

## Chapter Two: Imamate and Leadership

Section One: Period of the Presence of the Imams ('a)

Section Two: Period of Occultation

### Section One: Period of the Presence of the Imams ('a)

#### General Objectives

After studying this discourse, students are expected:

1. To know the origin of the Sunnī and Shī'ah schools of thought and their main differences on the issue of Imamate;
2. To be acquainted with the manner of selecting the Imams and their continuity;
3. To understand the pivotal role of the Imams in protecting the foundation of religion, guiding the Muslims and propagating religious teachings; and
4. To be aware of the Shī'ah viewpoint on the savior and the constructive effect of waiting during the period of occultation.

#### Introduction

Clarification of the principle of Imamate and the circumstances surrounding its inclusion in the intellectual body of a group of Muslims (Shī'ah) as one of their ideological principles lies in paying attention to the

following points:

1. Based on the monotheistic worldview, the One and Only God is the Creator of the universe and the Master and Cherisher of the entire creation including humanity. This is called “monotheism in Lordship” [tawḥīd fī’r-rubūbiyyah]. Accordingly, for a religious and monotheist person, God has the right to rule over human beings and assign duties to them such that every person has duties to God and there is no escape but to discharge them.

Therefore, God has the legislative right [ḥaqq-e tashrīḥ] and the people, in turn, are duty-bound to submit and surrender to Him. On the one hand, the principle of monotheism gives this right solely to God and it is wrong for people to associate this right to any other than Him. If we believe someone else to have such a right, we have actually drifted away from “monotheism in sovereignty” [tawḥīd fī’l-ḥakimiyyah], and once we obey the command of other than God, we fall into the abyss of “polytheism in obedience” [shirk fī’l-ḥaḥ].

On the other hand, the requisite of the acceptance of monotheism is the all-encompassing legislative sovereignty of God in the sense that human beings cannot accept the sovereignty of God only in some decrees or in a specific domain; rather, one should abide by every commandment of God, the Sublime, in every sphere.

2. God has exercised His legislative sovereignty by sending prophets and issuing orders and decrees through them. However, if the religion is meant to put Divine Sovereignty into action, as it is, and its ultimate goal is the implementation of religious commandments, such a goal is in need of prerequisites and special conditions apart from conveyance of the message.

Historically, the tasks done by the prophets of God have been more than the conveyance and elucidation of revelation. Their incessant struggles and untiring efforts were not only confined to communication of a message. In fact, the prophets (‘a) strived hard for the Divine Sovereignty in different facets of life. The loftiest of the goals and objectives of the prophets (‘a) was the emancipation of man from the bondage of the ḡhḥ and drawing him to the servitude and worship of God.

3. For the monotheistic logic to rule over the life of man, first of all, we are in need of revelation and the conveyance of the message which is the primary function and duty of the prophets of Allah (prophethood). We are also in need of the elucidation, exposition and teaching of the conveyed message so as to avoid difference of interpretations (religious authority). In addition, there is a need for an executive and administrative institution to actually implement the religious commandments (leadership).

4. When the Holy Prophet (ḥ) was alive, apart from conveying the revelation, which is a prophetic function, he practically assumed two other responsibilities. In case of any difference of opinions on a religious matter, his view and opinion served as the final word. He, who recited the Qur’an to the people, considered it also his duty to explain it to them and state the rulings and cases not explicitly mentioned in the Qur’an. This task of the Apostle (ḥ) was actually complimentary to his role of receiving the

revelation. As such, the *Sunnah* was of special importance and played the role of explainer and elucidator of the Qur'an. This is the same function of "religious authority" [*marja'iyat-e dīnī*] which was also performed by the Holy Prophet (ﷺ).

The station of *wilāyah*<sup>2</sup> and leadership was among the designations of the Prophet Muhammad (ﷺ). Any decision he took for the *ummah*<sup>3</sup> was binding. From the very beginning of his prophetic call, he took steps for the Islamic *ummah* to establish a government. His steps from the beginning to the end bore witness of the existence of a systematic program for the establishment of a religious government. The efforts made in Mecca were also a historical prelude for the establishment of a formal government in Medina. Purging of the internal enemies and the hypocrites in Medina and waging war against the infidels and foreign powers demonstrated the Muslims' motivation to establish a global government under the leadership of the Prophet Muhammad (ﷺ).

No Muslim at that time ever thought that the Prophet's (ﷺ) duty was only to convey the message. His all-encompassing authority was such that there was no separation between religion and politics.

In addition to the conveyance of revelation, the Prophet Muhammad (ﷺ) had two other responsibilities—intellectual authority and practical leadership of the Islamic *ummah*—exactly the same responsibilities shouldered by the Imāms ('a) after the Prophet (ﷺ). Apart from being the recipient of revelation, the Prophet (ﷺ) was also the Imām and *proof of Allah* [*ḥujjat Allāh*] for the people. His being the proof of Allah entailed responsibilities on the part of the people.

