

“rediscovered” it. He correctly recognized the aversion to Arab and Turkish elements in Iranian culture as mostly the dichotomy between an old desert versus sown, culture versus barbarism dichotomy. He reminds us how the nineteenth-century Qajar dynasty fully acknowledged its Turkic roots, which included the Turkish language spoken by the elite, and how absurd it is to blame the seventh-century Arab conquest for Iran’s “decline” for all of the subsequent 13 centuries. Perhaps most importantly and sensitively, he notes how Iran’s national epic, Ferdowsi’s *Shahnameh*, which Iranians see as ethnically and linguistically pure, is a composite work that essentially espouses an Islamic worldview.

This study is especially good at explaining how modern Iranians have used the myth of pre-Islamic grandeur to come to terms with the country’s manifest backwardness, to help relieve the pain of national humiliation and restore the country’s badly bruised dignity. Zia Ebrahimi astutely recognizes the indispensable role that the idea of Aryanism played in this myth and how their presumed kinship with Europeans allowed Iranians to engage in what he calls submissive imitation, projecting themselves as subalterns rather than as critical interlocutors—to which their status as a great civilization should have entitled them.

The Emergence of Iranian Nationalism falls short on two counts. First, the author gives too little credit to the pioneer of the idea of the “foreign” origins of Iranian nationalism, Mostafa Vaziri, who in 1993 published a groundbreaking book on the topic that proved to be premature and was accordingly ignored or dismissed (*Iran as Imagined Nation: The Construction of National Identity*). And he pays too little attention to the orthogenetic roots of the culturally imperious attitude embedded in the Iranian sense of self. He ignores the preoccupation with ritual purity of Iran’s dominant faith, Twelver Shi’ism, which into the twentieth century created a distance from non-Shi’is among the devout. He all but dismisses traditional Persian poetry and its representation of Iran as a paradisiacal land of surpassing beauty. And he overlooks a rather supercilious and self-congratulatory attitude vis-à-vis other peoples and cultures that long predates contact with the West, let alone the age of imperialism.

This is an original study that shows the immense complexity of Iranian nationalism. Zia-Ebrahimi has also written a courageous book. It will be interesting to see how Iranians react to its unsettling argument and the extent to which they will be willing to acknowledge the racist streak in what has become a most cherished part of their identity.

Comparative Matters: The Renaissance of Comparative Constitutional Law. By Ran Hirschl. Oxford: Oxford University Press, 2014. 320p. \$45.00 cloth.
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— Heinz Klug, *University of Wisconsin-Madison*

Ran Hirschl has made an extraordinary contribution to the creation of what might best be described as a self-reflexive vision of the field of comparative constitutionalism. In this third, and I hope not final, book—despite his disclaimer in the acknowledgments—Hirschl again explores “the intersecting worlds of constitutional law and comparative politics” (p. v), producing what Tom Ginsburg of the University of Chicago aptly describes as “an instant classic,” part intellectual history and part methodological manifesto. In *Comparative Matters*, Hirschl ably achieves his goal of clarifying “the essence of the term ‘comparative’ as a project and a method” (p. 5). This is simply a seminal work in the field of comparative constitutionalism. The book further advances the field by applying a much-needed critical analysis to the range of studies and approaches upon which scholars in the field have focused: including the choice of specific jurisdictions, described by the author as the “World Series” of comparative constitutional law, as well as the normative priorities of most participants in the field, which, he argues, reflects a “deep liberal bent” (p. 17).

Hirschl’s central argument involves a tri-modal analysis that seeks to demonstrate that the “history of epistemological leaps in comparative public law” is rooted in three dynamic motivational forces—“need, intellect and politics”—each of which might in combination or singularly drive the process of comparison at different times and in different places (p. 149). First is the need of “extra-large political entities,” on the one hand, or “minority groups,” on the other hand, to manage diverse communities or to maintain their own identities by “opening up to the laws of others” (p. 148). Second is the intellectual curiosity of scholars, political actors, and members of the legal profession—from judges to advocates and councilors—to understand their “own constitutional setting” by comparing, contrasting, and analogizing their own situations to that of others understood to be in comparable contexts (p. 148). Finally, there is the use by constitutional designers, judges, and politicians of “comparative engagement as a means of promoting a concrete political agenda and worldview,” which may be advanced by exploring the constitutional formulations, interpretations, and laws of others (pp. 148–49). Building on this analytical construct, Hirschl concludes with three important insights: first, that engagement with the laws of others has a long history; second, that this comparative engagement is as much a political act as a legal one (p. 282); and third, that the “dramatic political transformations of the past few decades” has produced a “renaissance of comparative constitutional inquiry [that has been] greatly facilitated by economic and technological interconnectedness” (p. 283).

