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Addenda to Fourth Edition

Wilayat Faqih and its sources

Q: Explain Governance of the Jurist (*Wilayat Faqih*), which is the basis of the government of Islamic Republic of Iran and which is based on five fundamentals.

A: The Holy Quran says:

"O you who believe! Obey Allah and obey the Apostle and those in authority from among you; then if you quarrel about anything, refer it to Allah and the Apostle, if you believe in Allah and the last day; this is better and very good in the end. " (An-Nisaa', 4:59)

The repetition of the word of 'obey' in this verse proves that two types of obedience are obligatory. Obedience of the Almighty Allah in all religious laws like Prayer, Fasting, Hajj and political and social laws like Jihad, Penalties and Retaliation and judgment, whose fundamental principles are mentioned in the Holy Quran and its details are supposed to be explained by the Messenger of Allah (s.a.w.s.) and the Holy Imams (a.s.). As mentioned in the following verse:

وَأَنْزَلْنَا إِلَيْكَ الذِّكْرَ لِتُبَيِّنَ لِلنَّاسِ مَا نُزَّلَ إِلَيْهِمْ

"...and We have revealed to you the Reminder that you may make clear to men what has been revealed to them..." (An-Nahl, 16:44)

And in the same way, He says:

"...so ask the followers of the Reminder if you do not know..." (An-Nahl, 16:43)

Acceptance of Wilayat is a condition of Faith

Second type of obligatory obedience: It is accepting the obedience of the Messenger of Allah (s.a.w.s.), leadership of Ummah and Imamate in all problems faced by Muslims, whether religious or social or a problem of application of political laws. The right of such a Wilayat is with the Almighty Allah, since He is the owner and creator of all and He has entrusted this Wilayat to his Messenger and the Prophet is infallible. Therefore he can never act on the basis of his selfish desires. Therefore to accept the Wilayat of the Messenger of Allah (s.a.w.s.) is a condition of true faith. Thus He says:

"But no! By your Lord! They do not believe (in reality) until they make you a judge of that which has become a matter of disagreement among them, and then do not find any straitness in their hearts as to what you have decided and submit with entire submission." (An-Nisaa',4:65)

Rulership is only for the Messenger of Allah (s.a.w.s.) and believers will be truly devoted to them when they agree to their decisions without raising any objections and that they should accept it with sincerity, because the Messenger of Allah (s.a.w.s.) has never adjudged on the basis of his selfish desires to the detriment of someone else. On the contrary he has judged according to divine law.

In any case, the Messenger of Allah (s.a.w.s.) was a divine messenger entrusted with the duty of conveying divine laws to the people. In spite of that he was an Imam of Muslims and he guided them; leading them in their social matters, till he passed away from the world.

Imam Az-Zaman (a.s.) and death of Ignorance

After the Messenger of Allah (s.a.w.s.), two types of obediences are obligatory till Judgment Day. That is

just as the obedience of the Messenger of Allah (s.a.w.s.) is obligatory in every age and in every matter in the same way is obligatory the obedience of an Imam whose obedience is obligatory in all times till Judgment Day. And in Shia and Sunni books, it is mentioned in widely related (*Mutawatir*) traditions from the Messenger of Allah (s.a.w.s.) that he said:

"One who dies without recognizing the Imam of his time (an Imam whose obedience was obligatory), his death will be a death of ignorance."1

It means that he does not die as a Muslim, because one who does not recognize the divine representative and does not follow him, has definitely followed one to whom he was inclined. Therefore his imam will take him where he himself goes, because that imam (leader) who is ignorant of truth and reality is himself selfish and he makes his follower as he himself is. Thus he drags him into every mischief.

"(Remember) the day when We will call every people with their Imam..." (AI-Israa', 17:71)

In every age, Muslims are obliged to have cognition of the Imam of their time and that they must follow h im, so that the divine representative may lead them on the right path and establish justice and equity in society. That he may save them from every kind of mischief, deviation and injustice. If people do not gather around the divine representative, each group will select a leader for itself and such disunity would lead the whole society into the quagmire of ignorance and finally take them to chaos and bloodshed. As a result of this, the tyrants of their time will gain power on them and they will be free to do whatever they like.

Thus it is mentioned in the Fadak Sermon of Lady Fatima Zahra (s.a.) that she said:

"Almighty Allah has made the Imamate of us, Ahlul Bayt (a.s.) as a means of safety and discipline of society so that unity may be maintained among people and that they remain safe, so that tyrants and satans may not dominate them." 2

There is only one Imam at any given time

There should be one Imam in every age, even though two persons may be same from the aspect of leadership and eligibi lity; in spite of that one should be the Imam and the other the follower as in case of Imam Husain (a.s.) who was a follower of his brother, Imam Hasan (a.s.) during the period of the latter's Imamate.

It is mentioned in Uyun Akhbar Ridha' in chapter 34, Pg. 101 that Imam Ali Ridha' (a.s.) said: It is not possible that there should be two Imams at one and the same time and that both should be such that it

is obligatory to obey them. Its evidence is that it is not possible for two persons to have the same opinion in every matter, thus in case of difference of opinion if the Muslims obey one of them, they would in fact be disobeying the other and as a result of the presence of two Imams, the people will be divided into groups and there will be mischief. Opposition of one of them is disobedience; as a result of which both of them will lose the status of Imamate.