Firstly, whatever the Prophet (ﷺ) declared as lawful or unlawful—even though not explicitly mentioned in the Qur'an—became a duty upon the people. Secondly, whatever policy he as the leader adopted, was thereafter an inviolable administrative measure or decree. Whatever dispute, whether theoretical or practical, that was settled in the presence of the Holy Prophet (ﷺ) subsequently the people had to "hold fast" [*ittiḥam*] to it as "Allah's cord" [*ḥabl Allāh*].<sup>4</sup>

5. The Apostle (ﷺ), therefore, had **two functions**, viz. **apostleship** [*risālah*] and **leadership** [*imāmah*]. With the declaration of the finality of prophethood by God, *risālah* culminated with the Prophet Muhammad (ﷺ) and the people were not supposed to look for another prophet after him. Until the end of the world, all must adhere to one religion—Islam—and its heavenly book—the Qur'an—must be the basis of religion.

However, after the demise of the Holy Prophet (ﷺ), this question was raised: With the departure of the Prophet (ﷺ), what is the designation of Imamate or religious authority and leadership [*imāmah*] of the Islamic *ummah*?

## Shīsm

Some believed that with the passing away of the Prophet (ﷺ), leadership [*imāmah*]<sup>5</sup>—in the sense of

perfect interpretation of the religion—also came to an end. They believed that after the Prophet (ﷺ), God did not designate anyone to be the flawless interpreter of the religion. In this case, divine leadership [*imāmah*] ended and thereafter the implementers of divine sovereignty were general vicegerents, viz. the people. As such, *imāmah* was not a divine designation in the sense that God had not appointed someone for the post.

Accordingly, the people had to assume the responsibility of religious authority and the function of interpreting the religion was delegated to them. The executive leadership of the people was determined by themselves. Consultation and election was the means to determine the successor and caliph [*khalīfah*] of the Messenger (ﷺ) for the performance of the function of leadership. In the course of time, this notion became prevalent: “The Messenger of Allah (ﷺ) has entrusted to the people the affair of religious leadership.”

On the contrary, according to another group, just as prophethood is a divine designation, leadership [*imāmah*] is also a divine covenant. They believed that “Sovereignty or rule is the right of God and He guarantees the perpetuity of His religion by designating the flawless interpreter and infallible leader after the Prophet (ﷺ).” Proponents of the second view who are called Shā‘ah are of the opinion that the institution of leadership [*imāmah*] has been determined and defined by God Himself through the Prophet (ﷺ), and the people must abide by it.

According to the Shā‘ah, twelve persons have been designated as the leaders of the *ummah*, interpreters of the religion and masters of the affairs, and the Qur’an also enjoins us to follow them.<sup>5</sup> According to this view, the sovereignty of God is observed through the Imāms who are the vicegerents of God. All their commands are binding and their interpretation of the religion is the correct interpretation.

The two schools of thought—Sunnī and Shā‘ah—are the two main trends in the Muslim world. The issue of Imamate is the main issue that has divided Muslims into two groups.<sup>6</sup>

These two schools of thought differ on some issues:

1. The Shā‘ah regard the sayings and actions of the *Ahl al-Bayt* (‘a), in addition to those of the Prophet (ﷺ), as the decisive proof and criterion of truth. According to this view, after the Apostle (ﷺ) a sort of religious authority based on “inspired knowledge” [*al-‘ilm al-ladunnī*] is entrusted to the Imāms (‘a). Through means beyond our comprehension, the Imāms (‘a) had acquired the Islamic sciences from the Holy Prophet (ﷺ). Each of them then passed to his successor whatever he had inherited from the Prophet (ﷺ).<sup>8</sup>

The Ahl as-Sunnah, however, assert that only the Prophet (ﷺ) is infallible and only his sayings are devoid of any error, and none of his family members, companions and caliphs has such merit. As such, according to the Sunnīs the sayings of the *Ahl al-Bayt* (‘a) are at most as authoritative as those of religious scholars.<sup>9</sup> Hundreds of mistakes of the companions and caliphs have been recorded in Sunnī books.<sup>10</sup>

2. According to the Shā‘ah, religious authority and leadership [*imāmah*] is a divine trust which must be determined by God. As such, Imamate is not a customary position or designation that depends on public acceptance and allegiance. It is rather a program set up by God for the guidance of mankind which does not necessitate the acceptance and approval of the people. Linking the fate of religion to the will of the people is tantamount to the mixture of the will of God with that of the people, and this is incompatible with the necessity of Imamate and the infinite wisdom of God. The commandments of God constitute His religion and Imamate, which in God’s design for the guidance of humanity is an integral part of religion and one of the divine obligations. The people are duty-bound to implement this program. That is, the *ummah* has no option but to accept it and this acceptance is a religious obligation and a prerequisite of faith. From this perspective, there is no difference between *nubuwwah* and *imāmah*. All those who accepted prophethood [*nubuwwah*] must also accept Imamate [*imāmah*].

It is true that without the acceptance of the people, no program or design can be implemented successfully. Therefore, the materialization of Imamate depends on the will and approval of the people. It must be noted, however, that materialization is not identical with the rightfulness of a thing. According to the Shā‘ah, some dimensions of the authority of the Imāms (‘a) were not put into practice, but this does not nullify in any way the legitimacy of Imamate. Similarly, the people’s non-acceptance or denial of true prophets never affected the truthfulness of their messages.

