a meaningful utterance; and if so, it is ego that decides which side of the distinction to indicate. Thirdly, because understanding is a systemic construction, understanding includes more or less misunderstanding, and does not distinguish between the two much. There is no guarantee that a system's understanding of another system's behavior/action is correct or accurate! The system observed remains, namely, for the observing system non-transparent, a black box. Fourthly, the hermeneutic "surplus of meaning" (Ricoeur 1976) is further emphasized in systems. What is understood is neither determined nor restricted by the information or utterance content. The use of a meaning fixed by language gives communication an immense surplus on semantic possibilities of selection, which can be used to process information. Such surpluses can communicatively be released to a very large extent when horizons of selection are different between alter and ego. Difference of horizons of selection is particularly the case in the condition of written or mass media communication, as well as in the condition of functional differentiation of the system of society (see Schneider 2009b: 144-149).

Explanations on how individual and systems understand, as mentioned in detail in chapters one and three, should have paved the way in this chapter for a more detailed investigation of how Iran's theocratic political system observes and understands its environment, on the one hand, and religious intellectualism and religious-reformist communications can affect political decision-making processes, on the other. This chapter takes re-translation of Islam during the 1990s as the main theme of its investigation. It understands translation as in its social sense (see Figure 1, introduction) as a social mechanism that allows the mutual interaction among social systems as well as helps different voices in the public to integrate into the political system.

This chapter will address the translation of Islam in Iran's post-revolutionary political system in four main sections. The **first section** will look at Luhmann's political system to better explain how Iran's theocratic political system functions. Politics is the social system that assumes the

function of making decisions and makes use of the medium of power to make these decisions binding for society. World political system is differentiated segmentarily into nation states, where the overall function of the system is enforced against cultural, linguistic and ethnic backgrounds. The complex processes involved in making political decisions distinguish different political systems as either democratic or non-democratic, which differ from one another in how they use different mechanisms in self- and other-observing, interacting with other systems, choosing issues of political relevance, and making decisions for the whole society. Compared to other political systems, democratic political systems can more efficiently address different social problems with adequate political problems. Iran's political system is described as non-democratic or at best semi-democratic theocratic system. It is non- or semi-democratic, because the internal differentiation of the political system has not occurred sufficiently, and it is theocratic, because it highly irritated by the system of religion. The theocratic structure of Iran's political system disturbs its efficient interaction with its internal and external environment. It further allows reform minded religious professionals to stand out as important role players in the system of politics.

The **second section** will first define the phenomenon of religious intellectualism and tries to underscore why and how religious reformist communications are of inherent relevance for theocracy. It is here that it then introduces a larger understanding of translation by borrowing the concept *translation proviso* from Habermas and by contextualizing it within Luhmann's social systemic framework. Religious intellectuals are a group of professional role players in the system of religion that pioneer a reformist reading of religion that not only does not contradict but also necessitates and justifies modern egalitarian and democratic political thought. Since theocratic political system is structurally coupled with the religious system, and since social systems consist of communications, communications initiated by religious intellectuals compared to those of secular intellectuals are more probable to irritate the political system.

How such religious reformist communications can translate into the premises of political decisions of the theocracy is a labyrinth, which is the theme of the **third section**. The political system observes itself and its inner and outer environments in the medium of public opinion. Yet the public opinion becomes only visible through the mass media, of which broadcasting, air and printing press due to their extensive reach loom large. These media not only give form to public opinion, they also produce public opinion. Mass media is the social system that assumes the responsibility of observing the society and producing a representation of it. An autonomous system of mass media observes its environment with the aid of binary code of information/non-

information. So if religious intellectuals are to play a social and political role by co-determining political themes in the public opinion, they need to be observed by the system of mass media. Yet since most of the influential media are either directly or indirectly state-run and -controlled, they either turn a blind eye on reformist readings of religion or represent the representatives of such reformist reading in antagonistic ways. How reformist readings, however, affect the political system will be elaborated in more detail in this section.

The **fourth section** will use religion's function and performance in Iranian society and theocracy, respectively, to demonstrate two points. First, how conservative religious professionals can translate Islam into a language that theocracy can use to legitimize its social performance, and secondly, how reform-minded religious professional, i.e. religious intellectuals, can translate Islam into a language that challenges the ideological foundations of theocracy and provokes changes within the religious political system. Concluding remarks will follow this section.

1. Politics in systems theory

Political system is a subsystem in the functionally differentiated society, whose function is to provide "for the continuing possibility of collectively binding decision making" (Luhmann 1990: 171f.). The system is self-referential, for it differentiates itself from its environment by making collectively binding decisions. It is also other-referential, for it makes decisions about a wide range of social issues. Politics can make decisions on a wide range of issues in society. These decisions include instances such as regulations on what to wear, the curriculum of education at schools and universities, as well as the degree information is allowed to disseminate in society. The system performs its function in the medium of power. While power is too widespread in society, political power distinguishes itself when encouraging and motivating the acceptance of those collectively binding decisions made by the system of politics. Power differentiates and consolidates itself in different state offices. The binary code of power / non-power or being in-power (government) / out-of-power (opposition) allows the distinction between political and non-political communication and hence the differentiation of the political system.

To better understand how the political system in Iran functions, it is important to look into three different levels of differentiation of the political system. On the first level, world society is functionally differentiated into several subsystems. Differentiation of society into functional system as the primary mode of society's differentiation marks the modernization, which has historically been started from Western Europe from the late 16th century onward and has

expanded since then to other corners of the world. Politics is one such system, whose function is to address social problems by making decisions that are collectively binding. At the second level, the political system is segmentarily differentiated into territorial, i.e. nation states to perform its function in world society. This allows the political system to carry out its function according to the particularities of different geographical and cultural territories. Modern society reinforces the necessity for the formation of sovereign nation states, the bureaucratic structure of which allows for complex procedures of decision making across religious, cultural and linguistic frontiers. As it was demonstrated in an earlier chapter, Iran's integration in world society from the 19th century onward affected the pre-modern and rather stratified or hierarchical structure of the ruling court into more complex differentiated government towards the beginning of the 20th century. Political systems in nation states are either democratic or non-democratic. Political systems at the level of nation states undergo an internal differentiation into the subsystems of politics (consisting of the binary of government and opposition), state administration (consisting of all institutions and offices, where politically relevant issues are synthesized into collectively binding decisions, such as the traditional executive, legislative and judiciary) and the public (which is the addressee of political decisions). Although each of these subsystems function autonomously, they are highly irritated by one another. These subsystems are not less clearly differentiated and are hence not thoroughly autonomous. A political system is democratic when not only a clear differentiation has occurred in its subsystems, but more importantly a clear schism between the government and opposition is also realized. The third level of differentiation builds upon the segmentary differentiation of the political system and concerns a hierarchical differentiation within the system into center and periphery. Political parties, different organizations, groups, unions, interest groups, lobbies, associations, etc. are distributed in a hierarchical relationship on the basis of center and layers of periphery. A center/periphery differentiation allows the political system to increase its complexity without harming its unity and function.

1.1. Democracy

Some reflections on democracy are required to better understand how and under which circumstances religious reform can be of political relevance for Iran's theocracy.

It should be emphasized from the outset that democracy for Luhmann is a value-neutral political arrangement. He does not understand democracy as the sovereignty of the people in the sense that some people rule over others. This understanding of democracy is theoretically unusable, for this would amount to the abolition of authority or the annulment of power. Similarly, democracy is

not a principle to make all decisions with the participation of all citizens, for this would entail the cancellation of decisions in decisions (Luhmann 2005,2: 132). To put it within the framework of his brand of systems theory, Luhmann defines democracy as a special structural arrangement of the political system and describes the very specific way of doing politics. As such, it describes a certain degree of societal evolution and differentiation of political system in the modern world.

It marks a stage of evolution in the system of politics, in which the system began developing structures to cope with the complexity of functionally differentiated society (see Luhmann 1990: 168). Functional differentiation allowed an unprecedentedly high degree of inclusion in society. Increasing complexity of society was a direct consequence of increasing individuals' possibility to participate in different social systems. System of politics reacted to the augmenting complexity of society by internally differentiating into further subsystems (see Figure 1). So what democracy means might be explained with regard to three aspects:

> First, being a type of politics, democracy denotes *a form of exercising power*, or more precisely, of establishing 'collectively binding decisions' in society. Second, and more specifically, it denotes a political structure that allows for a *continual alternation between government and opposition* and thus manages to provide the political system with a balance of stability and variety that has proven successful in the sense of maintaining systemic durability. Third, it denotes a symbolism that provides the political system with what it needs most in order to be able to fulfill its social function of establishing collectively binding decisions in a durable way, namely, it denotes legitimacy (Moeller 2012: 88f, emphasis mine).

A series of conditions should be realized for a political system to call itself democratic, of which the internal differentiation is one of the most important ones.

Internal differentiation into the subsystems of politics, state administration and public allows a (democratic) political system to more efficiently deal with the societal complexity and increase internal complexity. Systemic complexity in democracy is considerably expanded when communications are internally processed in each of theses subsystems. Such structural differentiation allows the system of politics to increase its own complexity, better assimilate the complexity of its environment and raise its flexibility. Such involvement demonstrates itself in different phases of political decision-making processes. The successful function of the political system is contingent upon the distribution of role and responsibilities among these subsystems. While standing in an increasingly reciprocal relationship to one another, these subsystems observe each other as environment, allowing them to simplify and filter communication processes.

Political parties are active in the subsystem of politics. These parties are differentiated into two

groups: the first is the one that forms the government and the second will be the opposition. The problem of democracy is the degree in which the selection of themes for political decision-making is carried out within the scheme of government/opposition or in the structure of party differentiation (Luhmann 2002a: 102). That's why Luhmann locates democracy more in the subsystem of politics rather than in the subsystems of administration – as in the scheme of Montesquieu – or in the public. "Democracy" following Luhmann's minimalist definition of the concept, "is a split into the subsystem of politics with the distinction between government and opposition" (2005c: 132, translation mine). The structural arrangement of democracy allows for a fluid shift between the positive and negative sides of politics' binary code. While the parties winning the majority of public votes constitute the government, either alone or in coalition, other parties constitute the opposition. At this stage, the binary of government and opposition seems asymmetrical, for being on the positive side is always preferred to being on the negative side: government holds namely the ultimate political power to make binding decisions in society. But the binary relation becomes symmetrical in the moment that the opposition parties gain the potential power of moving to the positive side of the code in the following elections. This possibility ensures that the negative side of the code is indeed equipped with certain political power. Opposition is constantly present in power by influencing political decisions through its constant awareness of using the chance to form the government in future

State administration is the subsystem where the main function of politics, i.e. making and implementing publicly binding decisions, is carried out. Administration incorporates the "totality of institutions that create binding decisions pursuant to political viewpoints and political mandate" (Luhmann 1990, 48). Administration in the widest sense includes the executive, the legislative and the judiciary organs and other offices that are involved in one way or another with making decisions and implementing these decisions. The positive side of the politics subsystem, i.e. the government, is most often in charge of providing candidates for decision making organs in the state administration.

The third angle of political system's triad is the public, which includes all the members of a society. The public has historically become increasingly important due to the evolution of the modern society. The increasing differentiation of the political system has not only allowed the participation of every individual member of society in the system, but it has also turned the public into an inseparable subsystem of a democratic political system. Public should not be confused with other similar concepts such public opinion, public sphere and people's sovereignty (Brunczel 2010: 163-168; Luhmann 2002a: chapter 8). The public is not a collection or group of

people who act in a coherent way. Individuals or groups of individuals do not communicate and hence do not constitute the elements of society. They are in the environment. Individuals, nonetheless, become visible in society when they assume, among others, social roles. They can adopt political roles such as participating in public elections, criticizing the government, joining political parties, adhering or opposing party policies, etc. In taking its political roles seriously, the public can exercise a considerable political power.

Democracy turns the question of legitimacy into an internal issue of the system. Perpetual competition between government and opposition cares for the reproduction of legitimacy. To verify its legitimacy, the government needs the opposition. Legitimacy is not gained without cost. Opposition has namely the chance to move from the negative to the positive side of the code. This is why opposition constantly watches the government, focuses on its failures, underscores and at times exaggerates its problematic policies to criticize its potential in addressing society's problems in the hope of drawing the public attention, whose vote it needs to move to the central position in politics. Because it does not wish to lose the center of the system, the government in power unceasingly observes the opposition and reacts to it in a way to stop the opposition from taking the reigns of power in the next elections. Such a paradoxical relationship as symmetrical and yet asymmetrical between the opposition and government might be better called a double contingent relationship. "Power arises under the condition of *double contingency* on both sides of the relation. This means that for [… government] as well as for [… opposition] the relation must be so defined that both could act otherwise. Thus in this sense: doubly double contingency" (Luhmann 1990: 156, emphasis in original). The double contingency at work demonstrates well the way both in the positive and negative side of the code constantly observe each other and regulate their decisions with an eye on each other. Furthermore, opposition's role in producing legitimacy for – a democratic – political system happens also through mediating between the center and periphery. While the government and its subordinate political administration continue to carry out the function of making collectively binding decisions, the opposition functions as the buffer zone between the government and the public. With this function the opposition achieves a high degree of inclusion of the political periphery. The opposition to a certain degree takes care of reducing or mediating power differentials, which exists between the center and the periphery. In addition, with the possibility of integrating a wide range of voices from the public into a political communication, the opposition not only plays a crucial role in preparing themes to be politically decided, it also contributes to the legitimacy of government. Public should address each issue in need of a political decision either to government or to the opposition. What the

government does not consider ends up automatically with the opposition, and vice versa, which is an inevitable consequence of the binary coding.

In a democratic political system, power is not concentrated in one center or in one subsystem, but it has a cyclical structure. It circulates between the subsystems of the political system in formal and informal directions (Luhmann 2002a: 257ff.; see Figure 1).

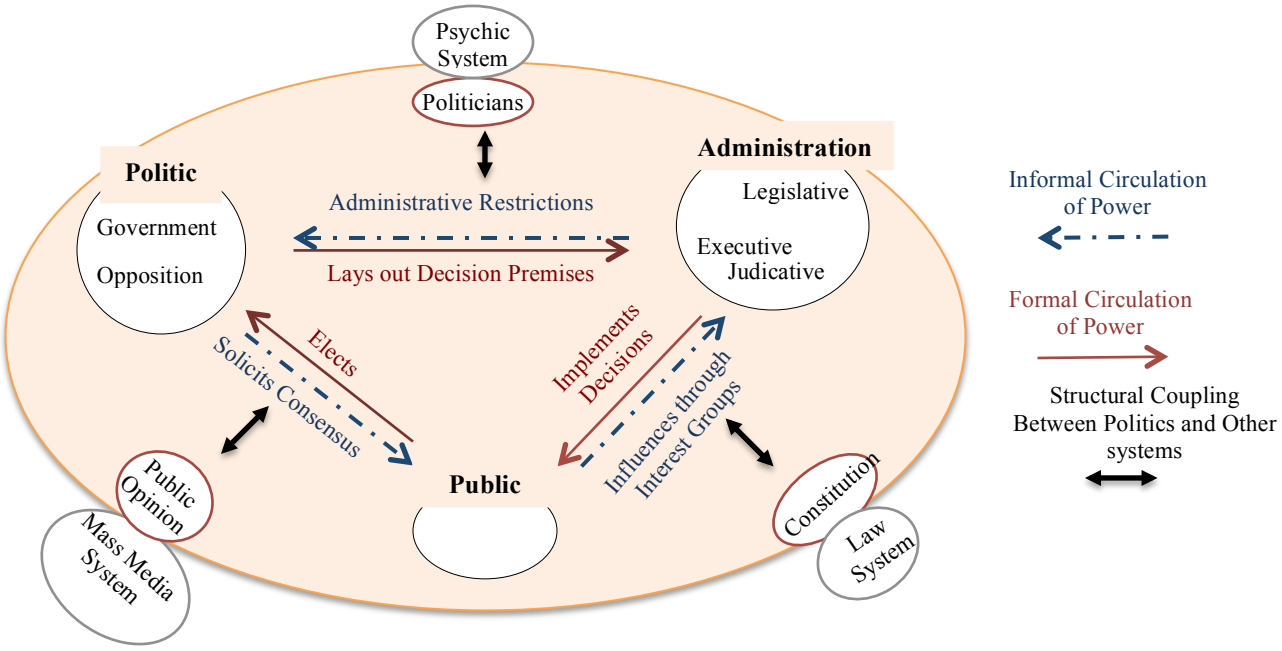

Figure 1: Internal differentiation in a democratic political system

As for the former, power flows from people, i.e. from the political public, to the political parties. Political parties are selected or deselected by the public in election periods. The elected parties form the government, and the government has the legitimacy fill the offices in the state administration with political personalities. The government, in close observation of the opposition, prepares an outline of the most important issues of the society and puts this to the disposal of the legislative organ to make individual decisions thereupon and the executive to implement these decisions and the judiciary to sanction any defiance. Administration addresses the public with the decisions made and uses its monopoly of legitimate use of sanctions to ensure that those decisions have a binding character. Power in the political system circulates also in an unofficial way, which is less visible and yet by far not less important than the official circulation of power. Power flows from the parties to the (political) public. They constantly expose themselves to the public, present their programs as best to face the challenges, problems and crises of society, and persuade them to elect them and their programs in the elections. Power equally flows from the public, above all from the organized section of the public, to the

administration. In the processes of decision-making, the state administration constantly needs to take the public and its concerns into consideration. And finally power can move from the administration to politicians and political parties. This happens by restricting policy forming potentials and political programs of political parties in that it alludes to what is administratively feasible.

Two profound consequences might be drawn from the internal differentiation of the political system. First, the political system is strictly directed toward its internal environment, consisting of politics, administration and public. While politics presents communications about which political decisions are needed and how with what priority they should be made, administration makes the decisions and ensures they are implemented by addressing the public. The public, on its turn, elects politicians as well as affects politics and political behaviors through polls, press communication, personal contacts and interactions, etc. This dynamic of constant contact and interaction among the subsystems makes the self-referentiality of the political system possible. An internally differentiated system, furthermore, is better capable of perceiving the problems in the environment and other social systems. "This gives greater significance to the self-referential mode of operation and as such filters more rigorously the possibilities of perceiving problems of relevance for the whole of society or problems of other function systems like education and the economy" (Luhmann 1990: 48). The range of systemic observation of its environment would be far too restricted if it fell on the politics subsystem to observe. Secondly, political power does not hold a hierarchical, i.e. top-down, but a circular structure. Although the formal circuit of political power seems to flow from top to bottom with legislative organ all the way down to executive and the public, the differentiation of political system introduces a counter cycle, which gives power a "cyclical dynamics". This dynamic started with the differentiation of the functional system of politics and has kept developing more fully since then. "The administration drafted the bills for politics and dominated parliamentary committees and similar institutions. Politics, with the help of its party organizations, suggested to the public what it should vote for and why. And the public exercised its influence on the administration through various channels, like interest groups and emotional appeals" (Luhmann 1990: 41). Such dynamics deprives each individual subsystem from the status of being the more relevant or important subsystem. It gives the system the status of de-centered structure, similar to the de-centered and polycontextual structure of modern society that Luhmann's analysis of functional differentiation suggests.

This ultimate level of differentiation brings the subsystems of politics to a hierarchical relation on the basis of center and layers of periphery (see Figure 2). "The internal differentiation of politics

on the basis of center/periphery has the function of allowing a simultaneous unity and complexity of the system" (Luhmann 2002: 245, my translation).

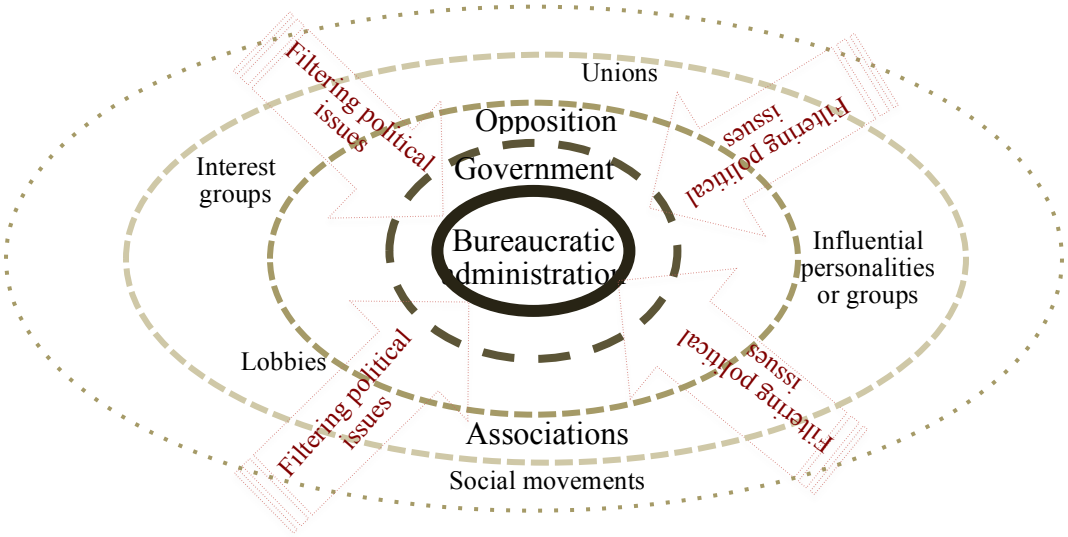

Figure 2: Center/periphery differentiation of politics and filtering political issues from periphery to center

Individual subsystems are at this stage represented by different organizations. For instance, executive, legislative and judicative organs with their wide range of institutions and offices represent the government in the center. The unity of the political system in a segmentary differentiation is ensured by the central position of the state. None of these organizations around the state can make political decisions that are binding beyond their organizational borders, otherwise they would be at the same central level as the state and hence the latter would lose its monopoly in power. The state has the monopoly in producing collectively binding decision. This monopoly, however, does not reduce the relevance of the periphery for the political system. On the contrary, the system needs the periphery to adapt its complexity to an ever-increasing environment. At the center of the political system, the state cannot do without a mechanism of "supplying services" in its periphery, which means the function of periphery in condensing "political issues into decision making possibilities" (Luhmann 2002: 245, my translation). Without the periphery the political system would be unable to adapt to the environment's complexity. This is o say that it would be overwhelmed or paralyzed with the burden of issues demanding decisions. In the periphery of political systems organizations select and filter social concerns and translate them into political problems. In doing so, they reduce the complexity of the environment for the system. Political parties, be they in power or in opposition, are highly irritable to the themes that originate from the periphery. They adopt these themes and turn them into political communication in order to either undermine or to criticize the current government. This function of parties also makes it clear why Luhmann does not consider the periphery under

functional premises less important or valuable for the making of political decisions in the system than the center.