Who is an Imam and who can appoint an Imam?

On this juncture, a question arises that who is that Imam of every age whose obedience is obligatory, and who appoints him to this post?

In the Holy Quran, Imamate is mentioned wholly as an institution of one vested with authority and since it is mentioned along with the authority of the Prophet, we should know that the one vested with authority should be exactly like the Prophet except that he does not have prophethood, so that his obedience should be obligatory like the obedience of the Prophet.

Imamate is a divine office that the Almighty Allah should specify through His Messenger, because if the appointment of the Imam rests with Muslims, it would be subjected to three points of doubts and objections.

The first is that it is impossible for all people to have consensus on one person or it is almost impossible. As a result of which every group will have its own Imam, whose invalidity is clear.

Even if we suppose that all people have consensus on one person, how can it be guaranteed that he is fit to lead the Muslims? That is he will be sure to lead the society on the path of success and prosperity and defend it from the danger of enemies. It is even possible that he drags the society in to misguidance like the blind who leads the blind or like the sick man who cures other patients.

Thirdly, it is not obligatory in religious law to obey a person chosen by human beings, because only Almighty Allah has discretion on all, since He is their creator and He has given a right to His Messenger and those vested with authority (*Ulil Amr*) and has declared their obedience obligatory. Therefore those vested with authority (*Ulil Amr*) should be like the Prophet and be immune from mistakes. Thus one who is not infallible, if his obedience is unconditional, he would be obeyed in illegal matters and errors as well, and Almighty Allah cannot issue such commands.

Therefore, it is necessary for the Imam and divine authority (Wali Amr) in every age that he should be the most knowledgeable, most superior and best of all. At the same time he should be also infallible; since it is beyond the capacity of people to recognize such personalities, because there are many contenders of this position. If the appointment of this Imamate is not by Almighty Allah through His Prophet, its invalidity is clear, because every group will choose its own leader and on the basis of selfish desires will be in conflict with their opposing group; as a result of which the divine laws, which were

supposed to reform humanity, would be rendered completely useless and injustice and destruction will envelop the society.

The Prophet introduced 'those vested with authority' (Ulil Amr)

On the basis of correct traditions, the Messenger of Allah (s.a.w.s.), under the command of the Almighty Allah introduced 'those vested with authority' (*Ulil Amr*) and solved the dilemma faced by early Muslims. We shall mention only one of the widely related (*Mutawatir*) reports in this regard:

It is mentioned in Ghayatul Maraam (Chapter 42, Pg. 706) of Allamah Bahrani that:

Jabir bin Abdullah Ansar asked the Messenger of Allah (s.a.w.s.): "Who are 'those vested with authority' (*Ulil Amr*), whose obedience is made obligatory by Almighty Allah?"

The Messenger of Allah (s.a.w.s.) replied: "They are my successors and Imams of Muslims. After me the first of them is Ali Ibne Abi Talib (a.s.) and he will be followed by Hasan then Husain and then Ali bin Husain and then Muhammad bin Ali who is famous by the title of Baqir; and 0 Jabir you would live that time; so you must convey my greetings to him. After him will come Ja'far bin Muhammad, then Musa bin Ja 'far, then Ali bin Musa, then Muhammad bin Ali, then Ali bin Muhammad, then Hasan bin Ali and after that will come one who is my namesake and one having my agnomen; who is the Proof of Allah on the earth, Ibne Hasan Ibne Ali (a.s.). He is the same through whom the Almighty Allah will conquer the whole earth and he is the same who will go into occultation. And Allah will keep only one firm on belief in his Imamate, whose heart had been tested for faith."

Obedience of the Imam during occultation

Q: Is obedience of divine appointee (*Wali Amr*) in force during occultation of Imam Az-Zaman (a.s.)? If it is so, who is the one who wields this authority?

A: Authority of divine appointee (*Wali Amr*) and Imam will be in force till Judgment Day, just as it is obligatory to follow all religious and social laws till Judgment Day. And just as none of the Islamic law is going to be abrogated till Qiyamat, same is the case of obedience of Imam, which is the most important Islamic duties and which is the cause of endurance of Islamic faith and security of Islam from dangers of unbelievers; that also is not going to be abrogated ever.

Just as it was obligatory for the Messenger of Allah (s.a.w.s.) to appoint the Imam for Muslims after him so that people do not go astray, and the Holy Prophet (s.a.w.s.) specified them whether the Muslims accepted them or not. In the same way it was obligatory for Imam Az–Zaman (a.s.) also to appoint his representative for Imamate of Muslim during the period of his occultation and he appointed them as well.

"As for the new problems, refer to the narrators of our traditions . . ." 3 Here 'new problems ' imply the difficulties faced by Muslim and political and social matters of society and defending Muslims from unjust

tyrants. Otherwise the laws of prayers, fasting, Hajj and Zakat are in force for more than a thousand years and which have been fully discussed and researched; it is not a 'new problem'

General salvation of the poor is in agenda of Imam Az-Zaman (a.s.)