According to Sunnī scholars, Imamate is an affair without any specified divine decree and religious authority can be assumed by common religious scholars. Leadership, therefore, is also an affair without any specified divine decree. They maintain that the caliph or Imām can be determined through general suffrage,<sup>11</sup> appointment or designation by the preceding caliph,<sup>12</sup> or by the use of force and violence.<sup>13</sup>

3. According to the Shā‘ah, Imamate is one of the fundamental ideological principles which every Muslim must believe in and in which there is no room for emulation [*taqlīd*]. Since designation of the Imām is one of the prerogatives of God, it is one of the roots of religion [*uḥūl ad-dīn*] and scholastic theology [*‘ilm al-kalām*] is its proper place for discussion.<sup>14</sup> The Ahl as-Sunnah, however, who regard Imamate as an affair of the people without any specified divine decree include it in the list of secondary duties in jurisprudence and discuss it in the science of jurisprudence [*fiqh*].<sup>15</sup>

4. In view of the aforementioned points, the Shā‘ah definition of Imamate is totally different from that of the caliphate or leadership by the Ahl as-Sunnah, where the issue of leadership and government is only an outward aspect of the functions of Imamate and is not comprehensive in all its aspects.<sup>16</sup>

5. Most of the Shā‘ah give a special position to the Imāms (‘a) in addition to their religious authority and political leadership. According to the Shā‘ah, just as the legislative will of God is manifested through the infallible Imāms (‘a), who are in charge of religious guidance and sociopolitical leadership of the people, they also have guardianship or authority [*wilāyah*] in the cosmic world [*‘ālam-e takwīnī*] and serve as the medium between God and the people. According to this perspective on Imamate, the Imāms (‘a) have a third function, i.e. esoteric *imāmah*. In other words, like the Prophet (ﷺ), the Imāms (‘a) are

mediums of divine grace and, by the will of God, they have exceptional power over the world and mankind. Based on the Shari‘ah teachings, the earth will not remain without the existence of a proof of Allah [ʿujjat Allah]. The miracles shown by the infallible Imams (‘a) are signs of this kind of *wilayah*. [17](#)

## The necessity of Imamate

No doubt, the compulsoriness [*wujub*] of following the Imam is not the same as proof of the rational necessity of Imamate, but even if such necessity is not proven, the fact that we know that God has been kind to His servants and entrusted the Imams to the people is sufficient. Therefore, to search for the rational reason and at times to challenge the necessity, cannot affect in anyway the compulsoriness of obedience to the Imams (‘a). If the true sovereignty belongs to Him, as it does, He can also set a specific program for its materialization.

At the same time, great religious figures have never neglected discussing the rational justification of Imamate and have written much in this regard. Of course, Imamate in its broad sense—general Imamate—can be rationally justified very well but the number of the Imams or their names—specific Imamate—is beyond the confinement of rational proofs as it can only be proved textually [*naql*], i.e. by citing religious textual sources. The argument on the necessity of the existence of an infallible Imam is like the argument on the necessity of prophethood [*nubuwwah*] and revelation. This argument can be used in both functions of the Imam—religious authority and political leadership.

Regarding religious authority it can be argued that if religion is necessary and divine wisdom dictates, it must be clearly declared to the people and this declaration is not only confined to the Qur’an. In fact, a great portion of the laws needed by mankind cannot explicitly be inferred from the Qur’an. As dictated by divine wisdom, therefore, there must be infallible interpreters of the religion. This is the same principle which is sometimes called “grace” [*luft*] and this extent of grace is incumbent upon God.

This argument can also be confirmed historically and objectively. Practically, the Holy Prophet (ﷺ) did not find the opportunity to completely explain the Islamic law [*shari‘ah*] to all people. By briefly referring to Shari‘ah books on tradition [*adath*], it will become clear that many laws that can be deduced from the sayings and actions of the Infallibles (‘a) cannot basically be found in the *Sunnah* of the Prophet (ﷺ). [18](#)

Notwithstanding all his efforts, the Prophet Muhammad (ﷺ) did not find the opportunity to relay all the laws needed by Muslims, for during the 23 years of his prophetic mission, he had to deal with colossal problems such as three years of confinement in the valley of Abulib and ten years of struggle and war with the enemies and the conspiracies of hypocrites. Besides, after him, people even differed on some laws which he taught to the people including the manner of performing ablution [*wuquf*]. [19](#)

Concerning the necessity of the second function, i.e. political leadership, it can also be argued that after we acknowledge that sovereignty belongs to God and the people are in need of a leader, divine wisdom dictates that the Islamic society must not be devoid of righteous leaders. If obedience to individuals

disapproved by God is supposed to be considered obedience to the *ḥaḥ*, life in society is impossible without the ruler's exercise of authority and the people's adherence to it. So, religious arrangement for this post must have been formulated.

The historical reality or state of affairs of the Islamic society at that time also confirms this point. Firstly, it cannot be accepted that during the particular time when the Apostle (ﷺ) was pursuing his great mission and goal and the Islamic society was not yet well established, the *ummah* would be devoid of just leadership. Secondly, delegation of the issue of caliphate and leadership to consultation and general suffrage cannot be part of the Prophet's (ﷺ) instructions, for general suffrage at that time was an unknown method in society.

