

## ONLINE LECTURE BY DR. BAHAREH EBNE-ALIAN

# RATIONALITIES OF THE DUAL STATE IN IRAN: RELIGION, LAW, AND AUTHORITARIAN POWER IN THE ISLAMIC REPUBLIC

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### ABSTRACT

Dr. Bahareh Ebne-Alian's work examines the dual structure of law and discretionary power in the Islamic Republic of Iran. It builds on the concept on the Dual State that Ernst Fraenkel, through an analysis of the practice of contract law adjudication in 1930s Germany, developed in order to show how a capitalist economy and authoritarian politics can (precariously) coexist. Ebne-Alian studies the formation and transformation of Iran's dual structure of rule: Here, too, a state practice relying on discretionary power and rule by decrees coexists with a legal practice based on general rules and procedures. This structure helps explain the stability of this regime: Such a compartmentalized framework of rule, sustained by legal norms and institutions, secures a minimum of regularity and predictability indispensable for the regime's survival, while ensuring at the same time that politics remain beyond the reach of law.

### ABOUT DR. BAHAREH EBNE-ALIAN

Bahareh Ebne-Alian is a PhD graduate from the Sociology department at The New School for Social Research. Her work focuses on the intersection of law, religion, and authoritarian power, with particular attention to the role of law in authoritarian and hybrid regimes. Her dissertation, "Rationalities of the Dual State in Iran," examines the dual structure of law and power in the Islamic Republic of Iran. She is currently revising her dissertation into a book manuscript and working on a chapter on the revolutionary origins of the Dual State in Iran. Her second book project explores religious authoritarian rule by law in Iran and other Muslim-majority contexts.

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