Shaykh Tusi says:

"The reason for the occultation of Imam Az–Zaman (a.s.) and his non–interference in matters of Muslim is there because people are not ready to obey the Imam. To exercise full discretion and to save weak people of the world from oppressors and to spread justice and equity in the whole world, which is among the important duties of the Imam; and which depends on willingness of people is such that its conditions have not matured yet."

However to appoint his representative for leadership and point of reference of Muslims, especially for the Shia during occultation is not dependant on obedience of Muslims; on the contrary it is the duty of the Holy Imam (a.s.). He is supposed to appoint his representative whether people agree or not so that the proof is exhausted to all of them.

Thus from 260 A.H. to 334 A.H. it was the first period of the Imamate of Imam Mahdi (a.s.) in which he appointed four persons as his representatives; who are as follows:

Uthman bin Saeed, Muhammad Ibne Uthman, Husain Ibne Rauh and Ali Ibne Muhammad Saymoori. And the period of Minor occultation (*Ghaibat Sughra*) was of seventy–four years. After that he entrusted the representation to scholars capable to act as points of reference and he said: "They are my proofs upon you and I am the proof of Allah upon them."

He also said: "Whoever denies or opposes them, it is as if he has denied me and one who has denied me; has denied the Almighty Allah, which is akin to polytheism."

In another traditional report he says: "The application of all laws is under the control of scholars, who are the trustees of divine commands and prohibitions. "4

Now we shall state the conditions of jurisprudential authority (*Marjaiyat*), Imamate and leadership, which are mentioned in traditional reports.

Deep consideration in laws and certainty in beliefs

The first condition of being a point of jurisprudential reference (*Marjaiyat*) is deep knowledge of religious laws. Since the beginning of Islam a jurist is one having a deep knowledge of beliefs and principles of Islam. He was also supposed to have awareness of all Islamic laws and must also be putting them into

practice.

Therefore it is necessary for the point of emulation and divine authority (*Wali Amr*) that he should be most knowledgeable and superior to all, so that the preference of inferior over the superior is not necessitated.

It is necessary for a point of emulation and leader that he should be well versed with Islamic principles and especially have conviction on the matter of monotheism. He should be clear of all doubts. In the same way he should have certainty about Judgment Day, which can be recognized by fear of Allah and awareness of ones responsibility and as far as derivation of Islamic laws is concerned, he should have reached to the stage of jurisprudential derivation (*ljtihad*).

Justice and opposing the selfish desires

Another fundamental condition for leadership and jurisprudential reference (*Marjaiyat*) is justice. That is one should refrain from all Greater Sins and also avoid the lesser ones. Moreover it is explained in some traditional reports that the Muslim ruler should be pure from many unsuitable points. Thus it is explained in detail as follows:

1– The role model (*Marja*) should not follow selfish and carnal desires. He should not be inclined to wealth, fame and status and honor and to gain superiority over others. He should not prefer his relatives over others.

Shaykh Murtada Ansari (r.a.) in his *Rasail* has mentioned in the chapter of evidence of solitary reports from Imam Hasan Askari (a.s.) that he said:

"Jurists who give preference to their relatives and followers even though they might be pious, over others even though they might not be pious and they give way to their selfish desires, their harm on Muslim society is more than the harm caused by army of Yazid on Imam Husain (a.s.)."

Therefore the point of emulation and the leader of Muslims should constantly seek the pleasure of Almighty Allah; he must follow only that which is the truth and not that which he likes. In other words, he should purify his self so that he may discipline the whole society and if he has not purified himself, it is possible that he will drag the whole society to destruction.

Qualities of a leader according to Imam Ali (a.s.)

2- The point of emulation and divine authority (Wali Amr) should be pure from lowly traits of character and that he should be imbued with Islamic and human perfect qualities. Some words of Imam Ali (a.s.) are mentioned with regard to this: The gist is that the leader should not be miserly, hot tempered and cowardly.

"You know that it does not befit one who rules upon Muslims to be a miser, that he should be greedy to appropriate their property. "5

He must also not be ignorant of divine laws, so that he should not lead people astray due to his ignorance. He should not be harsh and hot tempered due to which he might cut off from the people (in other words, he should be kind and affectionate so that he can sacrifice himself on Islam and Muslims. 6

He should not fear other kingdoms that he might be impelled to take one as a friend and take other as an enemy.

Some commentators have said that the leader should not be an oppressor and greedy for the wealth and property of Muslitns and that he should not prefer one group over the other.

He must also be such that he should not accept bribes in delivering judgments otherwise he would be trespassing on the rights of others. He should protect the rights of all and not invalidate the practice of the Prophet and divine laws; otherwise the Ummah will be destroyed.

On another occasion, Amirul Momineen (a.s.) says:

"If the presence of the pledge makers and presence of helpers had not exhausted the proof for me and if the covenant that Almighty Allah has taken from scholars had not been there that they will not bear to see the satiation of unjust and hunger of the victims, I would have abandoned caliphate without taking any part in it."7

These words imply that the best responsibility of ju risprudential reference (Marjaiyat) is to prevent oppression of oppressors and to help the weak and oppressed.