As a proof of this claim, the first and second caliphs also adopted appointment [*istikhlāf*], i.e. designation of the succeeding caliph (either by direct appointment or through a council). Thirdly, the peculiar conditions of Arabia at that time such as the prevalence of fanaticism and tribalism, the haughtiness of powerful foreign enemies, the conspiracy of the hypocrites, the possibility of schemes against the political authority of the Prophet (ﷺ), and the emergence of false prophets dictated that the Holy Prophet (ﷺ) would give special attention to the issue of leadership and leave no stone unturned in clarifying the ambiguities and doubts surrounding it.

Therefore, according to the Shari'ah, by settling the issue of religious authority and political leadership after him the Holy Prophet (ﷺ) had perfected the religion and guaranteed its implementation. What is mentioned as the last point of perfection in the religion was the scheme related to the existence of proof [*uḥḥ*] in society that could ensure the perfection of religion so that no loophole could be found in the religious authority. For this reason, from the Shari'ah viewpoint, Imamate is a complementary of apostleship. The Apostle (ﷺ) also strongly links the Qur'an which is the symbol of apostleship to his pure progeny [*īrah*] (‘a) which embodies the *Sunnah*.

## **Imamate as a matter of appointment [manḥ]**

Infallibility [*īmāh*], which is an essential characteristic of the designated intellectual authority and perfect interpreter of the religion, requires that the individuals occupying the post of Imamate must be identified by God. A study of the life of Prophet Muhammad (ﷺ) clearly shows that he had strived throughout his life to introduce the Imams (‘a). During the third year of the prophetic mission [*bi'that*] when the Apostle (ﷺ) was commanded by God to openly invite his relatives to Islam,<sup>20</sup> he referred to Imam ‘Alī (‘a) as his brother, the executor of his will [*waḥḥ*] and successor [*khalīfah*] before an assembly of his kith and kin, asking them to recognize ‘Alī (‘a) as the caliph of the Muslims.<sup>21</sup>

Elsewhere, he introduced the *Ahl al-Bayt* (‘a) as one of the Two Weighty Things [*thaqalayn*] inseparable to the Qur'an.<sup>22</sup> It is clear that what must always be with the Qur'an is like the Qur'an in the compulsoriness of following it as an intellectual authority of the Muslims. Similarly, the Holy Prophet (ﷺ) had also likened the *Ahl al-Bayt* (‘a) to the Ark of Noah (‘a). That is, those who will embark the Ark will

be saved while those who will refuse to do so will be drowned.<sup>23</sup> In some instances, he introduced his *Ahl al-Bayt* (‘a) as the twelve caliphs after him and had not spared repeating and emphasizing this.<sup>24</sup>

## The Tradition of Ghadīr [‘adāth al-Ghadīr]

The most explicit statement of the Holy Prophet (ﷺ) about Imamate is the Tradition of Ghadīr [‘adāth al-Ghadīr]. According to historians, on his way home from his Farewell Pilgrimage [‘ajj al-Wad‘ī], the Prophet Muḥammad (ﷺ) received a Qur’anic verse [‘yah] in a place called Ghadīr Khumm in which he was commanded to convey a message to the people, and he was inspired that if this message were not conveyed, his prophetic mission as a whole would not be fulfilled.<sup>25</sup> As soon as he received this verse, he decided to convey the message and gathered the people for this purpose. In this historic speech, he first asked the people: “Am I not your master [mawlī]?” When the people replied in the affirmative, he held and raised the hand of ‘Alī (‘a) declared him as the guardian or master [walī] after him. Then, the verse on the perfection of the religion and the completion of God’s favor was revealed whereby the universality of Islam and God being pleased with this revered religion was highlighted.<sup>26</sup>

This event is recorded in history and books of ‘adāth as indisputably authentic, and more than a hundred companions of the Prophet (ﷺ) [‘aḥāb] have narrated it. From the beginning of the second century up to the fourth century AH, more than 360 Muslim scholars have reported this event.<sup>27</sup> Many books have also been written about the Tradition of Ghadīr. There is no doubt about the event and the statement of the Messenger of Allah (ﷺ). If there is any difference between the Sunnīs and the Shī‘ah, it is in the interpretation of the Prophet’s (ﷺ) statements. The Shī‘ah believe that the use of the word *walī* was in the sense of ‘Alī (‘a) being the leader of Islamic society, while the Sunnīs are of the opinion that by using this word the Apostle (ﷺ) only wanted to introduce ‘Alī (‘a) as “a person who must be respected and befriended by everybody.”<sup>28</sup>

In examining the Sunnī interpretation of the event in Ghadīr, it is necessary to consider the following points:

1. According to what Muslim exegetes [mufasssīrīn] have reported, this event took place after God commanded the Prophet (ﷺ) to fulfill his duty and convey to the people a particular message, and after the conveyance of that message, the perfection of the religion and the completion of God’s favor would be fulfilled. As such, apart from being consistent with the purport of the two above mentioned verses, the message must be so important that its conveyance would signify the fulfillment of the prophetic mission and, in case of failure to convey it, it would mean that the religion of God would be imperfect and His favor incomplete. Obviously, respect and friendship, even if it be for ‘Alī (‘a), would not be important enough to signify the fulfillment of the prophetic mission. On the contrary, it is negligence regarding the designation of the intellectual authority and religious leadership which could be tantamount to negligence in the fulfillment of the prophetic mission and bring about the imperfection of the religion.
2. In this ‘adāth, the Holy Prophet (ﷺ) asked those who were present: “Have I not more authority over

you than yourselves?” All replied in unison: “Yes, it is so.”