The book is structured in two parts with three chapters in each. The first part explores the “history of engagement with the constitutive laws of others” and serves to identify

the factors that have advanced the comparative project through the ages. Two of the chapters in this part explore specific dimensions of this engagement. In “View from the Bench,” Hirschl begins his exploration by analyzing how constitutional courts and judges, described as the “key purveyors and consumers of comparative constitutional jurisprudence,” engage with foreign constitutional law, focusing in particular on their choices and methods (p. 20). After surveying the use of foreign citations by courts across the globe to demonstrate “what is actually known about patterns of foreign reference,” the chapter uses a close analysis of the jurisprudence of the Supreme Court of Israel to explore what Hirschl identifies as a core element in the use of comparative constitutional jurisprudence—the “identity construction factor” (p. 41). The chapter concludes by showing how identity construction may be identified in the work of other peak courts that often position themselves as bastions of “universalism and cosmopolitanism” (p. 68). The overall approach of this chapter, Hirschl concludes, allows us to “track where and how the judicial imagination travels” (p. 20), and while much of the field focuses on judicial behavior, the author stresses that these encounters are “as much a humanist and sociopolitical phenomenon as they are a juridical one” (p. 6).

The second and third chapters, “Early Engagements with the Constitutive Laws of Others” and “Engaging the Constitutive Laws of Others,” are used by Hirschl to both dispel the myth that engagement with the laws of others is a new phenomenon and to produce an epistemological history of comparative constitutional law. Approaching the question of engagement from the perspective of “the fundamental tension between forces of legal convergence and enduring patterns of divergence” (p. 81), he explores the deep history of engagement and its comparative dimension from the time of the early Hellenic world, arguing that constitutional law and religious law have much more in common than is usually acknowledged, as they are both “revered symbolic systems that reflect ideals, aspirations, and principles that are larger than ordinary life” (p. 110).

This first part of the book ends with the construction of an intellectual history of comparative public law through a contextual account of the work of four scholars—Jean Bodin, John Selden, Montesquieu and Simon Bolivar—whose engagement spans four centuries as well as a discussion contrasting the diametrically opposite responses by two neighboring states, Canada and the United States, to comparative constitutional law in the late twentieth century. Hirschl uses these encounters over five centuries and through fundamentally different social and political contexts to distill his central argument—that the essence of the comparative impulse is driven by need, intellect, and politics.

The second part of the book focuses on the modern academic field of comparative constitutional law in

general. Hirschl’s approach involves both attention to the “disciplinary boundaries between comparative constitutional law and the social sciences” and a focus on the mix of methodologies that might be usefully applied to the task of going “beyond analysis of court rulings . . . toward a more holistic approach to the study of constitutions across polities” (p. 15). The first chapter in this part, “From Comparative Constitutional Law to Comparative Constitutional Studies,” makes the case for an interdisciplinary approach to the subject. This Hirschl does by demonstrating both the limits of “settling for the insular study of judicial reasoning without taking into account the socio-political context” in which the judgment was made or the court operates (p. 168) and by explaining that comparative constitutionalism was founded in the social sciences—and among political scientists—long before “contemporary comparative constitutional studies” was appropriated by law schools (p. 164).

In the final two chapters in this part, “How Universal Is Comparative Constitutional Law?” and “Case Selection and Research Design in Comparative Constitutional Studies,” the author focuses on the appropriate methodologies that might be brought to bear in building the field as a means for addressing his criticism of the field as having a “loose and under-defined epistemic and methodological framework” (p. 5). While he reiterates the fact that “methodology concerns the means and not the ends of academic inquiry” (p. 281) and describes his own vision as one of “methodological pluralism” (p. 280), his empirical vision seems to lean toward a faith in quantitative methods—such as large-*n* studies—although to be fair, this emphasis might be simply a response to the overly normative approach that he sees as dominating the field. Hirschl’s methodological stance seems in part a reaction to what he describes as the “global south” critique of the project of comparative constitutional law. While he recognizes and accepts the two main thrusts of the critique—the limited sample of countries and the liberal bias of the dominant literature in the field—he also delivers his own critique of the very notion of a “global south” in the realm of constitutionalism, particularly as to what it might add “to theory-building as such” (p. 222).