Scholars should also obey the leader

Whatever is mentioned so far shows that governance of the jurist (*Wilayat Faqih*) denotes that during the occultation of the 12th Imam, Imam Mahdi (a.s.) the just jurist (*Faqih*), whose qualities have been mentioned above is the divine authority (*Wali Amr*) of Muslim and their leader, and all Muslims are obliged to obey him; so much so that even the scholars and jurists are bound by his obedience.

If there is a jurist (*Mujtahid*) who considers himself as the most learned in the world, and follows his own view in organizational matter, he is still obliged to follow the leader in political matters.

Obedience of Muslim leader is one of the most important divine duties. It is so because endurance of Islamic system and defense of Muslims from oppressors and disbelievers is also from his effects, as Imam Ali Ridha' (a.s.) has mentioned:

"The Almighty Allah made obedience of divine authority (*Wali Amr*) obligatory in every age from a few aspects and some of them are as follows:

- 1– Since the Almighty Allah has specified some laws and limits to prevent mischief and trampling of rights of one from others, and most people are such that they are not ready to act upon them due to material benefits, therefore they ignore them. Therefore Almighty Allah for well being of society has appointed a responsible person and a leader of people who will compel them to follow that law and his disobedience will make one eligible for penalties and punishments.
- 2– The survival of every community, living together in the world and preventing oppressors from them are dependant on their obedience of the divine authority (*Wali Amr*) so that he may keep them united and that they may confront the enemies, and that they may prevent oppressors from dominating Muslims.
- 3– Among those causes is defense of Islam and its survival, because the Imam obeyed by people stops innovators and prevents them from leading people astray and from interpreting the Quran and Sunnah in accordance with their whims. 8

All misfortune is because of ignoring Wilayat

If all Muslims after the Messenger of Allah (s.a.w.s.) had really obeyed the divine authority (*Wali Amr*) in every age, oppression would never have become common among them and whenever someone had been oppressed there would have been intervention from divine authority (*Wali Amr*) and the oppressor would have been compelled to make good the usurped rights of the oppressed. The oppressors would never have been able to gain an upper hand over Muslims. Deviation would not have entered Islam from apostates and innovators and all these conflicts and battles would not have occurred.

Freedom and stability under rule of Jurist

For fourteen hundred years, Iranian Muslims remained bound to the tyranny of Shah as a result of which, conflicts, battles and deviations appeared in religion of Islam. Later they followed the authoritative jurist (*Wali Faqih*) of their time and the point of emulation, Ayatullah Sayyid Ruhullah Musawi Khomeini and because of his excellent leadership and steadfastness of people, the oppressive regimes, especially America, was defeated in their plots. Thus they overthrew the 2500–year–old Shah regime and by the grace of Allah, our country is absolutely free and stable and it is not dominated by any oppressive power.

"Be so that your rulership may shine"

To reform laws opposed to Islam, which are remnants of the past regime and which are being promoted by incapable persons at the helm of affairs and injustice wrought on those deprived of rights, to regain them, passage of time is necessary. And all know how after the success of Islamic revolution in our country America and other enemies of Islam tried to create strife. How for more than a

year, we are attacked by Iraq? If Almighty Allah had not helped, the revolution would have been defeated in the first week only.

In other words, the tyranny of the oppressive regime has ended and other reformations will take place gradually. All know that the group opposed to Islamic revolution wanted to adopt the American version of Islam and desired that spirituality should be weakened. It was so because the governance of the jurist (*Wilayat Faqih*) and obedience of divine authority (*Wali Amr*) should be taken away, so that way may be cleared for the return of America. But for the intelligence of Imam Khomeini and public support, the enemy would have definitely succeeded. Therefore I pray for the long life and health of Imam Khomeini and unity of people.

Reappearance of Imam Az-Zaman (a.s.)

Q: What will be process of reappearance of Imam Az-Zaman (a.s.)? Would he modify some Islamic laws? Or the same duties and laws of early Islam will be enforced in his rule? It is mentioned in traditional reports that His Eminence would fill up the earth with justice and equity, would this world justice be with the help of people or through miracle? Would it be achieved in one step altogether or gradually through passage of time? Also whether this universal justice is with regard to countries and regimes or with regard to all the people?

A: Among the qualities of Islam is that it is going to endure forever. That is Prophet Muhammad (s.a.w.s.) is the last Prophet and no prophet is to come after him and the Holy Quran is the last book and the law of Islam is also that which was explained through the infallible Imams (a.s.) and there is no topic that is going to be confronted by the people, but that its order has been explained. Therefore we must pay attention to the translation of the following verses:

"And whoever desires a religion other than Islam, it shall not be accepted from him..." (Aale Imraan, 3:85)

Also

"but he is the Messenger of Allah and the Last of the prophets..." (Al-Ahzab, 33:40)

And

الْيَوْمَ أَكْمَلْتُ لَكُمْ دينَكُمْ وَأَتْمَمْتُ عَلَيْكُمْ نِعْمَتِي وَرَضِيتُ لَكُمُ الْإِسْلَامَ ادينً

"This day have I perfected for you your religion and completed My favor on you and chosen for you Islam as a religion..." (AI-Maidah, 5:3)

This verse according to reliable traditional reports was revealed at Ghadeer Khum before the passing away of the Messenger of Allah (s.a.w.s.).