This question is a hint—no, not just a hint, but an explicit referral, to this verse: *“The Prophet is closer to the faithful than their own souls”*<sup>29</sup> which clearly proves the Prophet’s (ﷺ) authority [wilayah] over the Islamic society. After the people acknowledged his wilayah, the Messenger of Allah (ﷺ) said: “Of whomsoever I am master [mawl], ‘Alī is also his master [mawl].” The rule of relationship among the parts of the sentence suggests that the wilayah of ‘Alī (‘a) indicated therein is the same wilayah of the Prophet (ﷺ) which has been acknowledged by the people.

3. Love of ‘Alī (‘a) and the Prophet’s *Ahl al-Bayt* (‘a) is something commanded also by the Qur’an, describing it as a sign of faith.<sup>30</sup> This fact is not something unmentioned in the Qur’an beforehand such that the failure to announce it would be considered imperfection of religion and negligence of a prophetic duty.

4. After this conveyance of the Apostle (ﷺ), Abū Bakr and ‘Umar (later to become the first and second caliphs) congratulated ‘Alī (‘a), each of them saying: “O son of Abū Ṭālib! You became my master [mawl] and the master [mawl] of every Muslim, man and woman.”

From this event which happened in the presence of a large group of Muslims and which was recorded in history, it can be deduced that the audience or addressees of this message understood wilayah not in the sense of “friendship and support” because the expression, “You became my mawl” is consistent only with wilayah in the sense of authority and leadership.

5. In the same gathering, after being granted permission by the Prophet (ﷺ), Ḥassan ibn Thābit, a famous Arab poet, versified the historic event of Ghadīr as follows:

فقال له: قم يا عليّ فإنني رضيتك من بعدي إماماً و هادياً

***Then he said: “Stand up O ‘Alī! For, I am indeed well pleased that you are the Imam and guide after me.”***<sup>31</sup>

The words “Imam” and “guide” [hādī] used in the verses clearly show that the true meaning and implication in the statement of the Prophet (ﷺ) was that of wilayah in the sense of authority and leadership.

This specific understanding of Imamate, especially in the event of Ghadīr Khumm, had always been confirmed and emphasized by the Imams (‘a).<sup>32</sup> It is clear, therefore, that Shī‘ism as a school of thought is a distinct understanding and interpretation of the religion of Islam and the prophetic message.

Historically, it can be traced back to the time of the prophetic call. Contrary to the notion of some people, Shī‘ism is not a school of thought which was later formed based on the emotions or feelings of a group.

The necessity of the designation of the Imams as substantiated by religious text [naḥy] is exactly based on the Prophetic *Sunnah*. According to this viewpoint, based upon his divine mission, the Holy Prophet (ﷺ) has set the way of the Imams and their leadership as the guarantor of the felicity of mankind.

## The Role of the Imams (‘a)

It is evident that the digression in the history of Islam and the society’s refusal to accept the authority of the Imams (‘a) hindered the materialization of the true and essential role of Imamate in the Islamic society. Yet, it must not be imagined that the Imams (‘a) had an insignificant contribution in the development of Islamic culture and civilization. In spite of events, the role of the Imams (‘a) in fostering spirituality and religious sense, strengthening ideological foundations, expounding Islamic law [sharḥ], interpreting the Qur’an, and sharpening the sociopolitical insight of Muslims has been considerable and fundamental. They have been the fountains of spirituality, the standard-bearers of the Prophetic *Sunnah* and Qur’anic culture, and the tributes of the Holy Prophet (ﷺ), and they have always been the focus of attention of the Islamic society.

A cursory glance at the history of Islam during the period of the Imams (‘a) shows well the following points:

1. A significant part of the religion of Islam consists of its worldview and ideological principles. The people’s understanding and interpretation of Islam depends on the extent and quality of their understanding of its ideological elements. If the public sphere of a society is away from the true understanding of these elements, this society will fall into the abyss of ideological deviation. When the Messenger of Allah (ﷺ) is not present in the Islamic society and the grounds for encountering other cultures gradually increase, it is to be feared that ideological deviation and superstition might threaten the culture of society.

The pivotal role of the great scholars who have acquired correct understanding of religion from credible sources during such times is critically important. In dealing with ideas such as extremism [ghul], predetermination [jabr], tafwīḥ, anthropomorphism, and many others, the Imams (‘a) as the intellectual authorities have had a crucial role in guiding the people. Sublime subjects contained in *Nahj al-Balaghah*, *al-Faḥ as-Sajjidiyyah*<sup>34</sup> and narrations [riwāyāt] of the Imams (‘a) bear testimony to this fact.<sup>35</sup>

2. It is clear that in view of the limited time and the absence of total stability of the Islamic state, the Prophet (ﷺ) did not have the opportunity to mention and experience all the needs of the society regarding Islamic law. Many needs came to light after him over the course of time. In that situation, the Qur’an and the *Sunnah* of the Prophet (ﷺ) were naturally consulted, but the existence of different interpretations of these two sources entailed differences and discord.