The center/periphery order of the political system can well account for the system's cognitive openness and operational closure. Parties in the inner periphery surround the state at the center of the political system. Political unions and lobbies, followed by the social movements, are at a further distance from the center. The more centralized position each system is in the center/periphery order, the more dense its organizational structure is. This organizational density makes the political system be most and least open in the periphery and center, respectively. In the periphery it is highly possible to channel contingent communications – even if they are not codable political communications – towards more centralized layers. For instance, social movements direct certain communications like moral or ethical ones or those arising from diffuse feelings such as fear or sympathy into themes with the power of mobilizing protests or disobedience. Protests or disobedience can easily turn into political communication, for the very function of politics in making publically binding decisions are jeopardized with social movements. Organized groups or associations take the communicative protests and translate them into communications that are not only politically interesting but also could well address the interests of political parties. Administration at the center of political system of the state is highly irritable by the communications occurring in the internal environment of the political system, i.e. the subsystems of politics and public. Political communications that are thus moved all the way up from the furthest to the nearest periphery of the center can set the agenda or framework of issues to be politically decided in the center.

1.2. Differentiation of politics in post-revolutionary Iran

Democracy was understood in the last section as a special structural arrangement that allows a political system to derive issues of political relevance and make collectively binding decisions thereupon. It is against the background of a democratically structured political system that this section will investigate the extent Iran's theocratic political system reveals democratic structures as well as the extent it allows the interaction among its subsystems. An answer to these two questions paves the way for the key question of this study, i.e. how theocracy is structurally coupled with the system of religion and how religious intellectualism is of political relevance for the theocracy.

To better analyze the structure of Iran's political system, this section will focus on two aspects.

First, it will investigate the ideological foundation of Iran's post-revolutionary polity, which pushes the theocratic political system of Iran to run against the functional differentiation of the modern society. It will base this investigation on Ayatollah Khomeini's jurisprudential and political ideas on a religious political system. The post-revolutionary polity has been highly irritated by these ideas, has incorporated them both in political structures and in the formation of political organization (see Dabashi 1993: 415). Secondly, it will look at the three subsystems of Iran's political system, the degree of whose differentiation and interaction might be counted as a criterion for the degree of the system's democratic development.

1.2.1. Iranian theocracy against the spirit of modernity

Iran's Islamic Revolution (1979), one might say, ran against the spirit of modernity. Not only did it unify a religious worldview with political power, or perhaps, in the same vein, the other way round, it raised religion into a steering or super system in Iranian society. Such unification occurred in the form of a strong structural coupling between politics and religion. When preparing the constitution, the institution in charge constantly observed Ayatollah Khomeini's influential work on Islamic Government (1984) and used its understanding as the premise of the post-revolutionary polity.

Ayatollah Khomeini laid out his jurisprudentially inspired theory of politics in his most known and politically influential work *velāyat-e faqih. Hokumat-e Eslami* (Guardianship of the Jurisconsult: Islamic Government). The book, first published in 1971, comprised a series of nineteen lectures he gave in 1970 during his exile in Iraq, in which he outlined a jurisprudential argument for clerics' religious and political authority in a religious society. His political theory combined religious rulership with modern forms of governance. "It is a political system", Ayatollah Khomeini declared "that is neither absolutist nor despotic, but constitutional" (Khomeini 1984: 43, my translation). Nonetheless, his understanding of constitutionalism was not secular. He was outspoken in criticizing the Constitutional Revolution in Iran at the turn of the 20th century. He saw in the new political constellation that followed the 1905 constitutional revolution a copy of the French and Belgian constitutions with slight modifications to meet Islamic requirements. These amendments were only to "deceive and appease people" (ibidem: 44). A conception of secular constitutionalism that served to channel, limit and legitimize the exercise of power at the center of the political system had only a limited space in his political thinking. His skepticism over secular constitutionalism brought him to a radical definition of constitutionalism with profound consequences for the legitimacy of the political system. Whereas

the legitimacy of laws in democratic, republican and constitutional political systems, as Ayatollah Khomeini formulated, relies on the approval of the majority of citizens in a society, "in Islam the legislative power to establish laws belongs exclusively to God Almighty" (ibidem). He understood constitutionalism in the sense that those who governs are subject to a set of conditions in their reign that are specified in the Quran and the tradition of the Prophet and the infallible imams. This set of conditions includes those "laws and decrees in Islam" which should be thoroughly observed and performed in a society that claims to be on the basis of Islamic principles. Ayatollah Khomeini concludes from this that a constitutional Islamic government is the "governance of the divine law over people" (ibidem: 45). It was a logical conclusion that Ayatollah Khomeini derives from this understanding of constitutionalism that the ultimate point of reference became the divine law. Such divine law was then to be administered into different social programs and in different spheres of society. It is based on this exclusive legitimacy of God's law that the modern institution of the *majles* (parliament) is not thoroughly discarded but reduced to a "*majles-e shora"* (the planning parliament), whose responsibility is to formulate laws within the framework of Islamic laws for different institutions within the Islamic society.

An important issue in Ayatollah Khomeini's political thinking was the supreme Figure of authority in the Islamic government. He derives two specific qualifications for the ultimate authority in such government: a comprehensive knowledge of the divine law and justice (ibidem: 46). As for the first qualification, he believed that only comprehensively knowledgeable individuals about religious law are qualified to rule in the center of an Islamic government. Since only jurists can achieve such a comprehensive knowledge of Islam, they ought to be the true rulers of an Islamic society: "The real rulers are the jurists", by the virtue of which "the rulership should therefore be officially given to just jurists and not to those who should refer to jurists due to their ignorance of the [divine] law" (ibidem: 47). Qualified jurists are urged to move to the center of polity for ethical and religious reasons. By assuming political authority, qualified jurists rather perform their religious and ethical responsibility. Ayatollah Khomeini argued for such responsibility by relating observing political function of the jurists in line with the continuation of the prophetic tradition. Although governing society is exclusively given to God and secondarily to the Prophet and the Shi'ite Imams, in the absence of the Hidden Imam, jurists should assume the responsibility of keeping the Islamic governance alive: "Because an Islamic government is one of [divine] law, its guardians should be experts of law, and even more importantly, experts of religion, i.e. jurists" (ibidem: 46). An institution to guarantee the right and just application of religious laws should therefore occupy the center of the political system. The second qualification, that the political authority at the head of an Islamic government ought to be just, is

equally found, as Khomeini argues, in a jurist. From this, he then argued that jurists are the only people who can lead a righteous government in an Islamic society.

The obvious conclusion of Khomeini's political theory was the unification of politics and religion in the figure of the *vali-ye faqih* (supreme jurisconsult), which stands at the center of the state's political system. He saw the authority of the qualified jurist on par with the authority of the Prophet and that of the infallible Shi'ite Imams. In the Islamic government that Ayatollah Khomeini envisaged and later institutionalized in the constitution, such an authority is not only divinely legitimate but also forms the basis of all political structures of the society. A sole individual at a time that meets the requirements of *velayat-e faqih* is the viceregent of God on earth, just like the Prophet and his twelve successors were, and therefore "has the same authority in the society as the Prophet (peace be upon him) once had in the affairs of society and it is necessary for everybody to obey him" (Khomeini 1984: 50). This was a necessary step for him to equate *Sharia* (Islamic law) and modernity in which traditional concepts of rulership based on religiously knowledgeable and just individuals were equipped with modern institutions of governance at the center of the newly emerging post-revolutionary polity. Ayatollah Khomeini's political reflections are well reflected in the constitution resulting from the Islamic Revolution.

1.2.2. Internal differentiation of Iran's theocracy

To describe the structure of Iran's post-revolutionary political system, Mir-Hosseini and Taper use the interesting, and yet paradoxical, combination of "theocratic democracy" (2006: 17). It is a democracy, for the internal differentiation of theocracy into administration, politics and public produces the shine of an efficient political system, which is capable of absorbing the complexity of its environment and putting this to the disposal of theocracy's decision-making organs. However, the theocratic component of Iran's post-revolutionary polity outweighs the democratic component, as the differentiation of subsystems is at best faulty and therefore these subsystems do not exist and function independently and do not interact among one another autonomously.

The faulty differentiation of theocracy from the system of religion as well as theocracy's faulty internal differentiation might best be read from the constitution. In Luhmann's political thought, constitution outlines the way a political system performs its social function at the level of a segmentary differentiation (see King/Thornhill 2003: chapter 3; Luhmann 1973; Neves 1992). It incorporates the structural coupling between the social systems of law and politics (see Figure 1). Political system needs to perform its social function within a legal framework. Different major

decision making organs do not stand above the law. Their use of power is always a legal power and restricted by law (King/Thornhill 2003: 110f.).

Iran's constitution combines republican and religious components. The republican aspect expunges a personal and life long rule is rejected, requires public vote for the legislative and executive bodies, and establishes the principle of separation of political power. Article 6 of the constitution states that "the affairs of the country must be administered on the basis of public opinion expressed by the means of elections, including the election of the President, the representatives of the Islamic Consultative Assembly [i.e. the parliament], and the members of councils, or by means of referenda in matters specified in other articles of this constitution". Along with its republican aspect, the constitution is marked with an equally important – if not more important – Islamic aspect. Article 4 of the constitution defines the Islamic state as one that "all civil, penal, financial, economic, administrative, cultural, military, political, and other laws and regulations must be based on Islamic criteria". This principle applies to all the articles of the constitution as well as to all the laws in the legal system. Theocracy is therefore translated into a political system, in which a series of elected organs work hand in hand with unelected organs to ensure the compatibility of politics with religious principles.

Iran's post-revolutionary constitution has given shape to a unique political system with a complex structure of decision-making apparatus. Such complexity owes primarily to the schism in the state administration (see Figure 3).

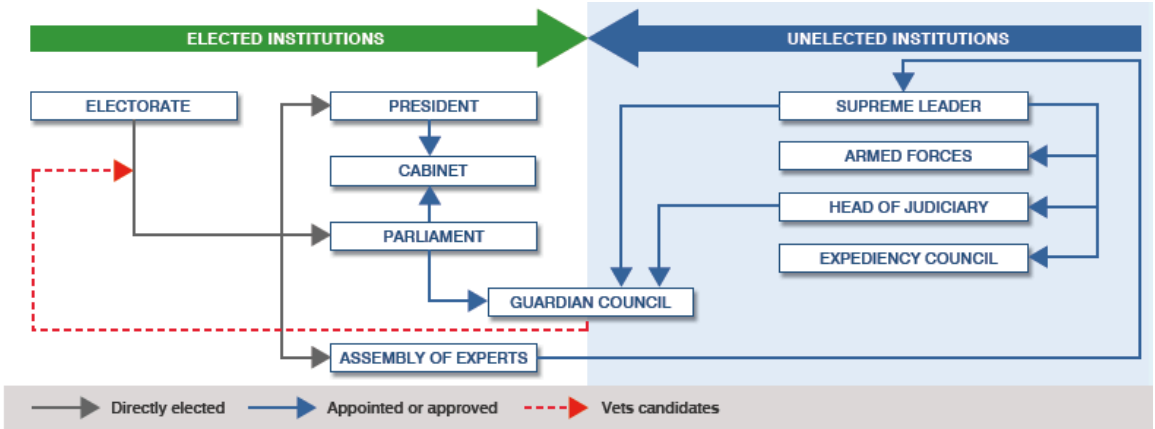

Figure 3: Iran's complex political system (BBC World 2009)

In one side of the schism stand those elected institutions that represent the republican and therefore modern aspect of Iran's theocracy, and in the other side stand those unelected institutions that represent the religious and therefore pre-modern dimension of Iran's political

system. Such schism has led to the formation of two sets of parallel organs, which have the power of producing or cancelling political decisions.

At the center of the state administration, the supreme power is entrusted in the hands of the *velayat-e faqih*. Article 5 of the constitution states that in the absence of the Twelfth Imam, all political and legal power emanates from the *velayat-e faqih*: "during the Occultation of the Wali al-Asr (may God hasten his reappearance), the wilayah and leadership of the Ummah devolve upon the just and pious *faqih* [jurist]". The two requirements correspond clearly to those set out by Ayatollah Khomeini as the characteristics of the religious and political authority in an Islamic government. Moreover, article 57 of the constitution puts the Supreme Leader on the top of the three organs of the government in the center of Iran's political system: "the powers of government in the Islamic Republic are vested in the legislature, the judiciary, and the executive powers, functioning under the supervision of the absolute *vilayat al-'amr* and the leadership of the *Ummah*." Article 110 of the constitution clarifies the duties and powers of the leadership, which include: the delineation of general policies of the Islamic Republic and the supervision of their proper execution; supreme command of the armed forces; declaration of war and peace and the mobilization of these forces; appointments to the Guardian Council; selection of the supreme judicial authorities, the heads of radio and TV stations, the commanders of the armed forces, the chief commander of the Islamic Revolution Guards Corps; resolution of problems which cannot be solved by the conventional methods through the Exigency Council; vetting the electoral candidates through the Guardian Council and, if necessary, dismissing the President of the Islamic Republic.

That this office is unelected is unsurprising: since *velayat-e faqih* assumedly ensues from the Quran and the prophetic tradition, it is understandable that the office is unelected and has an authoritative and supervisory role at the center of theocracy. It represents best the realization of a jurisprudential Islam into Iran's political system (Alsaif 2007: 88-92). The supreme leader has not only political, but also an official religious authority in Iran. His office is an indication of how power and religion in Iran's political system stand in a reciprocal and mutually complementing relationship to the extent that disturbs the autonomy of the political from the religious system. Religion founds and legitimizes the political system and the latter serves to protect the religion.

The second unelected institution is *shoray-e negahban* [Guardian Council]. After the office of the Supreme Leader, this is perhaps the most important political institution within Iran's theocratic political system. It serves to reinforce the Islamic aspect of Iran's government. Article 4 of the constitution defines the council as a religious and political buffer institution: "All civil, penal

financial, economic, administrative, cultural, military, political, and other laws and regulations must be based on Islamic criteria. This principle applies absolutely and generally to all articles of the Constitution as well as to all other laws and regulations, and the *fuqaha* [i.e. jurists] of the Guardian Council are judges in this matter". The council is a non-elected steering board, consisting of six Islamic jurists and six lay lawyers. The supreme leader elects the jurists directly. As for the lawyers, it is the head of the judiciary, himself directly elected by the supreme leader, that prepares a list of lay lawyers, from which the parliament members elect six. It has two functions that clearly undermine the republican aspect of the Iranian polity. The first concerns the council's chief task, which is to ensure the compatibility of parliamentary legislation with Islamic law on the one hand and the constitution on the other. As such, it functions as an influential extension of legislative organ. No parliamentary legislation is legally valid and applicable unless interpreted by the council as compatible with the constitution and the Islamic law. Among the members of the council, the six clerical jurists have greater authority over the six lay Muslim lawyers: while both of them can comment on any legislation's compatibility with the constitution, only the former can comment on its compatibility with the Islamic law. The council stands hence over the parliament in that it has the ultimate authority to interpret Islam and the constitution and is hence legitimized to block any legislation that violates the principles of either one. The second function of the council relates to its supervisory power in different public elections. It has the authority to bar candidates from standing in elections to the elected political institutions, i.e. the parliament, the presidency and the Assembly of Experts. It functions as a filter and claims the authority to disqualify the candidates on the basis of immeasurable criteria such as lack or insufficient belief in Islam, lack of political credentials, an insufficient loyalty to the Supreme Leader or poor allegiance to the religious principles of the regime loom large. The council is not responsible for justifying the reasons of disqualifying candidates. In both of these crucial functions the council sees itself as answerable only to the supreme leader.

Another important institution in the state administration is the judiciary system. This is an unelected organ, whose head, a *mujtahed* (an Islamic jurist), is appointed by the supreme leader. The head of the judiciary not only is the highest authority in legal issues of the country, but also proposes the minister of justice to the president and the parliament. Therefore, a considerable amount of power in the judiciary is concentrated in the hands of the judiciary head and, through him, in the hands of the leader. Therefore, the judiciary lacks a political independence. This is particularly the case since the 1979 amendment to the constitution, according to article 164 of which "members of the judiciary, including its highest judge, could be removed from office by the Leader" (Mohammadi 2008: 269).

The last of the unelected institutions in the state administration is *majma'-e tashkhis-e maslahat-e nezām* ([Regime's] Expediency Council). The Supreme Leader directly elects the members of this council from influential religious, political and social figures. It came into being as a result of the 1989 amendment to the constitution and functions as a legislative body along with the parliament. In addition to serving as an assisting body to the Supreme Leader, the council arbitrates between parliament and government on the one hand and the Guardian Council on the other when disagreements emerge. Disagreements happen when the parliament approves legislation but the Guardian Council repels for reasons of incompatibility with Islamic code or the constitution. The legislation approved by the Expediency Council is ultimate and cannot be subject to further investigations. This adds a significant importance to the political function of the council.

The Supreme Leader is elected by the *majles-e khobregān* (Assembly of Experts) for an undetermined period of time and can be removed from his position by the assembly's vote in case he is unable to adequately perform his tasks. Members of the assembly, who are elected for periods of eight years, should be clerics with high religious credentials. In addition to its role in appointing and removing the Leader from his office, the assembly performs a supervisory function to help democratize the role of the Leader. This democratic function of the assembly is however undermined in two major ways. The first one concerns the strong statements in the eleven sections of the constitution's 110 article, which gives the supreme leader the statutory authority over all other major institutions of the political system, including the Assembly of Experts. Secondly, the powerful Guardian Council can deny candidates from the Assembly under the pretext of insufficient religious credentials.

Similar to the state administration, the subsystem of politics in Iran's theocratic political system has experienced a faulty differentiation. The subsystem of politics owes its existence above all to the existence of political parties, whose different programs and agenda serve to address the interests of different segments of society. Democracy and politics subsystem reinforce one another in a mutual way. While democracy is settled in the subsystem of politics – according to Luhmann's minimal understanding of democracy –, it is a democratic political system that can provide the subsystem with its character and ensure the subsystem its autonomy from the other two subsystems of the political system (see Czerwick 2008: 82f.). It falls therefore on the subsystem of politics to practice democracy and to bring it to its fuller realization within the political system.

Democracy as a structural arrangement of the political system is located in the binary code of government/opposition. The subsystem of politics carries out its political function in two major

ways. The first one relates to its interaction with the state administration. While the government forms the positive and therefore desirable side of the subsystem's binary code, opposition forms the negative side of the code. Political parties on the former side have the access to different elected institutions in the state administration. Political parties in the negative side of the code could potentially rise to the state administration when winning the elections. Therefore, Iran's theocratic political system could evolve into a democratic political system only with the differentiation and institutionalization of the political system around the binary code of government and opposition. Absence of political parties or the lack of differentiation between the two can therefore count as an indication for the insufficient differentiation of the subsystem of politics on the one hand and the undemocratic evolution of a political system on the other. Presence of political parties and a clear differentiation between them in the binary code of government/opposition can produce legitimacy for the political system. Since the binary code constitutes the pre-requisite of a peaceful change of power at the level of government and state administration through public elections, political parties turn into the *sine qua non* of democracy. The second performance relates to the subsystem's function in reducing the complexity of the environment for the political system. Political parties in the periphery of government and state administration carry out the function of condensing politically interesting issues from its outer periphery and directing them towards the administration (Luhmann 2002a: 245; and see Figure 2). Just as the subsystems of the political system are independent from and yet cognitively open to one another, political parties are separate from and yet oriented towards the state in the center and the public in the periphery of the political system. These parties observe the farther periphery to condense issues of political interest into political themes and put these at the disposal of decision-making institutions in the center.

Iran's theocracy lends itself well to what Luhmann calls a "one-party political system". In such a system, although there are political elections, there are hardly any alternative options. Here political opposition might, more or less, be reluctantly admitted. But it then serves as a buffer zone between the state administration and the electorate. It never possesses the chance of taking over the government. It has therefore no reason to discipline itself in terms of what they could potentially achieve as government. It is no coincidence that oppositional groups in such systems turn into common interest circles and groups – be they literary, intellectual or philosophical groups or trade unions. While such interest groupings cannot come to a point where they can carry out their own policies at the center of the political system, they can formulate their demands within the government's tolerance zone. The latter might, or might not, adopt these demands as themes of political decision-making (Luhmann 2002a: 101).

It is important to note that Iran's subsystem of politics is not democratically structured. While the binary code of having/not-having power has been realized as the criterion for the differentiation of the political system in Iran, the more advanced differentiation in the positive side of the code either has not been realized or has been realized to a faulty degree in Iran's theocracy. It is only the latter differentiation that can distinguish a democratic from a totalitarian or authoritative political system. Therefore, Iran's theocratic political system could have been democratic if it had given rise to a political opposition with an actual hope to form the government and fill in the offices in the state administration if it won public elections. In other words, Iran's regime could be democratic only if it could encourage as well as discipline an opposition with the opportunity of forming the government. As the brief overview of the party formations in Iran's post-revolutionary political system reveals (see Razavi 2010; Mashayekhi 2008; Alsaif 2007), the schism into elected and unelected institutions in theocracy's state administration hardly encourages the existence of political opposition. Such schism makes the move from the negative side of the code into the positive side of the code, i.e. from the opposition to the government almost impossible. Upon winning the elections, as it was the case with the rise of reformist opposition to executive and legislative organs, the reformist government moved again back to the position of opposition, for either it was incapable of processing their own political programs, agendas and issues into political decisions, or it functioned anew as the opposition to unelected institutions of the state administration.

In Iran's theocratic political system, the faulty differentiation of politics and state administration leads to a faulty differentiation in the public. The public is most influential in a democratic political structure. It is namely in such a structural arrangement that it can serve as a 'parasite' (Luhmann 2002a: 357) between the opposition and government and make its voice and concerns heard and taken into consideration in decision-making processes. Absence of actual opposition reduces the public to voters, and as such, it cannot play a significant role in reducing the environmental complexity for the political system.

2. Translation and societal communications

2.1. Religious intellectualism

After having discussed the internal differentiation of Iran's theocratic political system, this section looks at the way reform-minded religious communications can communicatively affect the processes of decision-making in the state administration. In the absence of political parties and intermediary groups to mediate between the public and the state administration, religious

intellectuals form a group that translate civil and political demands into a religious communication, put these in the tolerance zone of theocracy, and draw the attention of decision making institutions.

Religious intellectualism is part of the reformist discourse initiated by left Islamists, who were intellectually involved in the Islamic Revolution and undertook different political offices after the revolution. Together with the right or conservative Islamists, left Islamists, who were equally loyal to Ayatollah Khomeini, played an influential role in the victory of the revolution and held key positions in different layers of the new Islamic republic. With the solidification of political power in the hands of Islamists, they were more or less part of the ideological and state repressive mechanism that eliminated non-Islamic factions. This elimination continued to the extent of purging non-conforming Islamists such as liberal-minded and nationalist Islamists. With the maturation of the Islamic Republic in its second decade, however, they experienced the same fate as other groups: they were either purged from the political system or voluntarily moved from their official state careers. Now out of political power, they set up research and study groups in Tehran and devoted themselves to cultural and intellectual activities (Mir-Hosseini and Taper 2006: 24). They retreated into the institutions of higher education and research centers and formed within academia or other intellectual circles study groups to communicate their reform ideas, which went into as diverse directions as religious, political, social and economic reforms.