Modification of laws proves invalidity of claim

Therefore if someone comes claiming to be Imam Az–Zaman (a.s.) and also manages to gain some victories and performs some extraordinary acts, if he abrogates any of the established principles of Islam and frames a new law, it would be sufficient to prove his falsehood.

In other words, when Imam Az–Zaman (a.s.) will appear, he would enforce and renew the same Islamic laws, which are practiced by Muslim and he will act according to the same Quran. During the period of his reappearance the responsibilities of Muslims will be same as duties obligatory on them since the inception of Islam. The same laws and procedures will continue in case of vows and covenants and same is the case of all penalties and laws, of whom the matter of Jihad is the most important one and Muslims have given them up since centuries; and because of leaving Jihad, Muslims have remained prisoners and humiliated by deniers and oppressors.

But, by the grace of Almighty Allah, today they have performed this obligatory duty and overthrown the regimes of oppressors and prevented oppressive regimes, especially America, from getting a hold on an Islamic country like Iran; and they continue to confront their agents and supporters like Saddam. It is hoped that this great revolution will be joined to reappearance of Imam Mahdi (a.s.) so that during the period of the Imam (a.s.) Jihad may be fulfilled completely.

Spread of Justice is gradual and voluntary

Without any doubt, during the period of Imam Az–Zaman (a.s.) the spread of justice and equity in the whole society will be voluntary and gradual; which can be explained in a way that the movement to perfection of all existing beings except for human beings is natural. That is Almighty Allah has created them in such a way that whether they like it or not, He will take them to perfection. Thus the plant from the time it is a seed till it fructifies and sperm from the time of its inception till it assumes the form of a child and till he grows up, it is not having any discretion.

However human beings from the aspect of their physical perfection; like digestion, organs of respiration, strength and weakness, old age or death, all this is natural and it is not dependant on human intention and desire; and with regard to this, he is similar to other beings.

But he is deliberate from the aspect of humanity and spirituality. That is in order to reach perfection man will have to observe justice and he will have to act on laws which Islam has explained in detail. In his behavior and style he is not helpless from any aspect; whether he adopts the path of justice or selects the way of injustice.

That is what Allah has intended: that man should adopt the path of justice in order to reach to perfection and this same divine practice was customary in every age from the beginning of creation of man till the last age; as He has stated in the Holy Quran:

وَلَنْ تَجِدَ لِسُنَّةِ اللَّهِ تَبْديلًا

"...and you shall not find any change in the course of Allah. "(Al-Ahzab, 33:62)

How the whole world will be filled with justice deliberately?

Now the question arises that when the majority has adopted the path of injustice and oppression till that the whole world is fraught with injustice and inequity, how it can be possible to establish justice and equity through their choice. Especially in countries which are roots of injustice and through their material power they are dominating the 4/5 million oppressed Muslims.

The reply is that if it is supposed that weapons and oppression can be removed through material means and causes; such a thing is usually impossible. But if all attack in unison, they can definitely shake up their foundations and they can uproot them completely; as in the case of Iranian Muslims who became united to overthrow the tyrannical regime of the Shah supported by the satanic power called America.

In other words till people do not wish to destroy the oppressors and till they don't dominate them, it seems that they are not prepared for the reappearance of Imam Mahdi (a.s.); except that the Almighty Allah should employ another method.

Perfection of intellects after the reappearance of Imam Mahdi

(a.s.)

The spread of justice will take place among people after oppressors have been destroyed completely from society and in their place there will be righteous and just people. Then all would willingly or unwillingly move towards justice. Especially when oppressors and criminals will be meted out punishments and rights of victims are restored and they will see the good signs of society.

Therefore pay attention to the following tradition of Imam Muhammad Baqir (a.s.):

"When our Qaim reappears, the Almighty Allah will place the hand of His mercy on the heads of people so that their thinking and aim is synchronized."9

This tradition shows that by auspiciousness of Imam Mahdi (a.s.) human society will attain intellectual maturity and through contemplation will subdue satanic and selfish desires like hoarding of wealth or gaining status which requires trespassing the rights of others. The people would recognize and avoid them and all would prefer the path of reform to the way of mischief as a result of which the flag of Islam will fly in the whole world.

Conclusion

Whatever we have mentioned so far clarifies the following:

1– Wilayat means Imamate, leadership and authority in the social issues of Muslims and acknowledgement of Wilayat denotes obedience. Therefore Muslims are bound to accept the commands of prohibitions of the Imam, and to refrain from personal views.

When in Ghadeer Khum the Messenger of Allah (s.a.w.s.) made the Wilayat of Amirul Momineen (a.s.) and Ahlul Bayt (a.s.) obligatory, a person asked him: "What is this Wilayat for which you are eligible?"

He replied: "To listen and to obey all that which you may like or not."

That is you must obey all the commands of your ruler, whether it is according to your temperament or not.