In that state of affairs, the *Ahl al-Bayt* (‘a), as the true scholars and those knowledgeable of the Book

and the *Sunnah*, played a key role. The extant numerous narrations from the Imams (‘a) prove that the *Ahl al-Bayt* (‘a) had a significant contribution in expounding the Islamic law and training religious scholars and jurists [*fuqah*].<sup>36</sup> It is interesting to note that a number of Sunnī *fuqah* have been students of the Imams (‘a). By giving lessons to thousands of students, Imams al-Baqir<sup>37</sup> and aḥ-ḥadiq<sup>38</sup> (‘a) have indeed played a decisive role in training Sunnī and Shī‘ah ‘ulam’.

3. As the spiritual and moral guides of the Islamic society, the *Ahl al-Bayt* (‘a) have had an undeniable impact in morally training the Muslims and spiritually nurturing them. Apart from the Shī‘ah who believe in the Imams (‘a) as having lofty stations, others have always considered the Imams (‘a) as their practical moral and spiritual guides and have been greatly influenced by the Imams’ spiritual merits.

Moreover, the valuable propagational role of the Imams (‘a) and their extremely profound and sublime supplications, which up to now have spiritually adorned the Muslim society, must not be forgotten. These individuals from the progeny of the Prophet (ﷺ) who were at the peak of spirituality, morality and insight kept the sparks of spirituality in Muslim society illuminated.

4. For the Umayyad and ‘Abbasid rulers, the infallible Imams (‘a) were the main threats to their despotic rule, because the Imams (‘a) consistently propounded that their right to rule had been usurped, and that the caliphate was a fundamental departure from the political philosophy of Islam. Because they put forward this belief and because they were figures in the station of Imamate—and in view of their relation to the Holy Prophet (ﷺ)—they could always keep the torches of justice and anti-oppression illuminated in the hearts of the people. The spiritual power of the Imams (‘a) as the righteous descendants of the Apostle (ﷺ) had always threatened the rule of tyrants and frightened the oppressive caliphs. Their persistent decisions to persecute and martyr the infallible Imams (‘a) were signs of this fear and apprehension.

The opinions of the Imams (‘a) have been known to the people in every period. Everybody knew that the Umayyad and ‘Abbasid caliphs had basically never recognized the legitimacy of the Prophet’s progeny (‘a). As such, many Shī‘ah would not even refer to judges appointed by the government and, based on the religious teachings, they regarded referral to these judges as tantamount to disbelief [*kufr*].<sup>39</sup> It is true that the principle of dissimulation [*taqiyyah*]<sup>40</sup> served as an important rule in the sociopolitical life of the Shī‘ah, but the opposition of the Imams (‘a) to the rule of the caliphs was no secret. The caliphs had always felt threatened by them and strived to uproot their spiritual and social standing in society.

In view of the aforementioned points, it can be concluded that in addition to the intellectual current called Shī‘ism, in which the basis is the Imams’ interpretation of religion and leadership of the Shī‘ah who had always been a significant part of the Muslim society, the contributions of the Imams (‘a) in the ideological, moral, legal, and political spheres are indeed significant and known to all.

## Philosophy of Occultation [ghaybah]

With the acceptance of Imamate as one of the principles of Shari'ah faith, the following questions are raised: According to the Shari'ah viewpoint and ideological foundations, Imamate is an essential principle, therefore what is the justification for occultation [ghaybah]? Since divine wisdom demands the existence of an Imam in every period, how is the long deprivation of the Muslim society from Imamate justified and analyzed?

The answer to these questions can be inferred from the following points:

1. As stated earlier, only general *imamah* can be proved rationally, but based on divine exigency, [the philosophy behind] the number of Imams ('a) is unknown to us and we cannot comprehend it based on rational means.
2. The presence of an Imam is a grace from God, but the deprivation from the presence of an Imam can be traced back to the actions of the people.<sup>41</sup> This deprivation also existed to some extent during the periods of the Imams ('a) prior to the 12th Imam ('a).
3. The people's open connection to the hidden Imam ('atfs)<sup>42</sup> is in abeyance as far as his two functions of religious authority and political leadership are concerned, but the Imam's esoteric Imamate continues and the people benefit from the blessing of his existence.

At this time, the Imam ('atfs) is like the sun behind the clouds. Just as the sun behind the clouds is beneficial, the Imam ('atfs) has an esoteric connection with his Shari'ah and the people are able to benefit from the blessing of his existence. Basically, the world exists owing to his existence and this function of the Imam which is "ontological guardianship" [*wilayat-e takwini*], "spiritual guardianship" [*wilayat-e ma'nawi*] or "esoteric Imamate" [*imamat-e batin*] does not depend on his physical presence.