Religious intellectuals played a crucial role in the intellectual opening of Iranian society to modern religion and politics (for an overview of religious intellectual phenomenon, see Kamrava 2008; Ghamari-Tabrizi 2008; Jalaeipour 2008; Jahanbakhsh 2001). They played a more visible role compared to secular intellectuals, the face of which during the 1980s and 1990s was rather gloomy. In spite of their influence on the formation of the political idiom, secular intellectuals were the invisible force on the eve of the revolution. The alliance between Islamists and Leftists had already created a strong frontier to the imperialism and capitalism by introducing a discourse that promised “a culturally authentic and spiritually fulfilling alternative to the status quo” (Azimi 2008, 388). Non-Islamist intellectuals became the target of censorship, harassment and physical elimination after the revolution. Following the intellectual cleansing of these thinkers from academia following the Cultural Revolution (1980-1987), they were banned from media during the 1980s and eliminated from society during the 1990s. The infamous 1990s 'serial murders' is a case in point, where security agents from the ministry of Intelligence carried out a series of assassination of secular intellectuals and political dissidents with nationalist and leftist orientations within Iran. Over eighty of these thinkers were brutally murdered and buried under

the yoke of state's omnipotent media censorship within the country during the largest part of the 1990s (for an overview of the serial murders, see Buchta 2000: 156-161). The somatic decline –or to put it in a more appropriate term, the physical invisibility and yet intellectual visibility– of secular intellectuals was however coincided with the rise of religious minded intellectuals, who underwent this brand of intellectualism both to emphasize the religious and yet reformist nature of their thoughts. What brought the relatively wide range of religious intellectuals under one umbrella was their aim at breaking the monopoly of the clergy's authority over religious interpretation and *ijtihad*, i.e. authoritative judgment in interpreting the law from the sources. As Kamrava (2008: 124) writes, the guiding principles of religiously oriented reformists in Iran include the following three points:

> First, they maintain, Iran's national interests are inseparable from its Islamic identity and heritage. Iran's progress, therefore, must be grounded in and consistent with its Islamic character. Second, the only proper route to progress is through reforms. In practice, this emphasis on incrementalism means resort to and participation within the legal and established mechanisms of the state. Third, whereas reforms are the only viable method, democracy is the only desirable goal.

In addition to their concern for religion, reformists' pursuit of what they call modern values –that are not necessarily anti-religion– seems to follow a pragmatic pattern. The context of theocracy requires that calls for social and political demands go through the channel of religious discourse in order to be recognized and taken into consideration. With their new readings of religion, religious intellectuals broke an unwritten and yet omnipresent taboo and tried to make it legitimate to pose questions and dare independent readings of religious canonical texts, which had traditionally lied in the hands of the clergy. In the highly inferior position they have had since the late 1980s in the asymmetry of political power and means of dissemination of their message through the public sphere, they abided by the rules of the dominant discourse to introduce their call for religious and secular rights in what Fuchs (2009) calls a "third idiom". Religious intellectuals introduced a discourse that could mediate between the public in the periphery and the administration and political parties in the central layers of the political system. These intellectuals "undertook what can be called a 'translation' of their claims and concerns into a new or 'third idiom', which ideally is not owned by any one side and may even have previously been out of use or unfamiliar to the sides concerned, but which at the same time seems accessible for both sides" (Fuchs 2009: 30f.). Such use of reformist discourse as a third idiom would reduce resistance and opposition from the ruling oligarchy, on the one hand, and increase recognition from the religious masses, on the other.

The use of this "third idiom" put religious intellectuals at a position of advantage compared to their secular counterparts. It allowed them to enjoy a restrained religious and political freedom to communicate their ideas at academic arenas and in public lectures. They could not be easily expelled from the public, as secular intellectuals were once excluded from the society, either by serial murders and force emigration into exile or isolation, for at least two main reasons. First, "practically all the major religious intellectuals today have had official affiliations, in one capacity or another, with the Islamic Republic" (Dabashi 2004: 95). They were among the high-ranking officials and thinkers prior, during and following the revolution. Until the founder of the revolution was alive, they were also favored over the traditional right. Soroush was a key member of the Cultural Revolution Center in the early 1980s. The Cultural Revolution envisaged Islamizing the higher education at the height of revolutionary fervor. As one of the key representatives of religious reformist discourse, Soroush appeared often on national TV in panel discussions among different parties and ideologies involved in the revolution in defense of Islam and against secularists, leftists and Marxists. Shabestari was a cleric, who served as the head of the Islamic Center in Hamburg for a decade prior to the revolution. He was a member of the first parliament and moved thereafter to the department of religions and theology at the University of Tehran. Kadivar was an educated cleric of seminaries in Qom, the center of Shiite Islam, who pursued an endogenous reform of Islam with religious and political institutions of the Islamic Republic in view. He received the highest clerical degree in Qom. The degree entitles its holder with authority to take on new ideas and use them within the framework of the basic principles of Islam. It also endows him with the authority to interpret sacred texts and comment on sociopolitical issues of his time.

Secondly, they were using a religious discourse and their call for religious reform followed a methodology compatible with Islamic history and tradition. They brought the theoretical and practical contradictions resulting from the institutionalization of the Islamic Republic to the surface and criticized it both on the Islamic and the republic side. Many of them were very well versed in Islamic theology and used the same discourse to spread their tolerant alternatives of an Islamic government that would respect religious plurality as well as liberal human rights. Their ideas attracted not only seminary students, but also university students and the growing middle class. Their attempts at liberating religion from the rigid interpretations of the orthodox clergy and their critique of "official readings of religion" (Shabestari 2000) touched the spirit of the time where the exclusivist understanding and application of religion in socio-cultural as well as political life was creating more dissent among the masses. Yet they were not thoroughly immune to state suppression. Their alternative reading of religion with its political repercussions made

them "part ways with the clerical circle in power. They assumed oppositional postures, and very soon they became subject to official censure, periods of incarceration, vicious attacks by hoodlums hired by the religious Right, and even assassination attempts" (Dabashi 2004: 96).

2.2. Translation *proviso*

Can the concept of translation lend itself to describe the intellectual activity of religious intellectuals in the political system? The meaning of translation has transformed considerably in the past few decades, for more and more disciplines tend to adopt translation as an analytical concept. A brief review of the history of translation studies (Gentzler 2001) demonstrates well how the concept of translation has increasingly passed the traditional borders of linguistics and literature to become the constitutive theme of an autonomous field of study. Since then, the multidimensional aspects of translation – process and product – have drawn the attention of different scholars in different fields such as in historiography, cultural studies, ethnography, cultural anthropology and social sciences. This adoption has, in turn, found repercussions in translation studies. Translation scholars have, namely, attempted to investigate translation from the viewpoint of different disciplines in order to demonstrate the social, cultural and political implications of translations. Such an exchange has not left the original meaning of the concept intact. Even if there is no general agreement on what the concept means, there is generally a consensus that the problem of translation cannot necessarily be reduced to the problem of oral or written transfer of original texts into target texts. Translation is understood in a larger sense, one aspect of which takes translation "as a medium of cultural understanding and social integration" (Renn/Straub/Shingo 2002: 7, my translation).

It is in the context of the modern society that this study takes the social performance of religion in Iran's post-revolutionary society as a form of translation. Translation is the social mechanism that allows the system of religion to translate its concerns in a language that is understandable for the systems of politics and law, among others. The underlying assumption of such transformation, if the *modus operandi* of social systems is taken into consideration, is that translation cannot be reduced to an intact transfer of meaning from one system into another. Systems theory negates the assumption of intact transfer of meaning from one system or sphere of society into another, as each system has it own language or its own way of making sense of what happens in its environment or in other systems. For instance, politics orients itself in its understanding of the system of religion on the binary codes of power/not-power. In doing so, it does not tolerate any interference from the system of religion when performing its social function of making

collectively binding decision. This is to say that politics discards religion's binary distinction transcendence/immanence, while it recognizes the relevance and importance of religion for the whole society. This recognition can be operationalized when religion can provide a language that is understandable for the political system. For instance, when interacting with the system of politics, religion system needs to translate its unique language into one that is understandable for politics in terms of power/not-power. It is here that translation in its social sense (see Figure 1 in introduction) jumps in a social operation to allow for religion and politics to come to a mutually understandable language.

Because it is a form of communication, and communications constitute the basic elements of society, Cappai justly takes "translation as a basic social operation" (2002: 223) at the level of society. Translation is a necessary condition when social systems interact with one another. Social systems not only carry out their function in that they reproduce themselves, but they also constantly observe other systems and know that they are observed. For instance, while theocracy carries out its social function by making decision, it constantly observes the system of religion and is aware that it is equally observed by the system of religion. Theocracy is not blind to its environment. It takes the environment constantly into consideration and regulates its function accordingly. The system of religion is also aware that it is observed by the system of politics, and therefore its attempt to draw the attention of politics is determined by its capacity to translate its desired influence into a political communication. In fact, observation is the operation that allows both theocracy and religion to interact with one another. Each of these systems can observe one another only when they can mutually make sense of one another, which is possible only when these systems can translate their systemic language into one that is understandable by the other system. This is to say that religious professionals need to find a translated version of Islam or religion that is understandable and acceptable for politicians in theocracy.

The social relevance of religion in Iran's post-revolutionary society underscores the political implications of such translation. Translation of Islam is not a neutral representation of what constitutes the meaning of Islam or the Quran in the system of religion, but, because it is practically anchored in social exchange relations, a more or less legitimate form of communicative intervention. So while the translation of religion can serve as a medium that allows an observing system, here politics, to observe and make sense of the source system, here religion, it can also serve as a means of exercising or resisting political power. In carrying out its social function, translation does not serve to transfer meaning from one system to another, but to construct it in newer ways.

The social relevance of religion is not restricted to religious societies. In discussing the public role of religion in modern societies, Habermas (2011; 2010) employs a sociologically and philosophically informed understanding of translation, 'translation proviso', to indicate the necessity of translating demands and contributions of religious communities into a civil discourse in post-secular societies in order to co-form the public opinion. This Habermasian understanding of translation could be adjusted with some modifications to the political function of religious intellectualism in the religious society of Iran in general and to the political system in particular.

Two observations are required to move in the direction of translation proviso. The first concerns systems theory, according to which society consists of communication. In addition to its function in disseminating information in society (see chapter one), translation is a social medium that not only allows a social system to represent its relevance and importance to another social system, but also allows a social system to derive information from certain spheres of society. More systems can refer to communication offers when translated. When Luhmann is translated into English, it can give rise to more communications in the subsystem of sociology and/or science. In doing so, translation helps with the expansion of society. The more communications are disseminated, the more complex becomes society. The second observation relates to the distinction between medium and form and the political function of translation. The latter point takes translation to mean more than an interlingual transfer if it falls on the observer to decide what kind of element couplings constitute medium or form. Iran's theocratic political system, for instance, might take reformist political Islam as protest communications that are disseminated in the medium of hermeneutical readings, i.e. translations, of Islam in the context of modern(izing) societies. The distinction between form and medium allows a systemic analysis of protest movements in the theocratic political system. Since the elements of the medium of translation are loosely coupled, they can give rise to a wide range of societal communications, of which political communications are one.

As for the term translation proviso, it is the social and political integration of religion in the public sphere of a post-secular society that brings Habermas to the use of a rather socio-philosophical use of translation. The latter is the solution he suggests to the problem of integrating religious believers into the political life of modern secular society. Citizens are, namely, free to use a religious discourse in the public sphere and a democratic state protects this right. With the neutrality of a liberal democratic political system toward different religious and non-religious worldviews, both the state and the civil society promote a public discourse that is universal in the sense that different contributions, irrespective of their social origins, can reach the

largest number of citizens. This public discourse is empowered with norms to make the improbability of social actions more probable. Different social groups' use of a universally accessible discourse does not deny their rights as citizens. In the case of religious communities, the use of such discourse does not evoke a separation between religious and secular contributions. Like any other groups, they pay for the neutrality of the state towards diverse religious or mundane Weltanschauungen a price: "translation proviso". Such translation proposal entails the recognition of religious discourse in private and public spheres. However, it also fosters the awareness among religious communities of the requirement that "the potential truth concerns of religious utterances must be translated into a generally accessible language before they can find their way onto the agendas of parliaments, courts, or administrative bodies and influence their decisions" (Habermas 2011: 25f.). Translation is hence a mechanism that renders the informal communications produced in the public sphere into formal communications with the potential of, to speak in the terminology of systems theory, vying for or even compelling the attention of legal, political and economic systems. This "translation proviso" ensures publicly binding decisions are formulated with the consideration of as many voices expressed as possible and justified in a universally accessible language.

Not all political systems are neutral to different religious Weltanschauungen. This is the case when religion itself becomes a major force for political legitimization. A prime example of such a political system is the modern theocracy of Iran. The direction of the Habermasian translation proviso is understandably opposite in Iran's theocratic political system. Such directionality is owing to the theocracy's political structure, a main feature of which rests on the institutionalization of power on the basis of a jurisprudential reading of the Quran and the prophetic tradition. The monopolization of power in the hands of conservative Islamists with a constrained interpretation of religion has since the revolution produced a religious discourse that not only lies at the heart of political discourse but also has greatly shaped the *modus operandi* of political institutions. This explains why the Iranian theocracy is more irritated by the contributions formulated in a religious discourse. The introduction of contributions that are not supported by the dominant theocratic discourse such as human rights, freedom of speech, equality of the sexes and the equal distribution of – mainly political – resources, must meet in the public use of discourse on a level with religious discourse. This requires that calls for rights of citizenship produced by secular or less religious individuals or groups pass through the filter of translation in order to enter into a certain level of formality to irritate public decision-making institutions. Otherwise, they would run the risk of falling on deaf ears.

Religious intellectuals and reformists constitute a group of agents who seriously implement translation proviso in Iran's political system. Since the theocratic political system in Iran claims to establish the rule of God in society, the system makes a political and/or an official reading of the Quran and the prophetic tradition and construes a systemically monopolized meaning of Islam. This official reading of religion is primarily carried out by the powerful institution of the Guardian Council. In order to function, theocracy takes alternative and reformist reading of Islam as harmful and attempts to counter them with censorship and suppression. Therefore, the successful function of theocracy relies, in addition to a constraint existence of political parties and a weak public, on a constrained civil society and a channeled public opinion. The new reformist discourse cannot gain acceptance unless the civil society grows along with the dissemination of the religious reformist communication. The reformist public discourse characterizes the newly burgeoning civil society in two ways: "first, different groups have the right of existence and, secondly, individuals residing in such a society have more rights than obligations" (Soroush 2007: 60, my translation). A religious intellectual's reading of Islam that makes the distinction between rights and obligations draws the attention of a large number of religious individuals in a growing civil society, for whom the relevance of their civil rights is as high as their religion. This contemporary reading of Islam brings the requirements of modern thinking and civil society in conformity with religion. And because it is accessible to and acceptable by a large number of religious and non-religious individuals who live under theocracy, it forms a new protest communication that urges the center of political system to consider civil rights during processes of decision-making. At the same time, this new reading serves as a challenge to the religious foundation of the post-revolutionary polity. By reforming the theological discourse, religious intellectuals automatically bring about change in political discourse.

3. Religious intellectuals and public opinion

3.1. Public and public opinion in systems theory

This section will argue that religious intellectuals can be of political relevance when they manage to introduce their reformist readings of Islam into visible communication themes in the public opinion. It is namely in the medium of public opinion that the political systems and its constituting subsystems – be they democratically structured or not – observe society and other systems, derive politically important issues from society, and use these issues to make political decisions thereupon. While public opinion produces a rather clear self- and other-reflection for a democratic political system, it produces a rather fuzzy or inexact self and other-reflection for an

undemocratic political system. Understanding how public opinion is formed is key to understanding how Islam is re-translated into Iran's theocratic system.

In his different writings on public opinion (Luhmann 1999; 2000; 2002; 2010), Luhmann has raised several aspects of the concept.) Marcinkowski (2002: 86-95) suggests four seemingly independent and yet narrowly interconnected phases in defining public opinion. All these phases add aspects to the concept of public opinion, which will finally help to conceptualize the attempts of religious intellectuals at translating religious into potentially political themes as measures taken to co-shape the public opinion and hence to affect the themes of political decision-making.

In the functional-structural stage of his theory development, according to which systems distinguish from their environment in that they regulate and organize their complexity internally, Luhmann discusses public opinion in relation to the political system. Public opinion is a social mechanism that reduces society's complexity for politics. In fact, to carry out its social function, the political system needs not only its very own medium, i.e. power, to reinforce the binding aspect of its decision, but also selection aids to produce a limited number of themes from a potentially unlimited range of social themes to make a decision about. Complexity reduction becomes an important issue if the problem of politics' selection mechanism of politically relevant issues is taken into consideration. The problem becomes particularly acute in today's modern mass democracies where contingent possibilities for decision-making are abundantly available. Public opinion provides *thematic* structure for the political system. Luhmann makes a distinction between themes and opinions and, surprisingly, prioritizes themes over opinions. This priority is crucial for the political system. While there are countless opinions in society, the number of themes is restricted, and the political system, tending to deal with less complexity, has it logically easier to draw issues of political relevance from themes than from opinions. "Public opinion (singular) should, in fact, be called public themes with many possible and private opinions (plural)" (Berghaus 2011: 265, my translation). Although Luhmann adopts the term public opinion, by prioritizing themes over opinions he tries to avoid an expectation of rationality from public opinion (see Luhmann 2010: 432f.). An aspect of religious intellectuals translation proviso consists in turning certain issues into public themes by testing and condensing their consensus opportunities.

The second phase of defining public opinion occurred following the autopoietic turn in Luhmann's theory of systems. Distinction between medium/form and theory of observation added a new aspect to the definition of public opinion. Medium and form are defined from the viewpoint of an observer as loose and strict coupling among the same elements, respectively.

While the medium due to the loose connection between elements remains invisible, it produces the condition for the visibility of forms. As for the distinction between medium and form in the public opinion, the medium refers to the states of consciousness in psychic systems, which can be elements that are only loosely connected to one another and hence lack any visible form outside the psychic systems. These loose couplings can however temporarily connect and turn into more strict forms, if certain conditions, e.g. drawing attention to a certain theme, public discussion on a theme, etc., are met. Given these premises, "public opinion can be understood as a medium in which forms are created and again dissolved through continual communication" (Luhmann 2010: 176). An understanding of public opinion as a medium allows the understanding of communication less a transfer of information than the circulation or dissemination of information within the same system. It is in this phase that Luhmann also addresses the question of mass media with relation to the public opinion. However, he makes use of the distinction between medium and form to turn upside down the general understanding of mass media. Mass media do not produce the public opinion. What it does is to give form to the public opinion. While medium is and remains public opinion itself, the mass media give form to this medium. In other words, mass media per se do not transfer anything, be it information or opinions. What they do is to "stamp the medium that is tailored to and arises with them" (Luhmann 2010: 177).

Luhmann uses the theory of observation with relation to public opinion to draw attention to the political system. "Far more than other function systems, the political system depends on public opinion" (Luhmann 2010: 179). Instead of observing the too complex environment the political system observes public opinion. "For politics, public opinion is one of the most important sensors whose observation takes the place of direct observation of the environment" (ibidem). This is beneficial for the political system in two ways. On the one hand it does not need to observe a too complicated environment and draw its themes from there randomly. On the other hand, it does without being accused of having chosen the wrong issues for political decision-making. As a sensor, public opinion is where a selection from an overabundance of themes and communication possibilities are made and an agenda of themes on the basis of importance and interest is produced, both of which can readily be used by political system. But there is one more reason why politics is dependent on the public opinion. It is in the medium of public opinion that the political system can observe itself and see how it is observed by the environment. Through its structure of themes public opinion shows the political observer not only a certain construction of reality, but also puts a mirror in front of the political observer/political system to observe both himself and others who are observing him/the system. It is in public opinion that the political system can see how earlier decisions have reached and influenced society as a whole. As a

medium, public opinion helps all the subsystems of the political system to observe one another (see Figure 4). It is more from survey data than commentaries and reports from the everyday business of politics that politicians, be they in government or in opposition, observe one another and accordingly gain an outline for their political actions. This is equally true for the public. Not only the government and the opposition observe one another and the public through public opinion, but also the public observes the political system, and with it the goverment and its opposition. "Public opinion thus acts as [political] system's internal environment, which is primary and continuously selected, and therefore acts as 'ground for resonance' for intra-systemic observation between government and opposition, on the one hand, and between public and the entire professional politics, on the other" (Lange 2003: 198, my translation).

The third phase of defining public opinion is led by the question of where public opinion actually takes place. Luhmann had already alluded to the press and broadcasting media as to means of giving form to the public opinion. These media, however, cannot give form to the public opinion in any arbitrary form. Rather, they are subject to certain restrictions produced by system structures. Luhmann addresses these constraints in his monograph 'the reality of mass media' (2000). Mass media is a social system that assumes the function of constructing an image of the whole society and disseminating it by making it accessible to the society at large. By constructing reality they allow the self-observation of society and its parts in the reflexive mode of the observer of an observer (second-order observation). Luhmann dedicates a chapter in this book to the question of public – and not public opinion – and brings it in close relation to the mass media. That public is discussed in relation to mass media might raise the suspicion that public, similar to public opinion, is a product of mass media, i.e. of books, the press, radio, TV, digital media, etc. This definition of the public in its metaphorical and/or real senses refers to space and action and hence places its own restrictions. To overcome the restriction Luhmann suggests switching from action to observation and adopts the definition of Dirk Baecker, according to which public is "a reflection of every system boundary internal to society, or again, as the environment, internal to the system, of social subsystems" (Luhmann 2000: 104). In more concrete terms, on the one hand, the political system, like any other social system, operates only and only within its own borders. Otherwise it would lose its operational closure. At the same time it can reflect that it is observed from without its systemic borders, i.e. from the public. This is the requirement for the cognitive opening of the system. On the other hand, the political system can observe that and how it is being observed from its internal and external environments. For instance, it can observe how the system appears in the mass media. Based on this other observation of the self the political system can take its own actions into account (see Figure 4).