2– The Imams whose obedience is obligatory are the twelve infallible Imams and during the occultation of the twelfth Imam, the just scholar who is fully qualified, is like an infallible Imam as far as the matter concerning obligatory acts in administering the affairs of Muslims is concerned. That is only in the legislative authority (*Wilayat Tashri-i*) but not from the aspect of natural authority (*Wilayat Tashri-i*) He is superior to common

people but not the Holy Imams (a.s.); so much so that the Imams are superior even to the prophets. 10 11

The aim of the reappearance of Imam Az–Zaman (a.s.) is to establish justice and equity in the whole world through destruction of oppressors and after that the Imam wi II put it into practice. It will happen when all people give up the obedience of oppressors just as it happened by grace of Allah in Iran and other countries and it is hoped that the Islamic revolution wi II hera Id the reappearance of Imam Az–Zaman (a.s.).

The gradual spread of justice and equity means that before the reappearance of Imam Mahdi (a.s.) its prefaces will begin through enlightenment of good people and after reappearance of Imam (a.s.) it will continue as long as Allah wants.

Social justice: That is all social matters, whether economic, cultural or administrative, will based on a just system.

Personal justice: That is moderation has to be observed in everything related to daily life of man: like food, garments, shelter and marriage etc.

The gist of personal justice is that each man should observe justice in his personal matters, which can be gained gradually through the maturing of human intellect and through the light of guidance and faith.

Now in order to complete our discussion we present a beautiful discussion of Ustad Makarim Shirazi about worship in two hemispheres. (It is related to question no. 57)

The Midnight Sun endangered Islam

How is it possible for Islam to be a universal faith when its worship acts, like prayer and fasting is not possible in every corner of the world? Because as we all know, at the north and south poles, days and night are of six-month duration; hence neither can we pray there nor keep fasts.

It is an objection, which is taken as a pretext to object to the universality of Islam.

Some days ago a famous journal raised this objection voci ferously that: "The Midnight Sun endangered Islam."

If you are a sincere Muslim and if you fulfill all religious duties at proper times, you should pray that you don't not pass through countries like Greenland and Finland and other polar regions, because we all know that the sun does not set in the month of August and the same topic was brough t to the attention of scholars of Al-Azhar University of Egypt during last Ramadhan.

At present some people live in Finland and they have reached there due to different reasons. Since the sun does not set there during August or rarely does so, one cannot even have a single meal. Therefore Muslims of Finland face insunnountable problems. Are they supposed to fast during all the months? Should they give up eating altogether? But it is impossible. Or that they should omit the most important worship act of their religion?

In order to know the solution of this problem, they referred to jurists and scholars of Egypt (since they were Sunnis) and they have so far not been able to solve their dilemma.

This was the gist of the article published in the above mentioned magazine and we are still asked about this problem.

A: As the coming explanation will clarify, neither the Midnight Sun of Finland has endangered Islam nor the Muslims residing there are supposed to abstain from food for a whole month and commit suicide. Nor is it required for them to omit the most important duty of their faith and neither scholars, Shia or Sunni are helpless in solving this problem. It is also incorrect to label this problem as indecipherable.

On the contrary, scholars have explained the solution of this problem when they have written about

Islamic duties. But due to the remoteness of people from scholars in their view there is no solution to it! It is also obvious that this difficulty is not only associated with fasting. On the contrary it will be encountered in many other laws of Islam as well. Is it possible that only praying a few units of prayer will suffice in a month, whereas daily seventeen units are obligatory or would 17 units suffice for a period of six months in places which have days and nights of six month duration?

But it is not known whether the author has considered the midnight sun of Finland as a danger only to Islam, if it is supposed that long days of Finland and other polar regions is a headache only for Islam it is also a danger to the Christians' Sunday and prayer and fasting of Jews. Because in every religion there are some rituals and worship acts which are connected to day, night, week and month.

But as we stated before, this problem was a topic of discussion in Islamic jurisprudence and our jurists have explained it clearly, however since the objection makers do not actually have anything to do with such books and they think just as this problem is bewildering to them, it is similarly confusing to others as well. 12 In any case before replying this question we explain three points:

Equal duration of days and nights in Polar Regions

1– Nights and days of more than 24 hours duration are not restricted only to Finland and Scandinavian countries; on the contrary they are present in all areas above 66/5 degrees north and south or corresponding to them.

In other words, in all areas lying between 66/5 degrees and 90 degrees, which in fact are true Arctic and Antarctic regions and in all or some years have days and nights of a long duration and as much the region is above the 66/5 latitude to the north, as much would be prolongation of nights and days in that region; for example, in Finland, which lies at 70 degrees north; a long day has sixty and some days which begins at start of the month of Khordad and continues till start of Mirdad month and one night also consists of two months, which begins at the start of month of Azer and continues till end of Demah (tenth month); that is the length of this long night would be equal to length of day from the aspect of season in the region opposite to it.

When we travel to the area 74 degrees north, each day becomes as long as three months which begins from middle of Ardbehisht and continues upto middle of Mirdad and it would be seen that each night is also of three months' duration beginning from middle of autumn and stretching upto middle of summer.

In the same manner, as much as we move northwards, the length of days and nights would go on increasing ti II we finally reach the North Pole, which is in fact 90 degrees north. The region at this point, instead of 365 days and nights experiences only one day and one night of six months' duration each in every year.