Hirschl’s critique is fair to the extent that there is neither a single global North nor a single global South; however, it also reveals a gap in his methodological and epistemological approach. While his discussion of the critique from the “global south” recognizes and even emphasizes the relevance of economic disparities between countries and the significance of the sociopolitical context, there is little recognition of the need for a sociological approach that might recognize the ways in which constitutions simultaneously constitute power within society and are shaped by the political economy within which they are embedded. Even as the author acknowledges the value of “concept formation through multiple description,” he emphasizes the need for a greater focus on “causality, inference and

explanation” (p. 228). A more explicitly sociological approach to understanding constitutionalism and conducting comparative analysis might explore the relationship between the social processes, including the political economy of the society, that produce particular constitutional settlements or arrangements at any particular moment in time and the continuing role that the constitutional ideas and institutions play in the creation and transformation of a society’s constitutional identity. Such an approach may provide a clearer means of exploring the link between a society’s constitutional identity and the particular options embraced, both in the jurisprudence of its courts and in the response of the courts to the range of options available in the realm of comparative constitutional jurisprudence.

Iran’s Political Economy since the Revolution. By Suzanne Maloney. New York: Cambridge University Press, 2015. 585p. \$91.17 cloth, \$35.99 paper.
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— Payam Mohseni, *Harvard University*

In her book, Suzanne Maloney provides a rich and detailed narrative of the intersection between politics and economics throughout the postrevolutionary history of Iran. As there have been relatively few scholarly works produced on the political economy of Iran in the field of Iranian studies, this book advances the literature by delving into the economic conditions and interests that drive much of Iranian politics, as well as the factors that influence how political decisions are made by the ruling elite. *Iran’s Political Economy since the Revolution* has three main objectives: to examine how its political economy has shaped Iranian state and society; to uncover the factors that have produced contradictory political and economic outcomes in the country; and to assess Iran’s political economy in its regional and international context, with a specific focus on the impact of sanctions on Iran and the challenges for U.S. policymakers in placing economic pressure on the Islamic Republic. Accordingly, Maloney moves beyond the stereotypical images of Iran and delves into the paradoxes and complexities of an economy that she describes as both “rich and poor, developmental and predatory, integrated and isolated” (p. 10).

Maloney argues that there are four major factors that have shaped the political economy of Iran. The first is the legacy of prerevolutionary political and economic conditions that impacted the postrevolutionary period. These include such issues as the nationalization of oil under Mohammad Mosaddeq, as well as the oil economy and land distribution policies of Shah Mohammad Reza Pahlavi. The second factor is the economic dimension of factionalism and the political architecture of the Islamic Republic, particularly the bifurcated authority between elected and unelected institutions.

These structural and political issues have prevented consensus around economic policy and created much infighting and competition among the elite, as well as between different types of state institutions, such as the *bonyads*. The third factor is Iran’s status as a “rentier state,” in which the state derives a large part of its revenue from the export of natural resources, such as oil and gas. Such revenues have in part strengthened the capacity of the elite to consolidate state institutions but also created vulnerabilities to global energy boom-and-bust cycles, alongside economic distortions that have inhibited economic progress. And finally, the fourth factor is Iran’s contentious relationship with the world. This includes both Iranian mistrust of the international community and international institutions, including global financial ones, as well as America’s treatment of Iran as a rogue state and the imposition of sanctions and other coercive measures against the country.

Maloney’s work is an impressive historical overview stretching from the Qajar dynasty to the Pahlavi period, up to the Islamic revolution and onward, including the formative stages of the Islamic Republic, the Iran–Iraq war, the reconstruction era under President Ali Akbar Hashemi Rafsanjani, the reformist period under President Mohammad Khatami, and the populist era under President Mahmoud Ahmadinejad, with a brief discussion of President Hassan Rouhani’s administration and prospects for the future in the conclusion. The extensive temporal coverage is quite useful as a frame, and the book also incorporates a wide variety of sources, including both primary sources in Persian and scholarly literature in English. The author thus provides a well-written narrative of the history of modern Iranian political economy, and it is this narrative that may be the work’s most important immediate legacy given the lack of comprehensive accounts in the field, especially when she discusses the nascency of the Islamic Republic when significant transformations took place in the Iranian state and society. The book also provides significant statistical information and graphical visualization on a variety of indices measuring the Iranian economy over the past three decades, including inflation rates, the consumer price index, oil and gas revenues, and imports and exports.

While the book is well researched and provides an overarching view of the political economy of contemporary Iran, there are also weaknesses that call attention to the need for future research. Importantly, the analysis is not theoretically based within political science or economics, nor does it make any significant theoretical contribution to the field—an objective not intended by the author. What do the economic conditions of Iran tell us about our understanding of policy decision making writ large? How do the regime structures and institutions impact the political economy in comparative perspective or speak to the findings