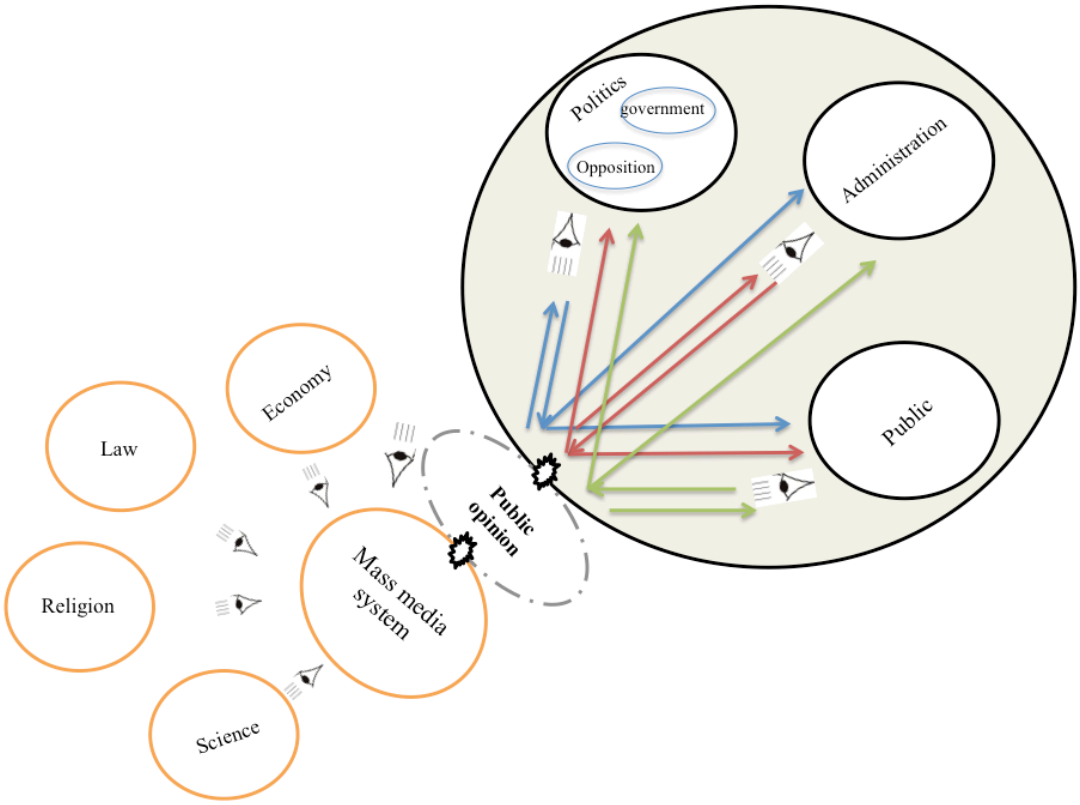

Figure 4: Political system's self- and other-observation through public opinion

The last phase of Luhmann's dealing with the public opinion is formulated in his 'Die Politik der Gesellschaft' (2002a). In this final work he conceives of the public opinion as a type of communication, whose operations are used by social systems like politics to internally reflect on their outward borders and to make second order observations possible. Public opinion becomes of importance for functional systems in that it constructs an internal environment for these systems. Because public lacks the status of a system and therefore does not have any borders, it is outwardly represented by the mass media.

3.2. Theocracy and public opinion

Thus far it has become clear that public opinion has the potential of orienting themes that the political system can adopt and make binding decisions thereupon. The more democratic a political system is, the more important becomes the public opinion as a source of self- and other-observation for the political system. "Influencing political decisions through public opinion requires the political system […] to be above all democratic to a certain degree in order to take the opinion of citizens seriously" (Neidhardt 1994: 30, my translation). Compared to its totalitarian and authoritarian alternatives, only a democratic political system has the structural means to seriously observe the opinion of citizens through the medium of public opinion. The same goes for the public in making its voice heard in the political system. Only in a democratic system can citizens and communities in the periphery produce themes of concern and put these to the attention of the political system through the medium of the public. A democratic political

system develops a series of mechanisms ensuring that the political system observes public opinion to draw themes for political decision-making. A democratic political system structurally ensures that political actors are attentive to the processes of opinion formation. Citizens exert their influence as voters and the political actors cannot approach the center of the political system without the vote of the public. Therefore, everything playing a role in the formation of preferences of the voters should be of logical interest for the constantly calculating political actors.

In resuming the main question of this research, i.e. the way religious reform can affect political communications in Iran, it is necessary to look at the interaction between politics and the environment happening in the medium of public opinion. Previous chapter and section should have made the procedure somewhat clear. In order to keep its autonomy, politics requires a two directional observation. The first direction is addressed to the inner and outer environment. The former constitutes the subsystems politics: political parties that form either the government or the opposition; state administration; and the public. The outer environment is constructed by the political system as the anything else but the political system. This includes psychic as well as other social systems. Political system's observation of its inner and outer environment happens in the medium of public opinion. It is only through the medium of public opinion that politics can observe what is happening in its environment and what is happening in the system. What happens in the system itself constitutes the second direction of observation in the political system, which relates to the system's self-observation. Politics can observe in the medium of the public opinion how other systems in its outer environment are observing it and how individual subsystems of politics are observing one another. To put it more clearly, public opinion allows the system a second-order observation. Only a detailed study of the public opinion will reveal the function of religious reform for the political system. This system-environment interaction through the medium the public opinion is applicable to any political system, be it democratic or totalitarian. However, the way different political systems interact with their environments and, how, under which circumstances, and to what extent they make use of the public, differ significantly in democratic and non-democratic political systems.

Although Iran's political system is not democratic, it still needs the public opinion to observe its environment and itself. The way Iran's theocratic political system observes itself and its environment via public opinion is restricted through a religious perspective. This owes to the way theocracy combines religion and politics through law (see Figure 6). This is to say that in its observation of the environment, an official reading of religion, which already serves as the basis of theocracy's observations, functions as a filter. One can mention the way theocracy observes the Quran in its environment: in chapter three an attempt was made to use hermeneutics to demonstrate how individuals come to different understandings the Quranic verse 4:34. Systems theory helps to explain how larger social constellations understand the phenomena in their environment, and in this case, how Iran's theocratic system achieves an understanding of its environment through the filter of religion. Figure 5 demonstrates the role religion plays in the formation of political and legal programs in the post revolutionary political and legal systems:

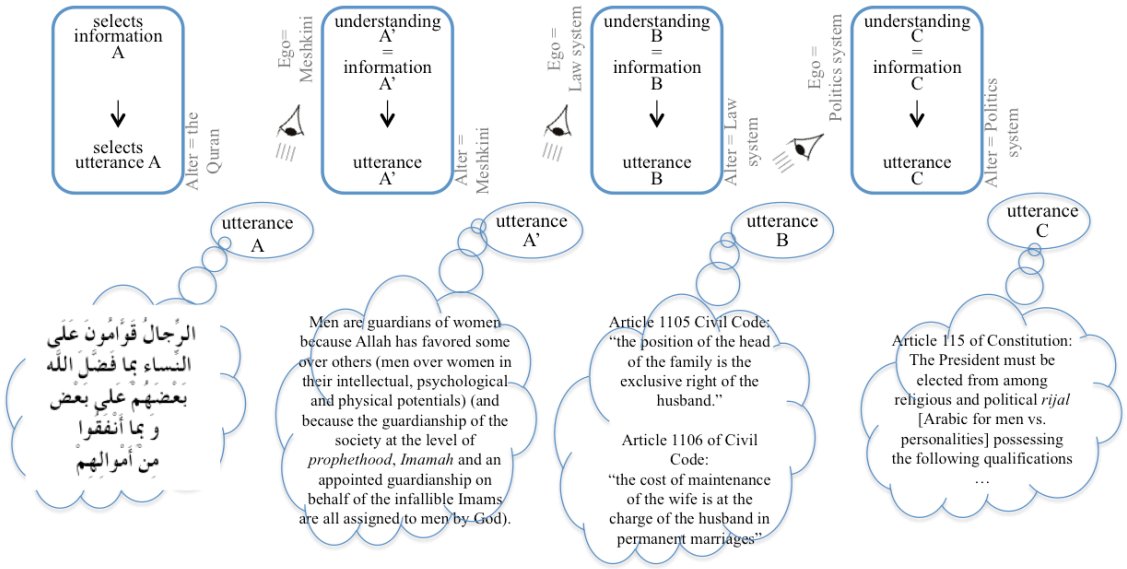

Figure 5: legal and political systems understand communicatively

Both legal and political systems in Iran have an unlimited number of phenomena in their environment to observe. Since they cannot observe everything, as environment's complexity would overburden them, they are highly selective in their observation. They reduce their environments' complexity in that they are highly selective in the observation. Systems' selective handling of their environment occurs through their binary codes, which allows systems to bring down the complexity of their environments. While theocracy handles its environment by reducing its complexity to having/not-having power and Iran's legal system deals with the complexity of its environment by reducing it to legal/illegal, the religious programs of these two systems impose a second mechanism of complexity reduction. The dominant orientation of Iranian society towards religious values and principles serves as another mechanism of environment complexity reduction for legal and political systems. That the legal system in Iran's society is structurally coupled with religion through *Shari'a* and that the *Shari'a* based legal system is structurally coupled with the political system through the constitution motivate both systems to by highly irritated by religion, or by the Quran. Of fundamental importance for the reproduction of Quranic communication in Iran is the autopoiesis of Quranic translations and exegeses. These translations and exegeses become visible in society and in the public opinion when observed by the system of mass media. Which of these translations are observed by different systems, how these systems use their own systemic rationality to understand them, and how they mobilize the content understood as the premise of further systemic communications are decided by the observing systems. With reference to the Quranic verse 4:34, legal and political systems select one, use the

logic of their binary codes to understand, and use their system-specific understanding as the premise of new communications.

Two observations can be made about Iranian theocracy's other-reference (e.g. its referring to the Quranic verse 4:34) and self-reference (e.g. the development of political programs as in the article 115 of the Iranian constitution) with regard to the way it observes and impacts the public opinion. The first observation concerns the way theocracy, like any other form of governance, as an observing system constructs information about its inner and outer environment in the medium of public opinion. It is up to the system to decide to observe the public opinion or not. It is equally up to the system to decide which aspects of the public opinion. However, how the system observes depends on the earlier observations, as they co-determine the perspective of the system. Since Iran's theocracy has united religion and politics, it is therefore highly irritated by the religious aspect of the public opinion and pays more attention to those visible communication offers produced in a religious discourse. However, this preference affects the degree of complexity it can absorb. What distinguishes Iran's from a democratic political system is the degree it can handle complexity and use such complexity reduction in its internal autopoiesis. If democracy ensures a high degree of dynamism within the political system in its interaction with the environment, theocracy has in practice reduced this dynamism internally, and even more so externally, i.e. in its interaction with the environment.

The second observation relates to the way Iran's theocratic political system, because it does not efficiently use public opinion as a sensor for self- and other-observation, plays the role of a central system with inflationary performance for other systems. While social systems differentiate in a modern society by carrying out a unique function in society, they interact among one another by producing a performance for one another. In order to be able to carry out their function, social systems depend on the performance of other systems. The system of science cannot do without the funding that comes from the system of economy and the intellectual workforce that comes from the system of education. The degree it can produce knowledge depends therefore on the degree of funding and the number of available qualified workforce. Or while the economic system monopolizes the competence to care for the production of goods and regulating the market, it can perform its function within the frameworks defined by the legal and political systems. Too many regulations and bureaucracy can produce damaging effects for the overall performance of the economic system. In order for social systems to avoid producing damaging performances for one another, they constantly observe one another. The more modern a society, the more social systems observe one another. Not only Iranian theocracy's observation of the

public opinion is co-determined by its religious structures, but also it extends its medium of power to produce decisions with damaging consequences for the public opinion's form giving system, i.e. the system of mass media. In addition to abolishing multi-party political system and creating a schism in the state administration (see section 1.3.2.), the Iranian theocracy constantly sets new redlines and observation criteria for the mass media. This hinders the main means of mass media such as air and broadcasting from an efficient observation of society and representing it accordingly. Moreover, it tends to monopolize the mass media to produce a representation of the political system that corresponds to its main ideology. It is up to the system to decide how it wants to interact with its environment. While only a fully developed and modern political system will observe itself and its environment 'democratically' in the medium of public opinion through the mass media, Iranian theocracy controls and monopolizes mass media and uses them as a "tool for political propaganda, the multiplication of its own discourse, and the preservation of the status quo" (Shahidi 2007: 74). It is under such an undemocratic political system that the mass media is used as machinery for ideological propaganda that serves a twofold function: to give, first, a controlled representation of society, and to provide, secondly, a distorted public opinion.

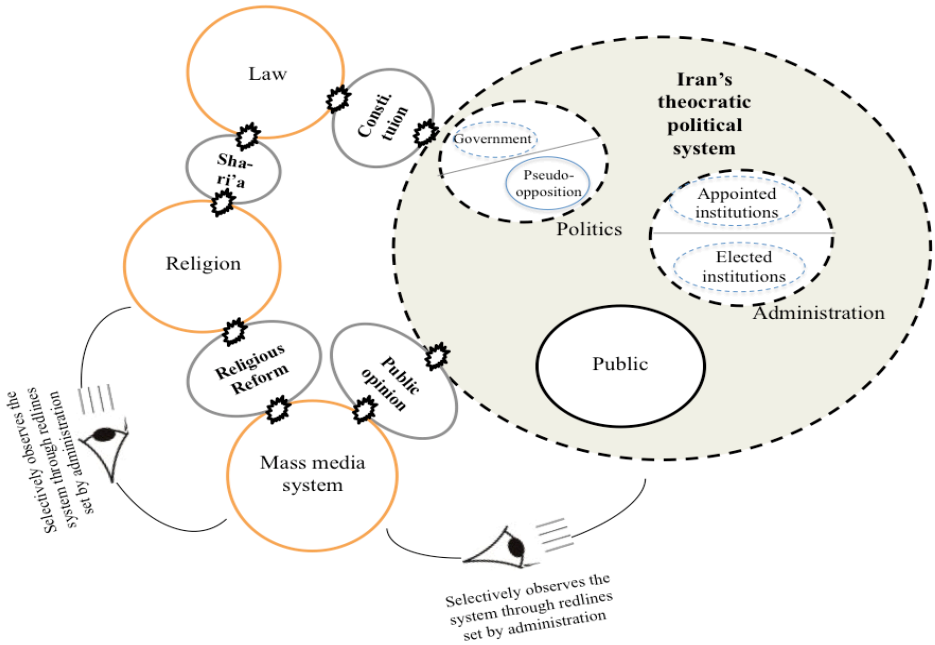

Figure 6: Insufficient differentiation of theocracy and mass media in Iran

Mass media consist of a number of media, of which broadcasting is the most popular and easily accessible one. Broadcasting and air as well as the widely disseminated printing press are the easiest way of forming the public opinion, which can be used by subsystems of the political system to observe one another, by the political system to observe itself, and by the political

system to observe its environment. The more autonomous and the better differentiated is the system of mass media in a regional political system, the better the "mirror of public opinion" will allow for "an observation of observers", and an "observation of the self" (Luhmann 2010: 180). Through mass media as a form giving system to the public opinion, state administration can observe how political decisions are received in public and society; public observes how political parties adopt which themes of political interest; and political parties observe the mass media to derive themes of political relevance to gain the vote of the public in the next elections. Such cycle of mutual observation can be malformed if the mass media is not autonomous in its representation of the political system in particular and the society in general, or if its observation is framed with the performances of other social systems, such as politics, religion or economics, as it is the case under Iran's theocratic political system.

As it is mentioned earlier, public opinion is invisible unless it is given a form through the system of mass media. Exclusive access or monopoly on defining themes of interest for mass media can therefore play a crucial role in the formation of public opinion. The more undemocratic a political system, the more centrally controlled becomes the mass media. Air and broadcasting in Iran's theocracy are run by the state. Article 175 of the constitution disallows private broadcasting and reads as follows:

> The freedom of expression and dissemination of thought in the Radio and Television of the Islamic Republic of Iran must be guaranteed in keeping with the Islamic criteria and the best interests of the country. The appointment and dismissal of the head of the Radio and Television of the Islamic Republic of Iran rests with the Leader. A council consisting of two representatives each of the President, the head of the judiciary and the Islamic Parliament shall supervise the functioning of this organization.

Conservative and unelected institutions of the state are in control of broadcasting in Iran. More precisely, the office of the supreme leader has broadcasting under his direct control by law and directly elects the head of IRIB (Islamic Republic of Iran Broadcasting). Although mass media assume the function of observing the whole society and producing a representation of it that can be readily used by societal subsystems, the state-run broadcasting media selectively observes society and produces a representation of it around the binary value of Islamic vs. non-Islamic. The aim of this representation is to construct an Islamic society and to expand an Islamic culture. In an official meeting with the officials of the IRIB, the current supreme leader clearly stated:

> Never ever screen passive and empty films and useless, hollow programs which aim only at passing time. The IRIB should stand against and defy the propaganda of the enemy against revolution and react strongly to defuse their fabrications. View the IRIB as a university for teaching the principles of revolutionary Islam. This is our approach to the

> IRIB. Today the world is propagating against us. We are left with IRIB" (Ayatollah Khamenei, in Khiabany 2010: 159).

In a larger picture, this function might be equaled to propagating the theocratic system of politics and its religious ideology. Such function results from the unique unification of religion and politics under the Iranian theocracy. In order to gain political legitimacy, theocracy has to select an interpretation of Islam from a range of available interpretations to operationalize it for politics. The conservative clergy, who has traditionally been antagonistic to the Western modernity and modern values, has put this interpretation forward. Mass media in Iran should promote this conservative and normative interpretation of Islam, and with it the theocracy's official translation of Islam. Since this reading of Islam is narrowly related to political power and political legitimacy, broadcasting media has become a crucial tool in reinforcing and consolidating the hegemonic power of the clergy.

Print media are other significant tools of giving form to public opinion. Unlike air and broadcasting, such media have escaped the strict control of Iran's theocratic political system and seem more autonomous in their observation of society. Such autonomy has been, however, subject to time and political circumstances. Khiabany (ibidem: 78f.) gives a brief overview of the printing press during the 1980s and 1990s. The year following the Islamic Revolution, when power was not yet centralized in the hands of conservative Islamists, witnessed an increase in the number of daily newspapers published, both local and national: 45 in 1980 compared to only 19 titles in 1975. The Iran-Iraq war (1980-1988) and consolidation of power in the hands of Islamists reduced the titles published to 15 newspapers in 1985. With the end of the Iran-Iraq war in1988 and the establishment of a reconstruction period, Iranian society experienced a slow yet gradual opening in the political system. New daily newspapers gradually found their way to newsstands. Although 21 titles were published in 1990, the number gradually decreased to 12 by 1994, an indication of government's policy of economic reconstruction at the cost of parallel political development. Towards the end of Rafsanjani's presidency in 1997, the political dynamics increased in spite of the increasing concentration of power in the hands of conservative Islamists. Reform-minded left and moderate Islamists got involved in politics and new titles appeared. This involvement was reflected in an observable increase in newspapers titles. In 1995 alone, three more dailies were published compared to a year earlier. In an enormous increase, 32 titles were in circulation the following year. The political system further opened up during the presidency of Khatami to the degree that in the year 2000, the heyday of reformist and independent press, 60 daily titles were in circulation. Although the conservative wing with its hold on power over the state administration managed to close down many titles and restricted the activities of many

more, the titles produced and the number of newspaper in circulation surpassed any other period since the Islamic Revolution, and even today.

Compared to radio and television, state's control over the print media is less visible and less overwhelming. For both private and political actors are legally allowed access to printing press. This, however, does not mean that these media can represent society around the binary code of information/non-information. While political power cannot legally restrict the scope of printing media's observation of society, the state might use other sanctions such as economic sanctions to set redlines for these media. As Khiabany (ibidem: 74-91) explains, the political situation alone does not explain the reality of print media in Iran. Economic market plays an equally important role in the evolution of print press. In fact, the press market reflects the political economy of the country, namely large state-owned companies, on the one hand, and individual proprietors owning individual titles, on the other. However, the unfair competition between the two has more often than not turned the balance in favor of the state print media. Since journalistic activities are highly contingent upon political decisions and state repressive measures, the business of private press in the absence of actual political parties and political opposition is politically and economically an extremely risky investment. In contrast to the private investor, the state with both political and economic interests has all the means necessary to act as the only major player in print media. This becomes clear in that none of the big media groups are privately owned in Iran. *Keyhan*, *Etela'at* and *Soroush* are the main and the wealthiest players in the press market and dominate the newsstands all over the country.

All print media in Iran are financially dependent on the state. As Kamalipour (2008) maintains, the biggest majority of Iranian newspapers have functioned as an extension of government organs and have therefore faced a variety of restrictions. A legal permit from the government is required to publish a newspaper in Iran. Newspapers, whether they are private or state-run, are in dire need of government not only for paper supplies, but also for printing plates and advertising income (396). If subscriptions and advertisements are the main sources of newspapers income, private newspapers in Iran have low chances of survival if they risk their advertisement income with publishing materials that the political system deems endangering. The state is namely the main owner of corporations of the country and can, and does, distribute its advertisements disproportionately among different newspapers, giving state-run or -related newspapers the advantage. Because they receive a lower share of government advertisements and subsidies, privately-owned newspapers need to address either controversial and sensitive political issues or give coverage to sensational and popular entertainment stories to increase their audience and

hence income. However, neither of these measures is viable, as the state requires them to be sensitive issues for political and moral reasons that cross implicit or explicit red lines. Newspapers under the accusation of political and moral violation can then be easily closed down, as the context of post-revolutionary Iran has demonstrated (see Khiabany 2010: 74-91).

A political system's control over the mass media has its own jeopardies. These are reflected in the system's potential to face its environment and observe it with different degrees of efficiency. It is worth emphasizing one more time that the political system observes itself and its environment through the medium of public opinion, for the formation of which mass media as a social mechanism plays a crucial role. Depending on how democratically a political system is evolved, the subsystem of public can be of different reference value for the subsystems of politics and administration. The more democratically structured is the subsystem of politics, the more relevant becomes the public as a point of reference in deriving issues of political relevance. Owing to the facts that public cannot be observed directly by the political system but through the public opinion, and that public opinion as a medium requires the form giving system of mass media, the autonomy of the mass media system can be seen as an indication of a political system's degree of evolution. However, since theocracy is a political system with insufficient degree of differentiation, it hinders the autonomous differentiation of mass media. In doing so, theocracy controls, or more precisely, manipulates public opinion with disturbing consequences for the political system. A manipulated public opinion embodied in defective representation of society through the mass media produces fake themes that the political system takes for the subject of decision making, leaving many other problems outside its realm of observation that could lead to conflict within the political system.

3.3. Reformist communication and public opinion

The key to the question of how reformist re-translations of religion initiated by religious intellectuals can affect the political system is the potential their communicative ideas can turn into themes of public interest. So the question might change into how reformists' re-translations of Islam can impact public opinion in a context where theocracy is in more or less full control of the main mass media. If the mass media system in today's functionally differentiated society produces the contact in many areas with the environment, and the system of mass media in Iran has little space for religiously and politically reformist communications, the problem is how reformists can play a role in the formation of public opinion under theocracy? If major national and international events are almost exclusively brought to the attention of the public by mass

media, and if reformist communication equally needs to go through the channel of mass media to reach the public, and if air and broadcasting to a large and the printing press to a lesser extent are run and controlled by the state, how can reformist communication become visible and reach the public, and how can it produce themes that can draw the attention of public decision making institutions?