But please note that the number of six months is not precise; because the duration of day in Arctic

region will be six months and some days and night would be a few days less than a period of six months and it would be vice versa in Antarctic region.

Areas lying above 66/5 degrees upto 90 degrees are called as Polar Regions and there is very sparse habitation in these northern and southern Polar Regions, most of which lies in Finland, Sweden, Norway and Russia.

Recently some intellectuals have traveled to Arctic and Antarctic regions for scientific studies and research and they are counted as temporary residents of these regions.

But there is no doubt that even if one person lives there or that he travels to that region for a short time, it is necessary that there should be a clear order for him from viewpoint of Islamic law, which is universal and not restricted to any particular area of the globe.

As for the region lying below 66/5 degrees south, it has days and nights throughout the year, the duration of which is same only on two days of the year (beginning of spring and beginning of winter) and remaining days have differences with each other which gradually become less or more only till you reach upto the equatorial region which is like a waistband of the earth. Here throughout the year, duration of nights and days is same and each of them is of twelve hours and there is minimum difference between their durations in summer and winter.

Determination of Noon and Midnight in Polar Regions

2– Another important point is that the area where sun does not set and that which in terminology is called as the Midnight Sun, the sun there rotates around the horizon and it completes one circle around it in twenty–four hours. Although the fact is that the earth rotates, but it seems that the sun is rotating around it. That is if you live there for a month where the sun does not set in some cities of Finland you will see that a dull circle of the sun is always at the edge of the horizon and is rotating around it like the second hand of clock. And it completes one circle around the horizon in twenty four hours; and gradually it moves from the east to the south and then to the west and from there to the north. And then again it returns to the east.

We should however remember that if the ball of the sun is always visible at the edge of horizon, during twen ty-four hours its distance from horizon is not same. Sometimes it goes up a little and reaches the zenith and then come to the bottom of horizon and reaches to the minimum level and again starts rising.

The reason why the condition of the sun changes is that its orbit is inclined at 23.5 degrees. (Pay attention to this). In this way when the sun reaches its highest point it is considered as noon, because at that time it is half way in its orbit.

In other words you can say that when the sun is at its peak it is noon and when it is at the lowest point it can be said to be midnight.

It is also clear that light and darkness in those areas is also not the same. On the contrary when the sun is up, there is day and atmosphere is also lighted and bright and when it goes down and reaches the horizon, there is darkness.

The above explanation shows that it is very easy to determine noon and midnight in those areas. And if a person plants a rod in the ground, he can through the shortening and lengthening of its shadow determine noon and midnight. That is when it is at its minimum, it is midday.

But this is only possible when it is day all the time; but what is to be done when there are long nights in those areas?

Thus we say that during those long nights, the rotation of sun around the horizon is same as its rotation in long days. And in clearer words it can be said that stars rarely rise and set there. They seem to be circling the horizon, whereas actually it is the earth which is rotating and not stars. But their rotation around horizon is not same. Sometimes they go above it and sometimes come down in such a way that if we fix one star as a point of reference when it reaches the highest point it will be noon and when it is at the lowest, it will be midnight.

Also do not ignore the fact that the darkness of long nights is also not same always; thus when there is some light, it is considered as day and when there is complete darkness, it is night.

After these explanations it can be concluded that determination of noon and midnight during long days and long nights of Polar Regions is very much possible and is not even needful of instruments like clock and radio etc.

Limit of Moderation is the Criterion

- 3– The mention of the last point is very important for replying the next question. It is that from the angle of Islamic jurisprudence there is no subject or event without a command. In other words, the law of Islam is so comprehensive that it has not ignored anything. It is not a mere claim, it is a fact; thus for those who are conversant with legal matters it is clear to them that there are two kind of subjects.
- 1– There are some topics whose laws are only related to them and in Islamic sources its command has been described clearly. (In scientific terminology they are specific).
- 2– There are some topics for whom no particular rule is fixed. Thus we will have to refer to Islamic rules and fundamental principles and through that we will have to derive its command.

Let me clarify that there are some fundamental rules in Islam in which all future events and possibilities have not been taken into account. On the contrary if we refer to them we can derive the solution. So comprehensive are those rules that from the scientific point of view it is not possible to find a topic that has not been included in it.

In our view the matter of those who inhabit Polar Region is of the second type; that laws concerning them can be derived from fundamental principles.

Here we don't wish to confuse the reader in jurisprudential complexities and that we interpret and explain the above problem for them. But there is no problem if scientific derivation of this matter is based on the same thing. Let me explain it in simple terms that most Islamic laws are framed taking into consideration ordinary aspects of life. Thus all those who are beyond this circle, should act according to the general practice of common people.

For example all know that in ablution, the face is supposed to be washed from the hairline to the chin. Now if the hairline of a person is different; for example it grows from near the eyebrow; it is obvious that such a person will not take his hairline as criterion; on the contrary all scholars have ruled that he should take the commonly accepted criterion and wash his face.