Keeping in view the above mentioned points, the principle of the occultation of the Imam ('atfs) is compatible with the general theory on Imamate and it is here that the dynamic idea of "waiting" [*intizar*] takes form. It is true that this idea also exists in other religions,<sup>43</sup> but in Islam to wait for the day when the Savior [*munji*] removes oppression from the world, turned the imaginary state of a totally hidden subject into a belief about a true celestial living being. Attention to a savior in the future turned attention to a living person who, along with all other people, is also waiting. He lives with us and actually feels our pains and sufferings.<sup>44</sup> Waiting is a positive and constructive idea, entailing many benefits some of which are as follows:

- a. The belief that the people are attached to his rule and consider other governments as usurpers is a kind of idealism, fundamentalism and legalism in their individual, social and political beliefs. It is exactly like the condition of a people who, on account of particular political conditions, feel as if their Imam is in exile and believe that they must pave the grounds for his advent or reappearance. As such, "waiting"

[*intiḡḡar*] and “protest” [*iḡtirḡḡ*] from the Shḡ‘ah viewpoint is an intellectual tradition within the core of the Shḡ‘ah political thought, and Imamate has not ended with the occultation of the last Imḡm (*‘atfs*) but it rather continues in a particular way.

b. “Waiting” naturally gives direction to the human perspective as well as meaning to the future. It removes despair and hopelessness from the hearts of humanity. It gives purpose to their actions and makes them more ready to show all their talents. Hence, “waiting for deliverance [by the Imḡm’s advent]” [*intiḡḡar al-faraj*] has been described as the activity of the Prophet’s *ummah*.<sup>45</sup>

“Waiting” has made the Shḡ‘ah always endure difficulties and afflictions with optimism and dynamism and given them a profound perspective and positive orientation. Individuals whose aspiration it is to implement global justice, righteous government, benevolent administration, human dignity, and freedom from oppression no doubt follow a correct, lofty, goal-oriented, and divine social philosophy, and these are among the blessings of “waiting” and effects of the occultation [*ghaybah*].

c. The meaningfulness of history and the glad tidings of victory for the faithful, which have also been repeated many times in the Qur’an, is one of the secrets of *ghaybah*. The promises for the faithful to inherit the earth, their assumption of power, the establishment of the government of faith, the unification of religion, the unification of government, and the unity of society, among others, give enthusiasm to the faithful to engage in social struggle.<sup>46</sup> From the Islamic viewpoint, therefore, the philosophy of history acquires a particular meaning. Accordingly, the future is not a condemnation of the will of the powerful and the arrogant. Rather, the will of God will prevail through the establishment of a benevolent state, the dominance of the divine religion, and the prevalence of divine values throughout the world. Therefore, history is leading us towards a positive future.

d. “Waiting” requires emphasis on values and negation of anti-values. These ideals embellish the sociopolitical view of the faithful. The faithful who are eager to implement social justice and the rule of values will never submit to deviant viewpoints and always focus their attention on a better society and a righteous world.

The spirit of waiting is an emphasis on the theory of Imamate and the negation of any dispute over it. The Shḡ‘ah waits for his Imḡm and this negates the sovereignty of any other.

e. For those who wait for the Imḡm [*muntaḡirḡn*], any social change is valuable provided that it contributes in the realization of the ideals of the period of occultation. Thus, “waiting” itself is a positive social movement and a sublime idea within a revolutionary thought. For this reason, in terms of implementation, objectives, achievements, and elements the Islamic Revolution in Iran must be compatible with the ideals of the period of waiting. “Waiting” teaches the Shḡ‘ah not to gather under any banner that is incompatible with the global revolution of the Mahdḡ (*‘atfs*).

Moreover, the ideal or aspiration of “waiting” gives a particular rationality to the Revolution. Since the period of occultation is always a period of waiting, the revolution constantly continues in different aspects

until the establishment of the global government of the Mahdī ('atfs).

f. Belief in Imamate during the period of waiting endows humanity with the opportunity to follow the perfect man [*insān al-kāmil*] (of his time). Based on following the perfect man, the waiting person is always strengthening himself spiritually.

## A question

Given the prolongation of the period of occultation, the following questions may be raised: How can it be accepted that a hidden Imām is living with us? Or, is not the belief that a perfect man could be living with us for so long in occultation a superstitious one?

In reply to these question, some points are worth considering:

Firstly, the reality of the occultation of the Mahdī ('atfs) has been mentioned by the infallible Imāms ('a). Therefore, those who believe in the truthfulness of Imāms ('a) can easily accept the 12th Imām's ('atfs) occultation.<sup>47</sup> The acceptance of the long life of an Imām who is commissioned by God is not an unusual thing in religious culture.

حکیمی کین جهان پاینده دارد

تواند حجّتی را زنده دارد

*The All-wise Who created this world,*

*Can prolong the life of a proof.*

Also, the event of the birth of the Imām of the Time ('a) has been mentioned in history and books of tradition [*ʿadāth*], and even those who witnessed the event have been identified.<sup>48</sup>

Secondly, the Imām of the Time ('atfs) was in minor occultation [*ghaybah aṣ-ṣughra*] for around 70 years<sup>49</sup> during which period, the proof of his existence had been well known to the Shāh. Through his special deputies [*nawwāb*], he had contact with the people. Apart from the four special deputies, he had also appointed his representatives [*wukalā*] in different cities and towns. Naturally, his deputies and representatives were men of distinction and honor. It is absurd to think that distinguished men would have been in contact with an imaginary and superstitious person for 70 years. During that period, many individuals had submitted their requests to the Imām ('atfs) through his envoys, and in reply to some of them, the hidden Imām ('atfs) had written letters. These letters are technically called *tawqīʿ* some of which are recorded in *ʿadāth* books.