In studying the impact of religious reform communication on the public opinion in Iran, I refer to the three-layer conception of public as an open forum for communication suggested by Neidhardt/Gerhards (1993) and Gerhards (1994). Neidhardt/Gerhards (1993: 63-67) understand public as a communication forum consisting of small and large forums with different thematic orientations. It is the place where public opinion is produced through three interrelated process: first, information is gathered; then, information is processed into more visible forms; and finally, information is synthesized into socially accessible themes (Neidhardt/Gerhards 1993: 59). In other words, information, themes and opinions are gathered, processed and synthesized in public. Addressing different aspects of information circulation in society allows the public to carry out its "intermediary function by receiving, disseminating, and articulating information, opinions and interests" in society (ibidem: 57). Depending on these forums, the authors divide the public into three levels: encounters - simple interaction systems (Encoutners - einface Interaktionssysteme); public meetings (öffentliche Veranstaltungen); and mass media communication (Massenmedienkommunikation).

The first level concerns simple interactions or encounters, which emerge when two or more people meet and begin to communicate, and dissolve when there is nobody to continue the communication. Being short-lived and fragile and lacking a rigid structure constitute two main characteristics of encounters. As for their role in the formation of public opinion, Neidhardt/Gerhards (1993: 64) argue that encounters are open to any topic, and therefore the amount of information flow is high. However, they do not possess the mechanisms necessary to process and synthesize the arriving information and to transform them into themes. As a result, simple interactions or encounters cannot produce the appropriate medium for the formation of public opinion.

At the level of meetings and activities, the public is structured around pre-determined themes. Roles are divided between (expert) performers and ((semi-)expert or non-expert) listeners. Collective actions make up a form of communication, in which themes and opinions about a particular theme are demonstrated in coordinated actions. As for their impact in forming the public opinion, the authors argue that although "specialization of public meetings in specific

themes [...] increases chances of synthesizing opinions in the production of public opinion" (ibidem: 65) more than encounters, the restriction of input information and the limit on the range of absent recipients constrains the extent of its representing the whole public.

It is finally at the level of mass media communication that public opinion can gain a form and become visible in modern polycontextural societies. Technical developments such as printing, air and broadcasting, specialization of printing products around specialized academic and non-academic themes, the dissemination of information through the printing press, and specialization of journalistic roles have been crucial in the formation of mass media communication. This level of public plays the most visible role in the formation of public opinion. While it is less open to information and opinions, it has the structure to select, process, and synthesize opinions into themes and put them to the disposal of potentially anybody in society. In other words, formation of public opinion would not be possible without mass media communication. Themes and opinions can gain a general perception only when mass media observe them, report on them, make commentaries on them, and put them to the exposure of a very large audience.

The division of public into three levels makes it clear that religious intellectuals need to access the mass media, if they are to become influential in forming the public opinion. In addition to theocracy's monopolization of major mass media resources, the polycontextural world society does not seem to facilitate this for intellectuals either. The increasing differentiation of functional systems in today's modern society has produced new conditions for the social actors to access mass media communication. The public has undergone change with the transformation of society into a functionally differentiated society. In a market like situation where attention and time is a rare property in the public, communication actors compete with one another to gain access to mass media and to draw the attention of a larger segment of society. One can conceive of intellectuals in the modern society as social actors who are intellectually involved into different subsystems of society. As Arato (1994) argues, there does not seem to be a functionally undifferentiated intellectual public in the modern society of today. The Enlightenment ideal of elite's intellectual function in society has become functionless with "the full differentiation of a variety of expert intellectual publics (in science, art, law, etc.)" (Arato 1994: 133). So intellectuals do not seem to have a privileged access to the public compared to others in other social systems, such as actors, entertainers, athletes, artists, politicians, theologians, etc. Only the successful actors can introduce and co-introduce their suggested themes in the context of mass media communication.

So it stands to reason to argue that the impact of religious reformist communication on political

communication might be analyzed within the framework of theocracy's self- and other-reference, which occurs in the medium of public opinion. Among the communicating actors, only a limited number of actors can reach and draw the attention of citizens. To these limited number of actors belong the religious intellectuals. Because a considerable segment of the Iranian public uses its religious worldview as a supplementary point of orientation to get involved in different social systems, they constantly face the question of harmonizing their religious and traditional faiths with the requirements of today's modern world. It is here that they face contradictions, for the system of mass media in Iran serves to disseminate more or less an official reading of Islam which is conservative, traditional and jurisprudential. Therefore, the public is potentially more prone to get irritated by the religious reformist communications, for these address the contradictions between a religious rationality or worldview and the systemic rationality of the modern society. The more attentive these intellectuals are to the most acute problems of society in their writings, speeches, etc. the more successful they can be in drawing the attention of the public and co-shaping the public opinion. And because the political system looks at the public opinion to observe itself and its environment, religious reformists can communicatively influence political institutions and decision-making processes, only indirectly, through the public opinion.

Religious as well as the theocratic structures of Iranian society helps religious intellectuals or the professionals of other social systems to gain access to the mass media communication more easily compared to their secular counterparts. Furthermore, they have the capacity of gaining the attention of a large number of the public. This is to say that they can more easily gain the status of prominence in society. Such a status is required for intellectuals to more easily access the mass media. Peters (1994: 200-206) suggests six stages for the selection process of the elite or the prominent in a democratic political system. These steps, with certain modifications, can be adopted in the context of Iranian theocracy to study the way religious intellectuals can introduce their re-translation of Islam in the public opinion. In the first step, the nomination of candidates for prominence happens in different subsystems of the society such as politics, art, economy, science, etc., in each of which a group of elites stand out and win fame. This applies to any systems, whose professionals have basically only limited access to the mass media for the understandable reason of theme abundance in society and shortage of attention in public. However, the more visible becomes a social subsystem, the more chances will have its elite members to be observed by mass media and to be commented on. Secondly, chances of reaching a prominent status increases with better material, financial and personal resources. Thirdly, social actors can draw the attention of mass media, and therefore the public, when they rely on or benefit from their status of prominence. It is then that their information input becomes more

probable to turn into visible themes in the public opinion. Fourthly, after elites' communication offers prove some information value, mass media observe them and represent them according to their own structures of representation. Because of the wide range of its audience, broadcasting constitutes the fifth stage of processing and selecting the prominent. And finally the recognition of the status of a prominent from the public is the ultimate state, in which the cycle of prominence comes to an end. A social actor's status of prominence is reproduced at the level of simple encounters, when individuals take these social actors or their information input as the theme of interaction communications, and organized public meetings, when these meetings adopt communicative offers of the prominent social actors and process them in more detail. Although the mass media dissemination is a necessary requirement for elevating the status of certain qualified actors to that of a prominent, it is finally up to the the public to accord the status to these actors or not.

Religious intellectuals such as Soroush and Shabestari are communication actors that provoked public attention during the 1990s through their new readings of religion. Both of these thinkers count as the professionals of the system of religion, whose re-translation of Islam into the post-revolutionary society of Iran provoked a significant degree of attention in the public during the 1990s. Both have been prolific authors and have made the fields of Islamic theology, hermeneutics and jurisprudence as their main fields of investigation. Their innovative readings of religion vis-à-vis the requirements of the modern world and translating them into religious-political demands for change have introduced them as the elites in the religious system. Being elites of the system, however, does not turn them into prominent communication actors with resources to co-determine themes in the public opinion. Peters (1994) calls material, financial and personal resources as key to elevate the chances of a subsystem professional to the status of prominence. Religious intellectuals have access to other forms of capital that can compensate for these resources and raise their chance of being noticed in the wider public. To borrow a Bourdieusian framework, these scholars have accumulated cultural and symbolic capitals, allowing them to move up in the status of prominence.

Soroush's accumulation of symbolic and cultural capitals happened prior to the revolution (for an intellectual biography of Soroush, see an interview with Soroush in A. Sadri and M. Sadri 2000; 3-25; Ghamari-Tabrizi 2008: 89-129; Jahanbakhsh 2001: 143-146). His writings and translations in this period covered a wide range of topics, including traditional metaphysics, Islamic tradition and history as well as Western intellectual tradition, analytical philosophy and philosophy of science. These activities brought him to the attention of influential religious and political figures

at the time of the Islamic Revolution and the solidification of power in the hands of Islamists. Soroush defended the case of Islamists on national TV in debates with secular and Marxist thinkers and became known as the ideologue of the ruling Islamists. After the closure of universities in 1980 at the height of the Cultural Revolution (beginning in April 1980), Soroush was appointed by Ayatollah Khomeini to the Advisory Council on Cultural Revolution as one of its seven members, whose main task was to "revise the curriculum and lay down the procedures for reopening universities with the help of the professors who had been released from their routine duties" (Soroush 2000: 12). He resigned four years later from the council and dedicated himself to teaching at universities and seminaries as well as writing books and articles. From 1985 onward, he contributed to the journal *Keyhan-e Farhangi* (Cultural Keyhan), a monthly cultural magazine founded in 1984 that addressed issues of literature and thought. The journal enjoyed a degree of security due to its affiliation to the state. At the height of anti-intellectual atmosphere during the years following the revolution and during the exacerbating years of war between Iran and Iraq, the journal published a variety of materials that did not show much tribute to the Islamic tradition. As Jahanbakhsh (2001: 142) mentions, translations from well-known figures from the Western philosophy and literary criticism constituted an inseparable part of each volume. Known Iranian authors and scholars who were forced into silence or isolation from the public were interviewed or introduced anew to the public. The magazine touched upon sensitive issues such as the relationship between religion and science, reason, revolution, freedom and social justice. Activities of the journal came to a height with the publication of a series of articles by Soroush entitled *Qabz va bast-i teorik-e Shari'at* (Theoretical Constraction and Expansion of Religion). These articles were later further expanded in published in a book with the same title (Soroush 1995). Similar to Kant's distinction between noumenon and phenomenon, the theory makes a distinction between religion in itself and religious knowledge. It further reduces what humans take to mean religion to religious knowledge with its human and collective nature. As a form of knowledge, religious knowledge is fallible, evolves constantly, and interacts with other human learning (Soroush 1995: 501-503). By addressing the hermeneutics of religious knowledge, the theory not only laid bare the deficiencies of the traditional jurisprudence, but also demonstrated strong socio-political implications that moved the main themes of the religious intellectualism to the focus of public opinion formation during the years that followed. The theory was a step towards a radial re-translation of Islam through an intellectual movement "an intellectual movement, the main premise of which was to salvage Islam from its officially sanctioned straitjacket" (Gheissari-Tabrizi 2008: 192).

Compared to other social subsystems in Iran, religious professionals are in the privileged position

of moving beyond the borders of the system of religion and proving themselves as elites with a privileged access to the mass media. Such relatively easy access of religious professionals to the public through mass media owes to the insufficient differentiation of the Iranian theocracy from religion as well as to theocracy's inflationary use of power to extend its performance to different social systems such as the system of mass media. Theocracy requires, namely, that politics be structurally coupled with the system of religion. An aspect of such structural coupling is reflected in the question of legitimacy. While legitimacy in modern democracies is minimally generated within the political system (see Lange 2003: 128-33; Brunczel 2010: 151-60), legitimacy in Iran's theocracy is partly generated within the system of religion and through the state's official translation of Islam. Different readings of religion, however, approach the question of political legitimacy in different ways. In operationalizing the normative aspect of religion, a theocratic political system is contingent upon one reading as opposed to others. This is to say that the system heavily relies on an "official reading of religion" (Mojtahed-Shabestari 2000) to underscore its legitimacy, and the controlled system of mass media represents this translation of Islam as the only authorized interpretation. Such high irritability of mass media to the religious system turns religious thinkers to public elites and considerably facilitates their access to the mass media, and hence their power in introducing themes into the public opinion. However, since not all readings of religion are compatible with the underpinnings of theocracy, only those professionals who reproduce the official reading of religion are given privileged access to the media. This is to say that religious intellectuals like Soroush and Mojtahed-Shabestari are denied access to widely accessible mass media such as air and broadcasting, and major state run newspapers, as much as possible.

Representing the critical ideas of religious intellectuals ensuing from modern methods of understanding religion in the mass media is one of the red lines that Iran's theocratic political system has defined for the mass media. This and many more similar red lines happen at the cost of the system of mass media's incapability to produce an authentic representation of society with adverse consequences for the political system, in particular, and the whole society, in general. One such adverse consequence is to produce an artificial public opinion, in which theocracy observes itself and its environment (see Figure 6). This is no surprise if the fact is taken into consideration that mass media under theocracy aim to shape public opinion. Since these media do not represent the society as it is, and represent it in line with the main ideology of the state, their criterion for the observation of society is no longer exclusively determined by the system's binary code of information/non-information. One might say that the binary code of mass media functioning in Iran is super-coded with conforming/non-conforming to state ideology. Such

super-coding become particularly functional when mass media observes the systems of politics and religion. Mass media's distorted observation of the political system generates further distance between center, where government and the so-called opposition stand, and periphery, where the public and social movements stand.

The above-mentioned super-coding of the mass media system in Iran makes the system blind to communication initiatives of religious intellectuals. Or if these initiatives are observed, they are represented with accusations; they are attacked or severely criticized; or they are represented as blasphemers. Nonetheless, even if it may seem paradoxical, this is where absence from the mass media can turn into an opportunity for these intellectuals to become more visible in the public opinion. Being run or controlled by the theocratic political system, the public more or less withdraws its trust from mass media's representation of society. Trust is a social mechanism that allows decision-making in spite of available risks, and social actions in spite of fear of potential consequences (see Luhmann 1968; Luhmann 2001; Bruczel 2010: 159). A large number of social actions and communications would be impossible without trust in others and trust in social systems. In the course of daily activities individuals trust that their expectations will be fulfilled and therefore they do not reflect about all the premises and alternatives of an action when participating in a social subsystem. Trust acts as a social mechanism to reduce complexity, and in doing so it paradoxically contributes to complexity increase in society. "Where there is trust, there are more possibilities of experience and action. Therefore, the complexity of social systems increases. This is to say that the number of possibilities that are compatible with the structures of systems grows. Such increase in complexity is possible because trust allows for an efficient form of reducing complexity" (Luhmann 1968: 6, my translation). In modern societies trust is ensured through symbolically generalized media. In using money, individuals not only trust in people, but also in the proper function of the money as a medium in the system of economy. It is the extension of this trust to economic organizations such as financial institutions that allows the function of economic system possible. The absence of trust in money will be ruinous to the economic system. Or in being subject to a political decision or social theme, citizens trust the government as the sole authority in hold of legitimate power and the mass media as the sole social instance in gathering, synthesizing and producing information in society. If it becomes clear that mass media, for instance, produce false or distorted representation of society or deliberately mis-represent society to serve certain interests, trust in the system will shake, and this has disastrous consequences for society. The consequences are equally harmful both for the political system and for the public. In this case, the public will increasingly rely on other resources of mass communication from without a particular region to observe the political

system, and the political system will become blind to its environment. Inflationary use of political power to over-extend the performance of politics has reduced the status of trust the public has in the system of mass media.

Developing trust is contingent upon "local environment and personal experience" (Luhmann 2001: 157, my translation). Trust in subsystems is usually produced through the mass media, and more particularly, through the television culture. This is no surprise as the mass media system is the only specialized system for representing society with the largest number of audience. Lack of trust in this system will generate mistrust in the relationship between individuals and social systems. This has been the case in Iran since the Islamic Revolution. It is in the absence of trust that the mass media system under theocracy loses the efficiency it would otherwise have in democratic societies. The theocratic political system's control over the large bulk of mass media has made the system of mass media in Iran highly irritable to certain conservative readings of religion. These media observe religious professionals who bring the state's official reading of religion into to public's attention, while they ignore other religious professionals who produce contradictory, reformist or modern readings of Islam as the unmarked space of the system's observation. This is to say that those who introduce new translations of Islam on a mass scale are not only denied access to the media, even if they have the potential of introducing strong communicative themes in society, but they are also banned from accessing these media. Mass media's blindness to social phenomena of such relevance with the capacity of turning into attractive news or information runs against the existence purpose of mass media and disappoints the public's trust in mass media. Because mass media represent society, lack of trust in the public makes the integration of individuals in different subsystems of society problematic. That's why where "there is no trust, the way people decide on important questions will change" (Luhmann 2010: 156, my translation). Lack of confidence and need for trust produce a vicious circle. A system, be it politics, economy or education, requires trust to be able to coordinate its social actions efficiently. Systems, when an adequate degree of trust is missing, cannot stimulate supporting action from social actors in uncertain or shaky situations. At the same time, structural and operational characteristics of systems in the absence of social actors' support can lead to the erosion of confidence and with it the undermining of one of the main conditions of trust. Perhaps the most outstanding example of the absence of trust in the political system and the mass media in Iran's contemporary history was the 1997 landslide victory of the reformist president Mohammad Khatami, while the air and broadcasting media were unanimously supporting the conservative candidate.

Lack of trust in the state-run mass media gives religious intellectuals the opportunity to become more visible in society through less visible print media. The public cannot do without the mass media, as everything "we know about our society, or indeed about the world in which we live, we know through the mass media" (Luhmann 2000b: 1). If trust turns into a missing element, it simply impedes active action and disturbs the circulation of knowledge. It reduces the extent of possibilities of rational action. It blocks, to name an instance, capital investment in time of financial need in an economy under the condition of insecurity or risk. Under theocracy and as a result of its interference in the mass media, individuals tend to rely less on the comprehensive forms of mass communication, such as air and broadcasting than on other forms of media where the state control and framing is less dominant. Journalism and book industry can turn into the locus of this attention. Religious intellectuals, once excluded from entering air and broadcasting media, found their way to the less dominated field of the mass media, namely the print media and the press. The intellectual journal of *Kiyān* became a point of gathering for these intellectuals during the 1990s.

3.4. Kiyān

As it was mentioned in the earlier section, mass media in Iran do not cross the red lines set by the theocracy in their observation and representation of society. Iranian theocracy, namely, plays a crucial role in determining the themes to be represented by the mass media in society. If broadcasting and air are exclusively at the disposal of the state, newspapers and journals could be the only locus of echoing themes that are of interest in society and nonetheless hardly gain access to the state-run media. Although the political system is less interfering in these print media in terms of determining themes they represent, it sets redlines, the crossing of which can easily lead to closing down these media. While these redlines are automatically promoted in the state-run air and broadcasting media as well as the news print media run by the state, the more autonomous news print media are required to represent society within the framework of such redlines, or else run the risk of being shut down. Theocracy's control over the mass media has produced a lack of trust in the system of mass media in Iran. Such lack of trust can easily explain the small audience for these print media. As Shahidi (2007) holds, the approximate annual per capita newsprint consumption in 1990 in Iran was 0.6 kilograms, compared to 1.8, 2.4 and 9.8 kilograms in the neighboring countries of Iraq, Turkey and Kuwait, respectively. In addition to the structural factors such as ownership, technology and equipment and human-related factors human resources and their level of skill, education and income, low quality of these news print media in fulfilling

their social function should be crucial in explaining such low reference to newspapers as valuable sources of information in society. The same story of failure is true for specialist and scientific journals, which had not only a considerably low circulation number, but also a restricted and very select audience. These journals had an average life span of six years (Shahidi 2007 50f.).

One might call the journal of religious intellectualism *Kiyān* an exception to this trend. The journal used the small opening in the civil society during the earlier half of the 1990s to serve as a platform for religious thinkers to produce their reformist translation of Islam. This reformist translation criticized above all the ideological society, ideological political system and the ideological religion that the state's official reading of religion had given rise to during the 1980s. It soon expanded to include further themes on the confrontation between tradition and modernity in intellectual, social and political fronts. The journal published articles on philosophy, religion and politics. In spite of different problems, such as complete subsidy cut, pressures from the ruling regime, harassment of contributors, the journal was in print for ten years, which might be called a long duration, if the premature death of most journals in Iran is taken into consideration.

3.4.1. History of *Kiyān*

Important to the emergence of *Kiyān* was *Kayhan-e Farhangi,* a journal published by the state-run news and publishing institution *Kayhan*, and run originally by a group of Islamists who were critical of the religious, cultural and political policies in the post-revolutionary Iran. The journal was one of the few intellectual journals to appear at the height of a revolutionary context, in which emotions and not logic and rational had the upper hand. In the absence of secular thinkers and scholars from the print media of Iran, the journal focused on controversial and theoretical discussions on religion and religious issues and their relation to culture, society and politics. The founders of the journal were politically active religious-thinkers who aimed at opening an avenue to religious rationality. In each issue, the journal published an interview with influential intellectual-academic figures, introduced their thoughts and works, and made them readily available to the public. It also introduced cultural and literary works, which were or were being published in the country. It was a leading journal in introducing new ideas and thoughts, and paved the way for new religious discussions to emerge as social themes in the public discussion, mainly among university and seminary students, arousing controversy in society. Among these ideas were Soroush's articles on religion. It also played a crucial role in introducing Popper's philosophy of science and criticism of ideology as the way of political thinking typical to totalitarian governments to the Iranian public (Paya 2006), and this in such a journalistic way that

provoked intellectual discussions among its readers, and beyond. Discussions in this journal soon began to draw the attention of university and seminary students.

The increase of the journal's intellectual activities coincided with the rise of the right Islamists to political power. *Kayhan* institute, publishing the journal, came under the control of the ruling faction. After many redlines and thematic restrictions were imposed on *Kayhan-e Farhangi*, the managers of the journal stopped running it. After the closure of the journal in June 1990, several Muslim thinkers and contributors sympathetic to Soroush's ideas formed the journal of *Kiyān* to bring the intellectual discussions to public's attention. *Kiyān* became the prominent platform to voice Islamic dissent of the insiders after the experience of Islam at the height of political power. The ideas and writings of some of the key contributors formed the backbone of the new religious thinking. These intellectuals used Soroush's theory of relativity of religious knowledge to reflect on the possibilities of reconciling Islam and modernity and investigated its consequences for Iranian society. The new monthly journal was private and, although it ran the risk of being shut at any time, kept its intellectual mission. The chief-editor of *Kiyān* did not hide but emphasized their religious orientation from start. In the introduction of the first issue of the journal, the editors proclaimed their aim to "follow [their] religious and national mission in the framework of an independent framework[1]" (my translation). Culture became the locus of reform, an inseparable aspect of which were tradition and religion:

> Relying on culture and cultural values and attending to culture's depth and its comprehensive power can connect nations with similar problems and destinations, and can protect them from the dire predicaments of time and the homogenizing cultural assault. Today's world has reached cultural contest after having witnessed an ammunition contest. Only those nations can enter this contest that are convinced of their dignity and the solidness of their cultural background. In this context, it is hoped that Islamic culture can, due to its link with human nature and its potential to address human's spiritual needs, enlighten the future path for Islamic and Eastern societies (Shams-ol-va'ezin 1991: 2, my translation).