Or with regard to a *Kur* of water which is supposed to be 3.5 hand spans in all three dimensions. Its command is also on the basis of common parlance. Thus if a person is having a hand span of extraordinary dimensions, it will never be taken as standard for measuring the quantity of water. They will have to act according to local parlance and keep in view the moderate limit and all laws of Shariah are according to common parlance.

It is such a universal law, which is not associated with a particular topic. Therefore our jurists have applied same principle regarding those who inhabit Polar Regions. Thus some jurists have issued verdicts that they should act like inhabitants of moderate regions. Since the duration of days and nights in those areas is opposed to duration in moderate zones; thus they are supposed to refer to these zones and fulfill their religious duties. For example if the month of Ramadhan is in beginning of summer and a day in moderate areas (from sunrise to sunset) is of 15 hours, they should fast for 15 hours during month of Ramadhan and when month of Ramadhan is at beginning of winter and if duration of day is 12 hours in moderate regions, they should fast for 12 hours and also pray accordingly.

Have you noticed how easy is the solution of this problem which was apparent y insurmountable; through a fundamental principle of jurisprudence without leaving any scope for doubt?

Final conclusion with a little explanation

It has become clear from the above discussion that it is not the religious duty of inhabitants of Polar Regions to fast the whole month or to pray only a few units of prayers. On the contrary they are obliged to act according to horizon of moderate regions.

As we explained above, the determination of true noon is possible without use of any instrument and there is also a well known tradition that "when sun passes the meridian, it is time for Zuhr and Asr prayers," can also apply to them.

Just as midnight in those areas can be determined through the lowest and highest position of sun, *Maghrib* and *Isha* can also be determined through the same method. 13

Therefore the beginning time of two prayers and last time of other two prayers can be calcu calculated through some other means only through movement of sun .

In the same way it was also mentioned that increase and decrease of light can lead to determination of day and decrease and increase in darkness can lead to determination of nights in those areas.

- 1. Usul Kafi, Vol. 2, Pg. 208
- 2. The exposition of this sermon is published separately under the title of The aim of creation is servitude written by Ayatullah Dastghaib.
- 3. Biharul Anwar, Vol. 78, Pg. 380
- 4. Biharul Anwar, Vol. I 00, Pg. 80
- 5. Biharul Anwar, Vol. 25, Pg. 167 Nahjul Balagha , Faizul Islam, Sermon 13I, Pg. 407
- 55 Nahjul Balagha, Faizul Islam, Sermon 131, Pg. 407

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- 7. 56 Nahjul Balagha, Faizul Islam, Sermon 3, Pg. 52
- 8. And if he asks, 'Why did He establish some to be in charge of affairs and ordered us to obey them?'

It is said, 'For many reasons. One of them is for the people to know that there are some known lim i ts and they are ordered not to transgress beyond these limits so that they will not become corrupt. This would not be implemented unless a trustworthy man is appointed to prevent them from transgressing and getting involved in what has been prohibited for them. Were this not the case, no one would abandon what fulfilled his lustful desires and brought him some gains – even if it corrupted others. Therefore, God appointed someone to be in charge of their (the people's) affairs to carry out the divine decrees and divine chastisements amongst them and prevent them from getting corrupt.

Another reason is that we know of no group or nations who have survived living without someone in charge of them or leading them regarding their religious and worldly affairs. Thus it would not be deemed proper according to the wisdom of the All Wise (God) to leave the people without one in charge of their affairs, while He knows that there is no other choice for them and they would not sustain without one. The people would fight their enemies, distribute national income, establish congregations and congregational prayers, and protect the oppressed from the oppressors under his (the leader's) divine leadership.

Another reason is that if He does not establish a trustworthy custodian for them, their nation would be totally destroyed, their religion would be lost, their tradition and decrees would change: innovators would add things to them and atheists would subtract things from them and make them dubious for the Muslims. We have found the oppressed and the needy to be imperfect and narrow-minded. Moreover, they have various levels of intellectual abilities, desires and varying opinions. Thus as we said before, they would all get corrupted if there was no one appointed to be in charge of their affairs to safeguard what the Messenger (s.a.w.s.) has brought to them from Him. Then the divine decrees, the traditions, the foundations of the religion and faith would all change. This would ultimately result in corruption of all the people. '(Uyun Akhbar Ridha' (a.s.). Vol. 2, Chapter 34, Pg. I 00)

- 9. Usul Kafi, Vol. 1, Pg. 29, The Book Knowledge and Ignorance. Tr. no. 21
- 10. In the interpretation of the verse of Mubahila, Imam Fakhruddin Razi says: "Wi th regard to 'our selves' it can be said that just as the Messenger of Allah (s.a.w.s.) was superior to all the prophets in the same way, Imam Ali (a.s.) is also superior to all the prophets.
- 11. As far as obedience is concerned, Imam Khomeini is equal to Imam Az–Zaman (a.s.) but from the aspect of the position of natural Wilayat, he has said: Our life be sacrificed at the feet of Imam Az–Zaman (a.s.).
- 12. Urwathul Wuthqa, Muhaqqiq Yazdi, Part 12

13. Although the calculation of half a day over here is by the calculation of midpoint between the sunset and sunrise and the midnight is detennined as the midpoint between sunset and sunrise which a little before it.

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