Kiyān introduced itself as a "cultural, literary, artistic and social journal", committed to the promotion of culture in the context of Islamic Republic. As a cultural journal, it gave particular attention to religion and religious thinking. Among the main priorities of the journal were attempts at opening up avenues for thought-producing discussions in order to enrich processes of religious thinking in a society, which was clearly marked by tradition and religion. Because Iranian society and culture was marked by tradition and religion constituted part and parcel of such culture, reform in different spheres of Iranian society, above all in culture and politics, for the founders of *Kiyān* went through reform in religion. Only a religiously reformed society would be well equipped to face the challenges of modernity.

Although *Kiyān* dealt with a number of areas such as literature, culture and religion, it focused on controversial religious, ideological and political issues. These topics drew the public attention to the degree that shaped public opinion in Iran for the years to come. Some of these controversial topics found their way to the print media, which had gained a degree of freedom in the years following the end of the war with Iraq in 1988 and Ayatollah Khomeini's decease in 1989. The consolidation of power to the advantage of conservative Islamists made the pragmatic president Rafsanjani rather tolerant towards a limited degree of freedom and independence from state control in the press in early 1990s. Broadly speaking, three factors contributed to a more independent press, as Tarok (2001: 588f.) holds. The first one was the end of excruciating years of war with Iraq, ending in 1988. A degree of freedom in Iran would serve as a propaganda machine to produce a positive image of the country and the degree of freedom of speech and thought to the rest of the world. This degree of freedom was seen necessary to underscore the tolerance of opposition and the legitimacy of the regime. Free press would highlight the presence and activity of the opposition. The second was the death of the charismatic leader of Iran in 1989. His death created a gap in the political and religious fields of the country and with them the taboo of unquestionable authority of the state became subject to review and question. Much of these issues could not be reflected in the air and broadcasting media, but in the print media. The third factor was the presence of the moderate Islamist and liberal minded clergy Khatami as the head of the ministry for Culture and Islamic Guidance (1989-1992). As a cleric who had educational background both in Islamic and Western philosophy, he had spend a few years in Germany where he became familiar with Western liberal tradition and the benefits of the free press. Khatami played a crucial role in lifting some restrictions on the press, intellectuals, writers, artists and film producers.

The journal *Kiyān* consisted of three sections; ideas; arts and literature; and miscellany. The latter section was composed of book reviews, letters and news. New books and translations with themes on religious intellectualism, philosophy, religion, and social sciences were introduced in this section. The journal also accepted advertisement with regard to scientific, cultural, artistic and educational activities. Private publishing houses mainly involved in publishing Western thought and philosophy found a platform to introduce their new books in areas related to modernity, tradition, religious reform, philosophy, sociology and political science to the select audience of the journal. Art and literature took the lion's share of the contributions in the earlier issues of the journal. The journal introduced Iranian and foreign poets and writers to the Iranian audience. The main focus of the journal, however, was on the dissemination of new ideas about religion into Iranian society. The journal carried out a lively discussion on issues of civil society, the

relationship between religion and state, and the role of clerics in government. The contributors of this section came from a wide range of thoughts, although religious thinkers were dominant. The journal's responsibility was to "introduce theoretical discussions to the realm of ideas, and particularly to the realm of religious ideas", as the chief editor mentioned in the introduction of the second issue of the journal.

3.4.2. Readers of *Kiyān*

Kiyān published in August 1995 the results of an extensive survey it had carried out. The report appeared in three main sections. The first one, explaining the general results, was further divided into four subsections, of which the first addressed the personal information of respondents. Readers had an average of 30 years of age. Men were far more interested in reading the journal than women. Only less than 10 percent of readers were women. Over 80 percent of the readers had post-secondary and academic educations. Students constituted one third of the readers. Around 70 percent of the readers had a governmental position. The majority of the readers resided in Iran, and among these half of them resided in the capital city of Tehran. The second subsection attended to the relationship between the respondents and the journal. 45 percent of the readers joined the journal from the first edition, while 22 and 19 percent came to read the journal in the third and fourth years of its publication, respectively. 87 percent of the readers encouraged others to read the journal, among which 2.4 persons actively passed the journal to others to read. Three out of four journals purchased were further distributed among family members, friends, relatives and colleagues. The price of the journal was affordable to over 80 percent of its readers. The third subsection dealt with the journal's form and content. Over one third of the readers believed that the section on 'thought' was underrepresented. The survey held that over 80 percent of the readers found the content and the language of contributions accessible to them. While over half of the respondents would favor the journal's exclusive focus on the section 'thought', 65 percent of the respondents advocated the journal's dedicating of 'thought' section in each issue to a special theme. The average score that readers gave to the journal was 16.9 from 20. 62 percent of respondents believed that the quality of contributions to the journal was constantly improving. The fourth subsection dealt with what the readers thought about the journal. Slightly over half of respondents believed that the journal had become the locus of dialogue among secular and religious intellectuals, and half of these believed that the journal was substantially contributing to the evolution of thought in Iranian society. Although over 60 percent of the readers agreed that *Kiyān* was representing a special wave of intellectual thinking in Iranian society, only slightly

less than half of these deemed this as positive. Even if 64 percent of the readers did not approve that secularism was necessarily a movement against religion, more than half of the readers objected to the idea that *Kiyān* was contributing to the secularization of Iranian society. This way of thinking was related to the degree of religiosity among the readers. While between 70 to 80 percent of the respondents called themselves either religious or very religious, the tendency to call *Kiyān* as a secularizing intellectual forum decreased with the degree of religiosity of its readers.

The second and third sections of the survey combined the results of the earlier section to comment on the dissemination and evaluation of the journal. The second section concerned the dissemination of the journal. The survey indicated a meaningful difference between graduate and postgraduate graduates in terms of passing the journal on others to read. While the latter group distributed the journal among 3 people, the former does so among 2.3 people. Those who had got to know the journal through their friends and colleagues tended to contribute to the dissemination of the published copies more than those who bought them from news stands and book stores. The third section of the survey summarized the overall evaluation of the readers. Depending on how the readers had learnt about the journal they gave different evaluations to the journal. Readers who had got to learn about the journal through their professors, teacher or friends tended to be more positive in evaluating its content than those accidentally coming across it (*Kiyān* 1995: 46-49). In an interview, Soroush mentioned another survey conducted shortly before the closure of Kiyān in November 2000, according to which the journal had reached the unprecedented number of 20000 copies, while each copy was distributed among five people (Soroush 2007, unpaginated).

3.4.3. The main contributors of *Kiyān*

The leading figure of the journal was Abdolkarim Soroush, who contributed regularly to the journal. He contributed 49 articles in the overall 54 issues of the journal. He was the only person who could go beyond the journal's space limit. Not only did he constantly contribute to journal, but also were his thoughts among the major themes of other articles. Many authors criticized him or reflected further on his thoughts, providing more exposure to his thoughts among the journal's readers. By giving a new intellectual form to the journal, Soroush contributed to some fundamental changes in the intellectual atmosphere of the time. He became visible at the right moment to an influential audience in public. The public during the 1990s was thirsty for fresh ideas in the realm of religion, politics and culture, for the project of Islamizing Iranian society had

produced significant contradictions in society. In the absence of trust in political elite, and the suppression of secular intellectuals, Soroush gained some degree of access to the media – and by this to some audience in the public – and produced new readings or translations of religion. The rapid dissemination of such reformist reading of religion took many conservative professionals in the system of religion as well as many clergy professionals in the system of politics by surprise.

Given the strong structural coupling between religion and politics in Iran, such reformist reading of religion helped to open up the intellectual environment in Iran by encouraging debate. As Gheissari/Nasr (2006: 118f.) write, Soroush's approach to the epistemology of religious knowledge provided an example for a critical approach to Islamic ideology and theology. It shed a critical light on the role of the clerics in Iranian post-revolutionary state and society. On a popular level, this allowed a new generation of intellectuals to emerge, who began to break away from the unconditional subservience to *Velyat-e faqih* that characterized the Iranian polity under Ayatollah Khomeini. A number of intellectuals and journalists, who later gained fame and visibility in the pro-reform movement prior and after 1997 presidential elections, were followers of Soroush and popularized and politicized his thoughts in the public. On a more intellectual level, Soroush paved the way for independent clerics such as Mohammad Mojtahed-Shabestari, Mohsen Kadivar, and Hasan Yousefi-Yusefi-Eshkevari, to launch their own critiques of *Velayat-e faqih* and the inflexibility of the ulamas' views on state and society. Soroush also became of interest for pragmatists during Rafsanjani's presidency who were looking forward to loosening political leadership from the hands of radical revolutionaries without reducing the Islamic component of the polity. These groups continued to define their sociopolitical orientations within the framework of revolution and were defining the identity of the politics as Islamic, and yet saw the solution to the nation's progress in relaxing the revolutionary atmosphere in society. They were highly attracted to Islamic reform and Soroush, with his revolutionary credentials, promised to be an ideal figure.

3.5. *Kiyān* and the translation of democracy in a religious government

Although *Kiyān* published articles on thought, it introduced itself above all a journal for religion and philosophy. These topics are strikingly visible in the number of contributions dedicated to these themes: my analysis of the articles published in the journal demonstrates that 159 contributions of the overall 389 articles published in *Kiyān* were dedicated to religion, theology, (Islamic) philosophy, religious revivalism and reformation. One might justly call them re-translations of Islam, because the content of these articles were written in a language that is

understandable for other social system, above all the social system of politics. Elaborations on these themes exposed further the reformist re-translations of Islam to the Iranian audience. These readings were mainly inspired by Western as well as Islamic philosophy, or by hermeneutics, philosophy of language, and philosophy of science, to be more precise. These so-called non-religious sciences revealed new perspectives for Muslim scholars to find reformed re-translations of religion so that the latter would better draw the attention of other spheres of society.

Reformist ideas of Soroush were highly debated in the journal. Religious minded scholars from conservative to modern camps took position for or against his hermeneutic reading of Islam. One of the issues that stirred up lively controversy among Islamic scholars and the general public was Soroush's theory of Contraction and Expansion of Religion. Soroush (1991) contributed an article on the theory that resulted from his presentation of the theory to seminary students in Qom, and his replies to the questions of his audience. There he points out that the theory does not originate from within religion, and is not restricted to any individual discipline either. The question of expansion and contraction in religious knowledge might be viewed from a wide range of disciplines, as it can be "a pure epistemological question, a theological issue, a logical problem, or an exegetical matter" (ibidem: 7). The theory makes a clear distinction between religion and religious knowledge. The latter "is based on religion, but is not the same as religion" (ibidem). Religious knowledge is "a human knowledge, i.e. a product made by humans like philosophy, medicine, psychology" (ibidem: 8). While religion is revealed by God and is hence "perfect", "unchanging" and "non-contradictory", religious knowledge like any other human made construct is "imperfect", "changing" and "contradictory". As a form of knowledge, religious knowledge falls into a "dialogue" with non-religious knowledge. This means that they "talk to and hear each other" (ibidem: 8). Evolution and transformation of one science automatically produces repercussions in other sciences.

Soroush's theory of Contraction and Expansion disturbed the epistemological foundations of conventional or rather traditional scholarship of religion. The theory produced "deep questions about the principle and nature of *shari'a*, the relation of humans and religion and the role and contribution of religion in today's world" (Kashi 1993: 26). It brought religious revivalism and Islamic political thinking into a new phase. This phase was characterized by the formation of Iran's post-revolutionary polity, which unified political and religious powers. Although the theory was a renewed attempt to reconcile a de-ideologized translation of Islam with modernity, it easily lent itself to socio-political discussions in Iran. This was no big surprise, as religion in Iran had "succeeded in revitalizing the dominant religious worldview as a central element in public

discourse and basics for public action" (Beyer 1994: 182) to such a degree that reform-minded discussions on politics had to go through a reform in the religious discourse. The domination of religion is equally reflected in the intellectual discourse on democracy. That's why, as Kamrava (2001: 167) holds, many intellectuals, including secular thinkers, have not been able to fully evade the gravitation towards Islam. Many of them argued that the articulation of democratic thoughts in the religious society of Iran would not be possible without producing a proper interpretation of Islam, which in turn could gain a popular acceptance.

Soroush (1993: 12-15) was one of the first religious-minded intellectuals to develop a political theory within the framework of his theory of contraction and expansion. This was an instance of translating aspects of religion into a language that was easily accessible and understandable to the theocratic political system. It goes without saying that such translation of religion was of immediate interest for a theocracy that used a religious semantics to carry out its social function. Soroush's proposal of a "democratic religious government" describes the mode of governance in a religious society both in democratic and religious terms. It is religious, for a religious government is most adequate to a society, whose inhabitants are mainly religious. A religious government, however, can be both democratic and non-democratic. His theory advocates the former, and qualifies the democratic degree of such governments with regard to two conditions: first, the extent these governments partake of collective reasoning, and secondly, the extent they respect human rights. Soroush's contribution gave rise to a series of contributions on the relationship between Islam and democracy from different perspectives. Islamic democracy and political Islam turned into one of the key topics of the journal. In general, the contributions might be divided into two broad categories. While some of the contributions repudiated the compatibility of Islam and democracy or tried to modify democracy to fit with Islam, another group of contributions welcomed the compatibility of both, and yet had some reflections on the topic.

The most outspoken contribution from the opposing camp was an ultra-conservative criticism of Soroush's political theory appears in the 19th volume of the journal. In his contribution on the paradox between Islam and Democracy, Hamid Paydar (1994) accuses Soroush of his fallacious knowledge of Islam and of his failed attempt at introducing Islam compatible with democracy. Representing a staunch advocate of an official and hardline reading of religion, the author takes a jurisprudential translation of Islam superior to any human made political program and repudiates from the outset any reconciliation between Islam and democracy. He underscores, among others, obscurity of truth and its dissemination among humans as two aspects of democracy's

epistemological principles, which make democracy a worse form of polity when compared to a religious one. As to what should serve as the ideal method of governance, Paydar claims that in case "a school of thought or religion asserts to be the manifestation of truth and considers others to be the symbols of heresy and aberration, there remains no justification for a democratic government" (1994: 23). Although he recognizes the existence of certain Quranic verses, which could potentially lend themselves to democratic readings of Islam, such readings are preposterous for at last three reasons: to begin with, "our predecessors did not derive such meanings from the verses; secondly, if such meanings [in support of Islam's compatibility with democracy] existed, they would contradict other Quranic verses, and thirdly, many jurisprudential decrees and practices of Muslims through the history of Islam" (ibidem). He pointedly evokes certain legal readings of the Quran such as the truthfulness of Islam vis-à-vis other religions, designation of death penalty on unbelievers, choosing between acceptance of Islam and death, philosophy of uncleanness of heretics, and the absolute authority of jurisprudents as evidences of the inherent animosity of Islam toward democracy. He describes values such as democracy and freedom not only non-Islamic, but also contradictory to the very principles of the religion. If Islam means what God wants, and democracy means what people want, the resulting incompatibility automatically stands out as a logical consequence (ibidem: 23-26).

Such an anti-democratic interpretation of Islam was severely criticized by the well-known religious reformist Eshkvari on a number of fronts. To begin with, Yusefi-Eshkevari (1994) doubts whether or not Paydar produces an acceptable definition of democracy. He abstains from restricting democracy to a philosophy or ideology. He understands democracy as a method of governing society and therefore one of the forms of governance, which nonetheless derives from a particular philosophy, worldview or ideology. The purpose of democracy is to distribute power among citizens and to promote intellectual, ideological and political plurality as much as possible. Secondly, he holds that religious thinkers who promote the compatibility of Islam and democracy are well aware of the status of Islamic societies and are seeking the reasons for the backwardness of their societies. In doing so, they rely on the patterns of actions and societal improvement in early days of Islam. These thinkers interpret certain traditions as democratic. "For instance, freedom of the press, political parties, and political organizations are seen as new methods of implementing the Quranic principle of 'enjoining the lawful and forbidding the sinful acts'" (Yusefi-Eshkevari 1994: 27). And thirdly, and perhaps more importantly, he reveals his attempt to retranslate Islam in how he resolves the potential contradictions in the Quranic text and the prophetic tradition through a two-fold line of argumentation: those Quranic verses being revealed with regard to particular historical events are not in the position of establishing a permanently

applicable legal decree, unless there are solid reasons to indicate otherwise; and contrary to the dominant Shiite interpretation, he denies the infallibility of the prophet from all spheres of his life and action and restricts it to the realm of revelation.

The fact that Paydar had not gone a wrong way in representing the dominant political theory in the camp of conservative Islamists could be seen in an interview with Mohmmad Javad Larijani (1996) published in the 30th issue of the journal. At the time of interview, Larijani was one of the top advisors to the Leader, and later on became the head of human rights council at the judiciary. The interview is important for two reasons. Larijani's position demonstrates, on the one hand, an attempt to rationalize the Islamic Republic's mode of governance and, on the other, an approach to reconcile Islam with democracy less through a reform in the understanding of Islam than through a reform in understanding democracy. His attempt is to indigenize democracy to fit the framework of the post-revolutionary polity in Iran. In doing do, he divides democracy into a theoretical and a practical level. On the former, he attributes the main characteristic of democracy to contract as the *modus operandi* of its legitimacy. On the latter, he argues that democracy yields the most efficient form of governance. To explain Iranian theocracy in democratic terms, he adopts the practical dimension of democracy to prioritize an efficient religious government over a legitimized democracy in a religious society. To address the question of legitimacy in theocracy, he coins the concept of Islamic rationality (*aqlāniat-e elslami*), defined as "a theoretical framework for the management and evaluation of the voluntary actions of the faithful" (1996: 20), to serve as the legitimizing force of the religious government. Religion replaces contract as the main criterion for legitimacy. What gives legitimacy to theocracy is the figure of a jurisprudent, which is theoretically rationalized through the discipline of jurisprudence. This rationality produces a form of legitimacy for the Islamic government, which is not based on contract, but on the "theory of qualification, or the theory of authenticity of duty" (ibidem: 21). It is more this Islamic rationality than the faithful believers living in a society, or religious individuals at the center of the political system, that constitutes the religious society; moreover, it is on the basis of this rationality that social structures of the Islamic society are established. This constitutes the nature of Iran's Islamic democracy, "which is not inherently democratic, because it is not rooted in a contractual but an Islamic rationality, and is yet thoroughly democratic in terms of function" (ibidem: 20).

In the following issue, two critical contributions of Larijani's theory of "efficient religious government" as an indigenous democracy were published. Yusefi-Eshkevari (1996) believes the concept of Islamic rationality is abstract in that neither rationality nor Islam is clearly delimited.

Attempts at defining do little to distinguish it from Islamic worldview or Islamic ideology. He is particularly critical of Larijani's definition of Islamic rationality, as the latter's scattered definition says little about the origin of such rationality and even less about its relationship to Islam. No matter how his understanding of Islamic rationality is shaped, "there is neither agreement on the definition of Islamic rationality, nor (if there existed one) is there an agreement on the definition of society, politics, economy, ethics etc. (1996: 31)". In addition, Yusefi-Eshkevari problematizes the relationship between legitimacy and efficiency. He believes that democracies without any defining adjectives gain their efficiency in the active participation of the public in the processes of decision-making. If religion becomes the sole source of political legitimacy in an Islamic government, it necessarily reduces people's role from active participants in the political system to passive agents in society! The idea that legitimacy is derived from religion provides a definition of people who are, namely, less characterized with rights than with obligations and duties, which are "inherently defined by the rulers. People have to abide by them. They can at best think and act within the ideological and official framework set by the Islamic government" (ibidem: 33). Similarly, Ghuchandnejad (1996) believes that prioritizing efficiency at the cost of legitimacy castrates democracy and turns it into totalitarianism. He believes what distinguishes democracy from Islamic democracy is the latter's assumption that God owns the right of governance, which is nonetheless bestowed upon people as a whole, whereas Islamic government *à la* Larijani entrusts right of governance to an individual or at best to a selected group of people.

In spite of those official voices that rejected Islam's reconcilement with democracy, *Kiyān* provided a forum for discussion among public thinkers and intellectuals with different political orientations. The well-known religious thinker and essayist, Alavi-Tabar (1994) follows the footsteps of Soroush. In his contribution, "Governance of People in the Society of the Faithful", he addresses the theoretical contributions of Soroush's religious and political theories for democratizing movements among the committed and politically oriented Muslims. He believes that Iranians have been faced with mental barriers provoked by religion and tradition that have slowed down, if not disturbed, the process of accepting modernity and its values, of which *mardomsalari*, the Persian word for democracy, is one. "The theorist of 'democratic religious government' has been able to attack the existing mental barriers – and in particular those of the religious – against the acceptance of *mardomsalari* through the course of his intellectual activities. He has been able to pave the way for a theoretical and intellectual reconciliation between religiosity and practice on the basis of democratic means" (1994: 27). With an eye on the static *fiqh*-based theocratic system in Iran, he quotes Hanna Arendt's understanding of

totalitarianism as lawful government, in which the law is nonetheless pre-given and unvarying, and in which the governors engage themselves with the implementation of the very law. Soroush's theory of contraction and expansion of religious knowledge attacks this form of totalitarianism by introducing religious knowledge as a historical, collective, incomplete and error-prone form of knowledge and is, hence, void of sanctity and holiness. Furthermore, Alavi-Tabar argues that the theoretical implications of Soroush's political theory found a theoretical framework that lays emphasis on civil society than on government in order to explain the logic of democracy. "Religious government in his [Soroush's] mind is defined in such a way that the establishment of a religious government without regard to the public's interests and concerns becomes impossible" (ibidem: 29). And last but not least, it is through highlighting the civil society that strong theoretical principles are implemented to recognize not only the plurality of thoughts, but also the necessity of free and fair competition among different understandings of religion.

Another reaction to Soroush's political theory appeared in volume 18 of *Kiyān*. In his contribution, Farasatkhah (1994) criticizes the idea of democratic religious government on two major fronts: first, the idea misconceives the concept of democracy and its relationship to religion, and secondly, it creates a false interdependence between religiosity of a society and religiosity of its government. In scrutinizing the main propositions of Soroush's theory of religious governance, he problematizes the relationship between religion and politics in a society informed by religion. He argues that neither the harmony between politics and religion ensues necessarily from the presence of religion and the active participation of religious institutions in society, nor does a distinction between politics and religion necessarily entail the removal or isolation of religion and religiosity from society. The author is particularly critical of Soroush's claim that a non-religious government in a religious society is un-democratic. "A non-religious government does not mean an anti-religion government. On the contrary, it is a government that does not claim power on the basis of an institutionalized religion or religious faiths. It is a government, whose legislative, judiciary and executive apparatuses do not determine and decide for the social life of the general public in line with specific faith, decrees or religious traditions" (1994: 35). A democratic government does not discriminate against segments or communities on the basis of their religious orientations.

Another reflection on the compatibility of Islam and democracy appeared in the 20th volume of *Kiyān.* After differentiating between different kids of Islam and different degrees of democracy, Salehpour (1994) holds that a *din-e democratic-e hokumati* (governmental democratic religion)

has the potential of turning a religious government into a democratic government. Among different readings of Islam such as mystical, jurisprudential, ideological, cultural and contemporary ones, only a constant dynamic jurisprudence can unction congruously with the principles of democracy. The unification of democracy and religion is therefore possible if two conditions are given: first, religion is perceived more as an institution than merely a set of ethical and normative principles. All the elements of this institution, such as clergy network, educational apparatuses of religion, administrative and managerial systems, networking channels, and means of disseminating religious knowledge among the mass should be a part of the sociological analysis when religion's relationship with other social institutions such as the government is investigated; secondly, and more importantly, the establishment of a "governmental democratic religion" is contingent upon a kind of "governmental democratic religion". A governmental religion is a religion that "is constantly coping with the requirements of governance and is incessantly adapting itself to the requirements of time and place" (1994: 11). It is only a governmental religion that will elevate the Shiite *fiqh* from its intrinsic restriction to "private law" to a "public law". The relationship between "religious democratic government" and "governmental democratic religion" can then enter into a mutually complementing dialectic, which will gradually produce an ideal combination of religion and democracy.

Theoretical reflections on the relationship between a religious society and the state in the form of religious government entered more practical levels with the investigation of Ayatollah Khomeini's most known political theory, the theory of jurisprudent's rule *–teori-e velayat-e faqih–*. Key to a critical discussion of the theory was Akbar Ganji. In his contribution, "State Religion and Religious State", which appeared in the 41st volume of *Kiyān*, Ganji (1998) reveals how Ayatollah Khomeini produced and applied two different readings of his theory before and after his rise to the center of political system. This difference ensues from an understanding of religion and state when one affects the other, i.e. Islamic state as defined by religion on the one hand, and religion as defined by the Islamic state, on the other. The first reading is rooted in theoretical and idealist reflections. Here jurisprudence provides the most perfect and genuine framework to regulate the relationship between state and society. Therefore, religious government stands on three pillars: "first, jurisprudence provides a comprehensive law for governance; secondly, Islamic governments should implement jurisprudence in managing the society; and thirdly, the head of an Islamic government should be a jurist, i.e. an expert at Islamic law" (1998: 18). The second reading is rooted, however, in pragmatism. Here jurisprudence and governance shift priority, as the former proves in practice incapable of addressing efficiently a diverse range of political, economic, cultural and educational problems. That's why governance replaces

jurisprudence in priority. Ayatollah Khomeini underscores this by holding that "governance as a branch of the absolute rule of the Prophet (SAAS) is one of the primary laws of Islam, and as such, it is prior to all other secondary laws, including even praying, fasting and pilgrimage" (Khomeini, in Ganji 1998: 20-1). These readings of the theory of *velayat-e faqih* are not slightly but fundamentally different, for they justify an Islamic society with a political system that could range from a semi-democratic to a totalitarian mode of governance. To begin with some of these differences, while the state in a jurisprudential reading of governance takes jurisprudence as the sole framework of action in society, the state in a governmental reading of jurisprudence acts primarily on the basis of what serves its interest, and prioritizes this interest over what jurisprudence says when contradictions or problems appear in applying jurisprudential laws in society. In addition, the rule of the jurisprudent in the first reading becomes contingent upon superiority in jurisprudential expertise, and in the second reading becomes subject to interests in politics, economy, culture, etc. Another difference concerns the question of legitimacy. In a jurisprudential reading of government, an Islamic government is legitimate when implementing Islamic laws and decrees in society; in a governmental reading of religion, an Islamic government is legitimate when having a qualified jurist at the center of an Islamic government. After enumerating some of the fundamental differences of the two ways Ayatollah Khomeini implemented his political theory in reality, Ganji concludes that focus on state interests with regard to the emerging requirements, and the dominance of this logic over the semantics political institutions, will "make the state thoroughly secular and mundane" (1998: 29).

In his contribution, "Imam Khomeini, the Jurist of Transitional Period", Hajjarian (1999) highlighted the positive connotations of the state's interest formulated in Ayatollah Khomeini's later political theory. The slogan "'our faith is like our politics' allowed the institution of politics to impose its shadow and requirements on the institution of religion" (1999: 27), of which the introduction of pragmatic and utilitarian approaches were two of the most fundamental ones. When at the heart of his jurisprudential method, the concept of the state interest allowed Ayatollah Khomeini's brand of jurisprudence to gain a transitional status in a number of dimensions: standing between tradition and modernity; between opposition and government; and rising from the restricted official institution of the clergy to the larger systems of a nation and beyond. It also helped his method of jurisprudence to move up from *a priori* prescriptive codes of behavior of the religion to *a posteriori* regulative apparatus of the legal system. Hajjarian saw in this reading of Ayatollah Khomeini's political system the possibilities of transforming an Islamic state based on religion into one based on the rule of law.

4. The impact of religious intellectualism on political system

Can a reformist translation of Islam perform a social function in an increasingly modern society in general and in Iranian society in particular, and if yes, how? The question is important, as the process of modernization seems to have restricted the scope of religion's performance in the modern world society of today. Modern societies are in a sense secular societies, in which religion with its moral and ethical norms and values no longer serves as a super or steering system that cares for the production and maintenance of social order. World society is internally differentiated into several subsystems, which use their own systemic logic to function independently. This systemic logic is neither based on nor is influenced by any religious, moralistic or ethical norms or conventions. In spite of the increasing secularization of the modern society, one wonders whether it is still possible to talk about a more central function of religion in today's world? It seems two of Luhmann's distinctions, namely the distinction between professional and complementary roles (Beyer 1994: 86-93) and the distinction between a system's function and performance (Kneer 1996: 370-383; Beyer 1994: 79-81) can provide an answer to this question. A clarification of these two distinctions can hold the clue for the social function of religious intellectuals in a religious society.

The first distinction is crucial for structuring the way individuals become involved in different social systems. Each system consists of system-specific communications, the syntheses of which require, in addition to organizations and institutions, the active involvement of professional communication actors. While doctors are professionally involved in the subsystem of health, politicians, university professors and clergymen are professionally involved in the subsystems of politics, education and religion, respectively. Specialized institutions and organizations permit each social system to train its professional. These professional role players make the distinction of different social systems from one another possible. Differentiation of the modern political system in world society without the presence of politicians would be as improbable as the existence of the religious system without the presence of the clergymen. But unlike pre-modern societies, individuals do not belong to a sole social subsystem. A politician can take a complementary role and get involved in the system of economics by buying or selling, in the system of health by visiting a health clinic, in the system of religion by praying, etc. Whether individuals perform a complementary role in different social systems, and if yes, how, remains a private decision of the individuals, and as such, non-transparent to social actors and not quite predictable for social systems. In fact, "many of the decisions involved in these complementary

roles [are] a private as opposed to a public matter. Such privatization of decision making accepts that we sometimes do consume according to religious conviction or cast our vote on the basis of aesthetic criteria; but such overlapping is in principle nobody's business but our own" (Beyer 1994: 76). It seems that a social system can produce a crucial role in society depending on the degree its communication participants can use the system's medium and codes to orient themselves in other social systems.

The second distinction relates to the relation between the system and its environment on the one hand and the system and other systems on the other. Function refers to the special role a subsystem performs with regard to the whole society. Social systems distinguish themselves from the environment in that they monopolize the competence to carry out a social function. In carrying out their function, social systems deliver a certain performance for other systems. Such performance cares for a relation among subsystems of the society. The political system makes decision for economy, the economic systems finances funds for research in science, and the educational system trains professionals for the science system. So while social systems are de rigueur autonomous in their operations, they largely rely on the performance of other systems. An important aspect of social systems' performance is reflected in how social actors use information from one system as the premises of their action in other spheres of society. For instance, religious orientations of individuals might lead them to invest their capital in areas that does not necessarily produce a reasonable interest for them.

Religion's relevance for other systems can occur in its performance and not in its function. Religion's function refers to the exclusive role it plays in the society: it concerns the pure relationship between the human and the God and addresses issues such as praying, devotion, the cure of soul and salvation. But religion's performance relates to its relation to other social subsystems. It is here that religion produces a social importance for other systems. Religion looks from its perspective to issues related to family, wealth and poverty, economics, aesthetics, education or politics and finds solutions to different social problems. Although these solutions are not collectively binding for society, they can be of utmost importance for the faithful who take complementary roles in different social systems and extend their religious orientations as the basis of their social actions. Therefore religion can gain a socially important role in that it can fill the private sphere of individuals with dispositions to act in different spheres of the society. Depending on how far the religious orientations define the complementary roles individuals assume to act in different spheres of society, one can talk about the different degrees of religion's relevance in a society.

The performance of religion in the formation of Iran's post-revolutionary political system has been significant. This is no surprise if the fact that Iran's Revolution of 1979 is primarily known as an Islamic Revolution is taken into consideration. The new polity took the Shiite Islamic worldview as the main criterion for the formation of different institutions and organizations. This Shiite worldview became visible in the form of a conservative translation of Islam. While an interlingual instance of such translation was analyzed in the third chapter, a social instance of Islam's translation was investigated against the backdrop of Ayatollah Khomeini's political theory and the institutionalization of a jurisprudential and conservative Islam. The Islamic Revolution was soon followed by comprehensive measures to Islamize different spheres of Iranian society, such as the Islamization of the state bureaucracy (through Iran's Constitution), the Islamization of universities (the Cultural Revolution), Islamization of the mass media, and since more recently, the Islamization of human sciences.

Investigating how a reformist re-translation of Islam can communicatively affect the political system requires an analysis of that reading of Islam, which has allowed the Iranian theocracy to pursue the project of Islamizing Iranian society. Theocracy's reading of Islam rests upon an "ideological" (Shayegan 1994) and an "official" (Mojtahed-Shabestari 2006a) translations of Islam. Common in both translations is that they put less emphasis on the function than on the performance of religion. Ideological reading of Islam was the heritage of religious intellectuals between 1950 to the late 1970s such as Jalal-e Al-e Ahmad and particularly Ali Shari'ati (for a review of their ideological reading of religion, see Dabashi 1993: chapters one and two; Ghamari-Tabrizi 2008: 164-188; Boroujerdi 1996: 65-76 and 105-116). The latter was an outspoken religious revivalist who aimed to modernize and revolutionize Islam at once. He aimed to revive Islam to its original intent: a blueprint for liberation and progress from the tyrants' oppression of the masses and from the popular superstition. Ideological reading of Islam was informed, paradoxically enough, by a Marxist terminology. It saw in religion and religious values the force to bring together large numbers of the faithful into a united mass to resist the rule of the elite and to restructure society. The ideals of such ideological translation of Islam moved to the heart of the Iranian revolution, and with the victory of the Islamic Revolution, to the heart of the political discourse. With the politicization of Islam, the ideological reading of Islam was gradually replaced by a jurisprudential, or an official, translation. Two assumptions, as Shabestari writes, were inherent to the jurisprudential reading of Islam: firstly, Islam includes encompassing political, economic, and legal laws that are applicable to all societies at all times, and the scholarly field that can derive such ahistorical and comprehensive laws is jurisprudence; secondly, an Islamic political system has the duty of implementing religious laws in an Islamic

society (Shabestari 2006: 11). That a jurisprudential translation of religion gained the upper hand compared to philosophical, theological, ethical and mystical reading of Islam owed to the normative nature of jurisprudence, which is applicable in as diverse areas as economical, political, marital, criminal, etiquettical, theological, hygienical and military areas. A jurisprudential translation of Islam allowed the post-revolutionary political system to extend Islam's social performance to the widest spheres of Iranian society. The religious nature of Iranian society was reinforced when ideological and jurisprudential readings of Islam expanded religious logic into the programs of social institutions.

A reunification of religion's function and performance in today's world society is particularly clear and direct in Iran's theocratic political system. While a clear distinction between religion's function and performance has happened in the modern society, which is an indication of social systems' full differentiation from one another (Beyer 1994: 80-82), the distinction has been blurred in Iran's post-revolutionary society. In addition to the legal system, which is inspired by the Sharia law, religion's performance has been particularly extended to the political system, which ensures religion's social omnipresence through powerful political institutions. The Islamic Revolution paved way for the Iranian theocracy to operationalize a conservative translation of Islam in legal, political and educational systems. This translation of Islam lends itself well to the state's maximal reading of religion, according to which Islam has potentially comprehensive solutions for all individual and social problems. Consequently, Islam should provide the framework for legal, political, economic and educational systems and an Islamic government takes on the duty of establishing this framework. A maximal reading of religion has taken religion as the source of superior knowledge and therefore takes all other sciences, human, social, natural, etc. inferior to it. Iran's theocratic political system has prioritized the science of jurisprudence to other Islamic sciences, and has used it to form social and political structures of the society (Mojtahed-Shabestari 2000; Soroush 1998). In doing so, the official reading of religion has divided the citizens of Iranian society into two camps, namely a minority of jurists qualified for interpreting Islamic *Shari'a* (*mojtahed*) and a majority of the faithful who follows them (*moqalled*). This follower and following camps have then been reproduced at the level of society (Mohammadi 1996). Jurisprudential reading's hegemony has transformed Iran's political structure into an aristocratic structure, in which jurists and religious institutions have gained the upper hand (Ghuchani 1996). A successful reproduction of the state's official readings of religion requires the state to proclaim a contradiction between Islam and modern concepts. That's why it reduces freedom to the sexual freedom or to freedom to act against religion, interprets democracy as prioritizing the will of the public to that of the God, challenges human rights as Western and

anti-religion in that it ignores the divine right and the human's obligation to act within the framework of this divine law; etc. (Jalaeepour 2010; Kazemi 2008). It stands to reason that such politically institutionalized reading of religion promotes the homogenization of society and resists the emergence of civil institutions and political parties.

For many thinkers, the re-unification of function and performance constitutes one of the major barriers against the modernization of religious societies. It is against such a background that religious intellectuals criticize modern or modernizing societies. These intellectuals promote a twofold objective, the first of which functions rather in a local and the second in a global context (Kazemi 2008: 150-162). As local intellectuals, they pursue the project of modernizing religious societies by criticizing ideological and officially institutionalized readings of religion. As global intellectuals, they criticize the modern society for its emphasis on human rationality through a contemporary reading of religion (Soroush 1998; Alavi-Tabar 1997a, 1997b). While the first project is restricted to certain societies where religion's performance is extensive, the second project relates to societies where the social performance of religion is fairly restricted. In the first instance, they act as local thinkers to inject general, universal and modern concepts into the traditional structures of Iranian society. They diagnose those religious concepts or readings of religion that cause contradiction with the condition of modern life. With an eye on the requirements of the modernity and modern society, they further attempt to replace the old concepts with new concepts in order to create a harmony between religious worldview and the conditions of modern life. With their reformist re-translation of religion, these religious-minded intellectuals argue for compatibility between religion and modern concepts such as democracy, freedom, human rights, rule of law, civil society, tolerance and acceptance, etc. That these modern concepts have not yet been institutionalized in Iranian society, these intellectuals believe, does not solely owe, as Katouzian (2003) argues, to the authoritarian structure of Iranian society, but more so to a normatively jurisprudential understanding of religion and the *Shar'ia* (Mojtahed-Shabestari 1999a). Transformation in the social and political structures of a traditional and religious society is not possible without a transformation in the intellectual structures of the society. Religious intellectuals contribute significantly to the intellectual development of religious society. They attempt to undermine the performance of religion by their intellectual endeavor. In the second project, these intellectuals go beyond the particularities of religious societies and present themselves as intellectuals on a global scale. They reflect on what has gone wrong in the project of modernization with regard to religion. They spot this loss in how modern society has removed religious worldview from different spheres of society and replaced it with the self-sufficient rationality of individuals. In their global function, they aim to enlarge the performance

of religion and religious rationality as a complement to human and systemic rationality in the modern society.

Religious intellectuals observe in such theocratically institutionalized reading of religion the very foundations that resist the establishment of modern political institutions. They seek new readings of religion to re-define the relationship between traditional and modern values and achievements. This began by drawing a distinction between religion and religious knowledge (Soroush 1991: 7). Soroush argued that religious knowledge, because it is a form of human knowledge and as such similar to that in philosophy, medicine and psychology, is a human construct. While religion itself is inaccessible to humans, religious knowledge should become subject to constant criticism and re-evaluation. As Kazemi (2008: 136) writes, such reformist reading owed much to Soroush, yet other thinkers have contributed to the reconstruction of such reformist reading in theological, political, philosophical, sociological and legal dimensions. Because religious knowledge is not equated with religion, and because it stood in constant interaction with other sources of knowledge, it became clear that no reading could assert itself as authoritative or official, for no reading could observe religion from all the possible aspects. After giving legitimacy to the autonomy of profane sources of gaining knowledge, religious intellectuals began to look at and reflect upon religion from without religion. It was thanks to this perspective that they could analyze modern concepts such as freedom, human rights, justice, equality of sexes and modern politics without regard to Islam. By criticizing the logic of an official reading of religion, these intellectuals criticized the monopoly of the clergy in interpreting religion and paved the way for a plurality of understandings.

The project of minimizing religion followed suit (Soroush 1998; Mojtahed-Shabestari 1999a). The minimization of religion means that religion plays a minimal role in politics, law, economy and science. Soroush argued that religion has defined the minimum in this world in order to achieve its ultimate goal, which is the salvation in the other world. Religion not only says the least in natural, human and religious sciences, but it also says the least about ethics and moral, piety, resurrection, heavenly salvation and damnation. He saw in the minimal nature of religion the condition for it perfection. "A religion that wishes to be eternal and final has no option but to stick to the core and to the common string that connects all humans in all times and places" (Soroush 1998: 8). He then moved to juxtapose religion's perfection with religion's comprehensiveness. He argued that being perfect is not the same as being comprehensive. Islam is perfect with regard to its defined objectives. But it is not comprehensive in the sense that it addresses every issue and problem. Being comprehensive would mean for religion to "resemble a

supermarket in which one can find everything one wanted" (ibidem). From this Soroush concluded that religion is not comprehensive, but perfect in its objectives, and it is equally perfect in giving the minimal of what is necessary. It is with such a minimal approach that "religion does not turn into an instrument of tyranny, domination, earning a living, superstition or spreading contradiction" (ibidem: 9).

Advocacy of a minimal religion was clearly a direct criticism of the state's ideological and normative reading of Islam, which promoted and institutionalized a maximal religion. A political system's reading of religion underscores the social performance of religion at the cost of its social function. That's why theocracy relies on a jurisprudential reading of religion that observes religion's perfection in its comprehensiveness. Many religious intellectuals saw in jurisprudence a shield, which is secondary to what comes first, i.e. the core of religion and its function in the modern world. Jurisprudence serves merely to protect the core of religion. It is as a consequence of minimal religion that these thinkers argued that neither Islam has solutions for all social and individual problems, nor could jurisprudence derive solutions for all the issues of modern societies. In issues related to the political and legal systems, it was even argued that the science of jurisprudence has lost its intellectual legitimacy (Mojtahed-Shabestari 2006a: 161-183). In these areas, "one should use the rationality of today to interpret justice with regard to concrete social, political, economic and cultural facts of Islamic societies and establish on the basis of such interpretation just social, political and economic institutions" (Mojtahed-Shabestari 1999a: 13).

Religious intellectuals perform their social function in initiating political communications that stem from a reformist re-translation of Islam. They re-think and re-evaluate the place of religion and tradition in the modernizing life of the faithful. Their intellectual activity focuses on what has constituted the core of religion over history and attempts to revive this core. Mojtahed-Shabestari argues that the revival of religion cannot mean anything but the revival of faith (2006b: 117-138). This intellectual revival of religion advocates a minimal reading of religion. The latter leads to significant consequences for the way religion interacts with other systems. One such consequence is that it does not overburden the faithful to act in different spheres of society with a maximal religious worldview. When assuming a complementary role in the political system as the voter, for instance, the faithful public does not necessarily need to evaluate the political programs of a candidate or a political party on the basis of their compatibility with the religious criteria. In the same vein, political parties and individuals running for public elections do not need to use a religious discourse to suggest their political programs, for they do not use a maximal religious worldview in preparing their political programs to face the key issues and problems of a society.

In the strong asymmetry of political power in Iranian theocracy, religious intellectuals produce a political communication that functions similar to what Fuchs calls a "third idiom" (Fuchs 2009: 31), i.e. a discourse that corroborates the principles of theocratic political communication and thus permits the advocates of the reformist re-translation of Islam to pass the vetting mechanisms of the state administration and get involved in public elections. In sum, religious intellectuals aim to reduce dramatically the social performance of religion in regulating the social actions of the faithful in society on the one hand, and redefine the relation between the system of religion and other social systems in a theocratic political system, on the other.

Religious reformist communications as introduced by religious intellectuals have paved the way for political reform in the theocratic political system of Iran in at least two ways. First, these intellectuals, together with their secular counterparts, have played a crucial role in the theoretical introduction of modern political thinking in the semi-traditional and -modern society of Iran. By addressing the religious barriers that disturb the implementation of modern political institutions, these intellectuals have shed light on the path towards the modernizing of Iranian society in general and Iranian politics in particular. Secondly, the main project of religious intellectuals has been to produce readings of religion and modernity that allow reconciliation between the two. Modernizing a religious society through projects such as the formation of a modern state under the rule of law, democratizing the circulation of power in the political system, institutionalizing the freedom of media and the freedom of speech would not be possible unless the intellectual barriers of a religious society were overcome. These intellectual barriers include the compatibility between the rule of law, freedom, democracy, inequality of sexes and citizenship right, etc., on the one hand, and religion and religious doctrines, on the other. Religious intellectual have attempted to reconcile religion with the principles and institutions of civil and modern society by discussing issues such as the relation between religion and freedom (Soroush 1996), religion and religious intellectualism (Alavi-Tabar 1994; 1997a; 1997b; Jahanbegloo 1996), religion and ideology (Shayegan 1994; 1999; Alavi-Tabar 1994), religion and democracy (Yusefi-Eshkevari 1994; Paydar 1994; Bijan 1994; Salehpour 1994; Mojtahed-Shabestari 2006), religion and politics (Soroush 1999, Alavi-Tabar 1994, Ganji 1993), religion and violence (Naraghi 1999; Mojtahed-Shabestari 1999; Kadivar 1999) religion and governance (Ganji 1998), religion and pluralism (Soroush 1997; Yusefi-Eshkevari 1998; Naraqi 1998), religion and civil society (Mohammadi 1995; 1998, Farasatkhah 1994), religion and human rights (Paya 1999). It is within the same framework that the intellectual journal *Kiyān* published special issues on different topics, such as pluralism (1376), freedom of speech (1375), civil society (1375), tolerance and

violence (1377), jurisprudence and modern world (1377), religion and liberalism (1378), and tradition and secularism (1381).

Religious reformist communication stands in sharp contrast to theocratic conservative communication. The latter not only hardly makes any distinction between religion's function and performance, but also parallels religious thinking and action in different spheres of society identical with religious faith and belief. It is such a fusion that led Ayatollah Khomeini, for instance, to call voting "a religious, Islamic and divine duty" (in Bahramitash/Hooghlund 2011: 18). And it is no big surprise that many of the high-ranking clerics in Iran have considered voting as a religious duty. Moreover, such theocratic reading of religion hardly distinguishes between professional and complementary roles of religion. It conceives of religion as a super-system that can steer different spheres of society and regulate their function to perfection. So it transforms complementary roles of religion into professional roles and injects them into political, economic, educational, familial, etc. spheres of society. And because it argues for the necessity of an Islamic state, it then falls on the religious government to implement these guidelines in society. Religion is, according to this reading, so omnipresent that leaves little space for the autonomy of other social systems to regulate their function autonomously, i.e. in an autopoietic way.

On the contrary, religious intellectuals have made a clear differentiation between religion's function and performance. Soroush called religion's function and performance the inner and the outer faces of religion, respectively. While the former concerns faith and belief, the latter pertains to those social activities of the faithful, which are inspired by their religious faith, such as going to war, cutting interaction with certain groups in society, entering into discussions, entering in some as opposed to other economic activities, etc. (Soroush 1996: 42f.). In line with Luhmann's theory of functional differentiation, these intellectuals restrict the function of religion to the system of religion, as no other system can carry out religion's function in society. The autonomy of the religious system goes on a par with the autonomy of other systems. By denying a maximal role for religion in coordinating human actions and defining the relation among social systems, these intellectuals further dismiss the status of religion as a super-system. "If the thesis of a minimal religion is accepted, one should unavoidably confirm that one cannot overburden religion. Therefore, one of the responsibilities of religious intellectuals is to clarify the fact that a maximal religion clearly denies religion. Those who raise excessive expectations (in spheres such as ethics, social practice, economy, health, management, governance, etc.) and overwhelm religion with heavy burdens gradually deprive religion of its legitimacy and its acceptance" (Soroush 1998: 9). Soroush calls the unification of religion's function and performance one of the

"corruptions that can happen in the name of religion and it falls of religious intellectuals to diagnose and announce them publically" (ibidem).

From the viewpoint of religious intellectuals, the biggest problem of the official reading of religion is the colonization of religion's function by the religious performance (see Shabestari 2006). Such colonization becomes evident when the differentiation of religion based on the polarity of this-worldly (immanence) and other-worldly (i.e. transcendence) is taken into account. While the positive side of religion's code, i.e. transcendence, becomes more central in distinguishing between system belonging and system no-belonging communications, the negative side of the polarity is less central or central to the extent that it verifies the positive side of the polarity (Beyer 1994: 182). In a theocratic reading of religion, the negative side of the polarity becomes either more central than or as central as the positive side. The well-known motto that "our religion is the same as our politics and our politics is the same as our religion" from the great Ayatollah Seyed Hasan Modarres (1870-1937), which became "a revolutionary model" (Dabashi 1993: 388) during and following the Islamic Revolution, demonstrates well the extension of religion's performance into other spheres of social life. Religious professionals representing the official reading of Islam and the theocratic political system enhance the social capacity of the system they represent and hence increase the public and institutional influence of religion in society. As a consequence, religious professionals became professionals in other systems such as in politics, economy and culture, without nonetheless possessing the required experience and knowledge. The import of religion to other systems, however, did not necessarily translate into the Islamization of politics. It led rather to the politicization of Islam. Religious intellectuals see in theocracy, how paradoxically it might sound, the process of secularization in the sense that religion is undermined as social function and is instead underscored in its performance capacity in the political system, among others (Salehpour 1995; 1999 and Ganji 1998). "The intertwinement of the jurisprudential apparatus with the state apparatus and the realization of [Ayatollah Modarres'] moto (…) has led the system of politics to impose its conditions and effects on the system of religion" (Salehpour 1999: 27). It is as a result of such intertwinement that "jurisprudence system after the revolution has intertwined with the system of politics to such an extent that has made it move from the jurisprudence of praying and transaction to a jurisprudence that has the capacity of founding the public law and the constitution" (ibidem: 32).

Religious intellectuals see their responsibility as liberating religion from its excessive performances. A reformist re-translation of Islam does not deny the fact that religion does concern the this-wordly life of the faithful. What it underscores is that the function of religion

cannot be reduced to the organization of the faithful in their social life. If a theocratic reading of religion saw the project of reviving religion in reinstalling religion as a steering force in different spheres of society, the reformist reading saw the project of reviving religion in clearly separating between the function and the performance of religion in the contemporary society. If the official reading of religion observes in the withdrawal of religion from politics, economy, education, etc. a form a secularization (i.e. separation or withdrawal of religion from society), the reformist reading of religion observes in the entering of religion in different societal subsystems the secularization of religion.

Reformist readings of religion pave the way for modernization of religious society. They advocate the privatization of religion. They define the function of religion as the relation between God and the faithful. This area focuses more on mysticism, ethics and religious experiences than on jurisprudence. They shift the focus from an ideological use of religion as a tool or weapon to restructure or transform their society or to resist the hegemony of the Western and Eastern powers into observing religion as source of personal orientation in the world. Such shift of focus deprives religion from its status as a super system and its steering role in different social systems. Advocacy of a minimal religion in its performance capacity makes religion compatible with the requirements of the functionally differentiated society of today. A minimal religion recognizes the autonomy of other social systems and plays therefore a minimal role in the function of other systems. In doing so, it allows social and political reformists to proceed with the establishment of modern and civil institutions and organizations in a religious society.

5. Conclusion

This chapter was informed by the investigation of translation at the macro-level. Its context of study was post-revolutionary Iran and focused on its political system. Given the theocratic nature of Iran's political system, the key question was to investigate how religious reform as a translation proviso can turn into a potentially political communication and therefore affect the political system. It used the distinction between form and medium defined by Luhmann as the concepts that allow conceiving of religious reformists' and intellectuals' attempts at transforming issues of religious value into issues of political relevance as a form of translation.

The key question of how religious reform can affect political communication was pursued in a number of steps in this chapter. First, the political system needed to be explained in order to outline the structure of the post-revolutionary politics in Iran. Therefore, it adopted concepts such

as politics' function, mechanisms of increasing or reducing complexity, symbolically generalized communication medium of power as well as the different understandings of the system's binary code to outline the evolution of political system as an autonomous system in the modern society. It also made use of a value-neutral concept of democracy to describe a way of doing politics that allows political systems in nation states to reduce environmental complexity through observing the environment in terms of issues with some political relevance and to increase complexity through processing politically relevant issues internally. The more democratic is a political system, the higher is its competence in absorbing societal complexity and in producing decisions that address the most relevant problems and crises of the society.

Secondly, the internal differentiation of a democratic political system served as the criterion to describe the intricate structure of decision-making in Iran. The Islamic nature of Iran's 1979 revolution pushed the system of religion to the center of Iranian society. The revolution and the following developments in Iranian society contributed to the dissolving of the relatively sound differentiation of religion's function and performance in the modern society. An official reading of Islam served as the rational for the formation of many societal institutions in different social systems. A significant consequence of Islamizing the society was the undemocratic evolution of the political system in the form of a theocracy. Theocracy produces an official reading of religion and operationalizes it through producing political decisions and founding social institutions that serve to reproduce the same official reading. As for what concerns the structures of the political system, it did not evolve in a democratic way, as the differentiation of the subsystems either did not occur, and if it did, it occurred only insufficiently. While politics and party politics hardly exist, state administration is internally differentiated into elected and unelected institutions. The circulation of official and unofficial power between the subsystems of the public and theocratic administration is made problematic due the gap or schism between the two.

Thirdly, the question of how religious reformists communications can affect the mechanisms of decision-making in theocracy was studied with regard to the theocracy's self- and other-observation through the medium of public opinion. It was mentioned that in its self-observation, Iran's theocratic political system gains information about its environment and in its self-observation gains information about the existing subsystems through the system of mass media. The analysis further demonstrated that the undemocratic structure of the theocracy makes such self- and other-observation problematic. This owes to the state's control over the system of mass media in the way it gives form to the public opinion. In addition to polarity of newsworthy/not-newsworthy, the system of mass media is super-coded with compatible/not-compatible with the

state ideology. While the state administration defines criteria for the state run media to represent the world and Iranian society and controls the dissemination of information, the public loses its trust in these media and choses to observe the environment and the theocracy through the less controlled media. Moreover, absence of trust in the public leads to the inefficiency of the public opinion as a mirror for theocracy's self- and other-observation. While state administration relies on state-run media, the public relies rather on independent media, which produce an alternative representation of the public opinion. To such media belong independent newspapers and intellectual journals. It is in these media that religious reformist communications are disseminated.

Fourthly, religious intellectuals were introduced as social agents to take the translation proviso seriously. In addition to their professional function in the system of religion, they perform the complementary function of translating issues of non-religious importance into issues of religious and hence, in the context of theocracy, into issues of political importance. By calling for a minimal religion, reformist readings of religion stand in sharp contrast to the official readings of religion. Given the fact that Iran's religious orientated political system like any other social system consists of communications, and that religious reformist communications mobilize political reading of Islam, religious intellectuals turn both into influential complementary role players or even semi-professionals of the political system and professionals of the system of religion. Depending on how far they can find access to the mass media communication, these intellectuals can co-determine key themes in the public opinion and co-define the themes, based on which political decisions are made. Since the key mass media in Iran are state-run, these intellectuals are denied access to these media and are even badly represented. Religious intellectual journals like *Kiyān* were therefore investigated as a platform that served to disseminate reformist communication.

And finally, it was argued that because religious intellectuals address the function and performance of religion in the religious society of Iran, their reformist readings of religion draw the attention of a large segment of the public. Given the considerable social impact of religion in Iranian society, many faithful use their religious values, norms and justifications as the private motive in their actions in different social systems, including the political system.

Notes

[1] All quotations from the journal *Kiyān* are, unless specified otherwise, my translations.

5. Conclusion

This dissertation examined how translation at micro- and macro-levels contributed to the introduction of modernity into Iranian society at two different periods. The first period comprised the 19th century, when the pre-modern society of Iran systematically began to integrate into the European-centered world society. The second period included the 1990s, when religious intellectuals and thinkers managed to introduce their reformist translation of Islam into political themes in the public opinion. This study was descriptive and used Luhmann's theory of society to demonstrate the processes of modernization at the two aforementioned periods. The theory lent itself well to investigate the contribution of translation in modernizing Iranian society, for it conceives of society as communication and translation as a form of communication *par excellence*. The form of translation manifested itself in a number of ways: as the representation of texts and information across linguistic borders at a macro-level (chapter two); as the *modus operandi* of human understanding at a micro-level (chapter three); and as the medium of making communication understandable across systemic borders at a macro-level (chapter four).

The sociological framework of this study demonstrated that Iranian society began to modernize from the mid 19th century onward. At this stage, the society became interested in the West and chose to systematically observe it. This systematic observation permitted the by then pre-modern society of Iran to increasingly draw information about the modern world and to use it in the modernization of its structures. These structures gradually enabled the society to better face the complexities of its environment and to more efficiently participate in different world social systems. Processes of modernization continued with the increasing Westernization of society until the Islamic revolution of 1979, when a turn in the modes and conditions of Iranian society's participation in the world society occurred. By reinforcing the social performance of religion, the Islamic Revolution and its resulting theocratic political system ran clearly against the spirit of modernity. Unifying religion and politics and the project of Islamizing society brought Iran's participation in world political, economic and legal systems into a new phase. A conservative reading of Islam set to define a new tone for Iran's modernization, which nonetheless began soon to face contradictions. Part of these contradictions owed to conservative and ideological readings of Islam, which were institutionalized into political, legal and economic institutions and organizations. These contradictions gave rise to a new wave of reformist readings of Islam that reflected on the social performance of religion, and hence a new wave of calls for Iran's modernization. It was against these two historical backgrounds that the question of how Iranian society has understood modernity and how it has implemented this understanding in its social and

political structures became crucial for this study. The question brought me to the so-called hermeneutics of social systems. I tried to show that translation both as a concept and as a social mechanism plays a central role in such hermeneutics. This study was therefore informed by how the translation of military, historical, scientific and political texts (translation proper) permitted the Qajar oligarchy to understand modernity during the 19th century, and how translation processes (translation in a social sense or as basic social operations) permitted religious intellectuals to transform their reformist readings of Islam into political themes during the 1990s.

In order to define translation in its social capacity, the first chapter aimed to describe translation with the conceptual apparatuses of Luhmann's theory of systems. Translation was defined as a communication medium, whose key function consists in turning the improbability of communication across linguistic borders into a probability. This understanding of translation relied on Luhmann's theory of communication, according to which a cycle of communication is successful when ego's selection of understanding and alter's selections of utterance and information are synthesized into a unit. Translation serves to bring alter and ego to a communicative cycle when the connection between alter's utterance and ego's understanding is otherwise highly improbable. This improbability rises when communication across linguistic, historical, temporal and spatial borders is concerned. The Jakobsonian triad of inter-lingual, intra-lingual, and inter-semiotic forms of translation serve to render the occurrence of communication between alter and ego probable across linguistic, semiotic or systemic, and historical borders. When assumed as a communication medium, translation does not serve to transfer meaning from one system to another but to enable social systems to construct information from their environment. What translation does is to disseminate data in society and leave it to different spheres of society to receive, process and synthesize these data according to their own logic.

This social function of translation was demonstrated in the second chapter in a case study where the contribution of interlingual translation in the introduction of new data from the European environment into Iran's pre-modern society of the 19th century was investigated. It was demonstrated how translation enabled Iranian society and its ruling oligarchy to derive information about the European societies (other-observation) and use this information to assess their status in the world society (self-observation). Translation was crucial to reveal that Iran's infrastructures were too underdeveloped to allow the society to compete with some degrees of efficiency with modern societies in military, scientific, political and economic fields. Different translation projects at different decades of the 19th century revealed no only what measures the state adopted to develop infrastructure, but also which aspects of modernity the ruling oligarchy

was most interested in. Predominantly military and historical translations during the former half of the century showed the Qajars' interest in the military and political aspects of modernity. Modernization of the Iranian army to resist the expansionist policies of European powers was a key objective of the Qajar court at this period. Systematic translation of scientific texts from the 1850s onward went in line with the state's project of training qualified professionals to take official positions in evolving state administration. Institutionalization of translating and publishing activities in the state administration from 1870s onwards evolved in line with the internal differentiation of the state administration into different ministries and offices.

The following two chapters dealt with a more contemporary stage in the modernization of Iranian society. Based on the grounds that translation is a medium allowing for understanding across linguistic, semiotic, historical and systemic borders, the third chapter investigated the question of understanding at the level of psychic systems and the fourth chapter studied the question of understanding at the level of social systems. This twofold understanding allowed me to ultimately approach the question of how individuals can participate in society parallel to the Luhmannian question of how the mind can participate in communication.

As for the question of understanding at the level of psychic systems, I used hermeneutics to demonstrate translation as the medium in which human understanding comes into being at all. I argued that while translation could lend itself to hermeneutics in unraveling the complexity of understanding at a philosophical level, hermeneutics could lend itself to translation in unraveling the complexity of individual's understanding of the Quran, in particular, and Islam, in general. What hermeneutics made clear was that translations of the Quran were translators' constructions of what the text says to them. Although the Quran was not argued to be void of an inherent meaning, the understanding translators as the ultimate spokesperson of the text were moved to the focus of attention. Different translations of the Quranic verse 4:34 well demonstrated that translations could produce completely different representations of the intellectual, psychological and social status of women in Islam. I demonstrated that legal and political systems in Iran have chosen to observe the ultra-conservative translation of the verse. Nonetheless, while a particular translation of the Quran can become the locus of political power, as it has been the case in Iran's theocratic political system, other translations of the Quran can resist power and produce counter power by adopting the perspective of a second order observer. Since the Quran is primarily accessible to its readers through translations, these reformist translations of the Quran can be used by the faithful as the premise of their social actions. This is where reformist translations can perform a social function.

The fourth chapter took the feminist, modernist and reformist translations of the Quran as part of the larger reformist re-translation of Islam, which was carried out against the backdrop of Iran's theocratic political system. These translations were argued, at a macro-level, to constitute basic social operations in Iranian society with potential implications for legal and political systems. By relying on the linguistic structure of communications, it demonstrated that translation products (Quran translations) and translation processes (reformist readings of Islam) constitute basic social operations with consequences for the evolution of a theocratic political system. A brief review of Luhmann's political theory underscored the undemocratic development of Iran's theocratic political system. The bipolar schism of state administration into republican elected and Islamic unelected organs, the barely differentiation of government and opposition, and the system's incapability of observing and absorbing environmental complexity were argued as instances of theocracy's structural underdevelopment. It also showed how theocracy, by politicizing a maximal Islam, exploits the competences of legislative, judicative, administrative and disciplinary organs to transform religious precepts and principles into collectively binding decisions. Theocracy's monopoly of the mass media not only re-produces the state's monopolized official reading of Islam, but also construes a public opinion, whose restrictions in representing society hinders theocracy from an efficient self- and other-observation. A controlled public opinion made theocracy semi-blind to the complexity of its environment. It was against such a context that religious intellectuals were argued to gain a political relevance. These intellectuals managed to translate Islam in such a way that was understandable for the political system, i.e. for the state administration as much as for the public, and to a considerable extent, for the pseudo-opposition. By taking the task of translation proviso seriously, they transformed secular and modern demands into a religious discourse in order to draw the attention of theocracy. Their call for a minimal religion ran against theocracy's official and institutionalized reading of religion. Religious intellectuals' political relevance was argued to depend on how far the faithful took their reformist re-translations of Islam as the premises of own experiences and actions in society in general and in the political system in particular.

The present study might have implications for translation studies, sociology, sociology of religion and political sciences.

As regards the interest in sociological implications for translation studies, this study has joined recent applications of Luhmann's social systems theory to investigate the social and/or sociological dimensions of translation activities. Not only did I attempt to explain the social phenomenon of translation with the conceptual framework of systems theory, but I also aimed to

study the social function of translation in transforming or evolving Iranian society at different periods. At the theoretical level, this study underscored the competence for studying translation as a subsystem in the social system of science. The latter consists in a number of subsystems, i.e. disciplines, of which translation studies is one. Conceptualizing translation as a communication medium can provide further studies, at a practical level, with a solid theoretical framework to investigate the function of translation in social transformations. It can demonstrate how introducing, processing, synthesizing and circulating information, introduced through translation, in different social system can and does induce change in different spheres of society. Accordingly, the logic of how the translation of religious contributions into political themes can produce repercussions for theocracy could extend to other case studies such as the translation of a particular philosophy into political programs and feminist translations of the sacred texts into new theological and jurisprudential themes.

As regards sociology, this study adopted a hermeneutical and a system theoretical framework to study the way translation can contribute to the integration of a territorial society into today's world globalized society. Although the two theoretical frameworks seem to be paradoxical, because one focuses on humans and takes them as the center of its investigation and the other discards humans from society and investigates the world without humans (Gumbrecht 1994), this study demonstrated how the paradox can be resolved by replying to the question of "how can minds participate in communication" (Luhmann 1994) or society. The two theoretical frameworks join in focusing on the question of understanding. While ontological hermeneutics addresses understanding at a micro-level, i.e. at the level of individuals, systems theory addresses understanding at a macro-level, i.e. at the level of social systems. Both of them merge in that they take the receiving meaning-processing system, be that the reader of a text or a social formation like the political system, as the ultimate instance that endows meaning to a phenomenon. While hermeneutics is used to demonstrate under which conditions reformist readings of Islam is produced by religious intellectuals, the systemically informed theory of society is used to demonstrate how reformist readings of religion can be of social relevance in society.

Similarly, this study tried to move a step forward in the application of Luhmann's theory, which was originally thought to describe and analyze European society, to describe a non-European society. The results, therefore, might be of value for researchers interested in a sociological description of the evolution or transformation of Iranian society. To describe Iran of the 19th century, this study shed light on the way Iran joined the globalized world by studying the evolution of modern world society. By comparing the fundamental differences between European

and Iranian societies, this study subscribed itself to what Katouzian (2003) has called the special dialectic between the state and society and argued that the integration of Iran in the world society, unlike in Europe, was fundamentally led and steered by the ruling oligarchy. Similarly, this study utilized Luhmann's political theory to describe the evolution of Iran's post-revolutionary theocratic political system. It argued that Iran's theocracy evolved in sharp contrast to the logic of the modern society. The unification of state and religion not only undermined the autonomy of religious and political systems, but also eroded the autonomy of other social systems such as law and mass media within the territory of Iranian society. This research argued that the insufficient differentiation of systems like politics and mass media restricts their competence in observing, processing and adapting to their environments' complexities.

An examination of how religious communications can impact society in today's globalized world might make the last chapter of this research of some interest for those studying in the areas of the sociology of religion. Today's world society is a secular society in the sense that religious forms and principles are no longer binding or definitive for the whole society but can at best direct the lives of individuals and subgroups. Secularization leads to the privatization of religion, on the one hand, and to a reduction of religion's public influence, on the other. Yet this observation might be challenged by the thesis that "the globalization of society, while structurally favoring privatization in religion, also provides fertile ground for the renewed public influence of religion" (Beyer 1994: 71). This can be particularly the case when religion turns in a tool of preserving identity against the homogenization force of globalization. This renewed public influence might perhaps be best observed in the post-revolutionary society of Iran, where the otherwise well differentiated function, i.e. religion's monopolized function in the whole society, and performance, i.e. the relation religion has with other social spheres such as politics, law, education, economy, of religion is de-differentiated and united. Such unprecedented increase in the public influence of religion has been made possible with the rise of the professionals in the system of religion, i.e. the clerics, to professionals and leaders in other systems, above all in the political, legal and educational systems. Whether or not such a socio-politically empowered religion in an otherwise secularized world society can perform its function of producing social order in Iranian society or other Islamic societies in the long run is an open question that requires further sociological insights.

Researchers in political science might find an interest in how systemic theories of politics can shed light on how non-democratic political system perform their social function. Today's world society makes it too complex for a system to assume a transcendental function and observe the

world in its complexity. Therefore, no system can hold the status of a central or steering system, and if this is the case, the society faces the challenge of internal collapse, as it was the case with the collapse of the Soviet Union. Such erosion might best be noticed in a religious society like that of Iran. Since an empowered religion is injected into different social institutions and organizations, which in turn ensure the function of their corresponding social systems, it becomes increasingly difficult for different social systems to handle and react to the world's complexity according to their own logic. This study demonstrated in passing an instance of such erosion with theocratic political system in Iran: theocracy not only hardly puts into practice an autonomous internal self-differentiation into state administration, politics and public, but it also hardly uses the public opinion in an efficient way for self- and other-observation. The conceptual framework of systems theory that this study has alluded to might be mobilized for a description and analysis of how and to what degrees of efficiency theocracy deals with social problems and issues.

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