## Imamate and the duty of the faithful [mu'min]

After the acceptance of Imamate as an ideological principle, this question is raised: What is the duty of a faithful believer with respect to the principle of Imamate?

Undoubtedly, the primary requisite of the belief in the Imam (*'a*) is that we have to accept the way of the Imams (*'a*) as our intellectual, ideological and practical reference. This means that alongside the Qur'an, we have to give importance to the sayings and actions of the infallible Imams (*'a*). Relying only on the Qur'an and ignoring the authentic narrations is tantamount to ignoring the intellectual authority of the infallible Imams (*'a*) which is in no way compatible with true Shā'ah doctrines.

Thus, one of the duties of the faithful is to love their Imams (*'a*). In the Holy Qur'an, love of the Prophet's (ﷺ) relatives [*dhī'l-qurbā*] has been mentioned as the reward for his prophetic mission.<sup>50</sup> Many of the laws and rules of etiquette prescribed in Shā'ah collections of law for the people are meant to attain the station of affection—nay love—of the pure Imams (*'a*). In the Shā'ah way of thinking, the Imam is the theoretical and practical leader to whom the people have also deep emotional attachment.

The emphasis on the performance of pilgrimages [*ziyārat*] and establishment of esoteric relationship with the Imam (*'a*) which are common in Shā'ah tradition generates a particular disposition in the faithful. Attachment to the truth and the truthful [*tawallā*] and the establishment of affectionate relationship lead to the intellectual and emotional fondness of the faithful to the perfect man.

This characteristic naturally influences the political insight and attitude of the faithful. Love of those who have dedicated themselves to the religion and the struggle against the *ẓāghit* makes the heart of the faithful overflowing with abhorrence and disgust for the oppressors and infidels. As such, *tawalli* and *tabarri* [disgust for falsehood and the people of falsehood] have a pivotal role in the attitudes and interactions of the faithful society.

Apart from purifying man's soul, love of the Imams (*'a*) generates similar loves, embellishes his beliefs, organizes his actions, fosters idealism, and cleanses his sociopolitical insight and outlook.

Meanwhile, the people have been invited to take the Imams (*'a*) as their mediators in their supplications and connections to God. In our religious sources, supplication without any mediator or medium [*wasālah*] has been described as defective and unanswered.

The practice of *tawassul*<sup>51</sup> which is one of the elements of the Shā'ah beliefs is in no way incompatible or inconsistent with monotheism [*tawāḍḍ*]. It is rather the acceptance of a kind of linear system in the relationship with the Creator. In the Shā'ah culture, the Imam is the embodiment of *tawāḍḍ* on earth. In establishing communication with him, the people are actually connected with the vicegerent of God and this never contradicts the sovereignty of God. In fact, it is exactly dependence on God.

*Tawassul* is the fostering of a special type of spiritual thinking in which the perfect man is highlighted and

in the relationship between human and God the existence of the Imām is not ignored. In principle, the term *tawassul*, or resorting to intermediaries, is the promotion of the idea that God is the Essence of the universe and through the means of *tawassul* we seek to connect to this Essence. In this idea, the Imām is the cord of Allah [*ṣabl Allāh*].

By clinging to this cord, the people provide the means for their improvement and proximity to God. Just as facing the *qiblah* (the *Ka'bah*) is a manifestation of *tawassul* and can never be considered worship of an object, turning to the Imāms (‘a) and seeking their intermediation is also not a negation of *tawassul*. In fact, the Imāms (‘a) are *the spiritual ka'bah of the hearts*. By drawing the people toward it (the more they pay attention to the Imāms (‘a)) the more their belief in God will increase.

The other duty of the faithful is to increase their knowledge of the Imāms (‘a). In religious sources, it is stated that knowledge of God depends on knowledge of the Imāms (‘a).<sup>52</sup> In the words of the Imām (‘a) himself, it is thus narrated: “God has no sign greater and more important than us for the people<sup>53</sup> and had it not been for us, God would not have been recognized (as He ought to be recognized).”<sup>54</sup>

<sup>1.</sup> – The term *ṭaghūt* applies to any idol, object, or individual that prevents men from doing what is good, and leads them astray. The term has been used eight times in the Qur’an. Prior to Islam, *ṭaghūt* had been the name of one of the idols of the Quraysh tribe. This name is used also to mean Satan. Moreover, the term is used to indicate one who rebels against lofty values, or who surpasses all bounds in his despotism and tyranny and claims the prerogatives of divinity for himself whether explicitly or implicitly. [Trans.]

<sup>2.</sup> – For further information about the idea of guardianship [*wilāyah*] and the guardian [*walī*], see Murtadā Mutahharī, *Wilāyah: The Station of the Master*, trans. Yahyā Cooper (Tehran: World Organization for Islamic Services, 1982). [Trans.]

<sup>3.</sup> – Ummah: the entire Islamic community which knows no territorial, racial, national or ethnic distinction. [Trans.]

<sup>4.</sup> – See *Sūrah ‘Alī ‘Imrān* 3: 103.

<sup>5.</sup> – *Sūrah Nisā’* 4:59: “O you who have faith! Obey Allah and obey the Apostle and those vested with authority among you.”

<sup>6.</sup> – See *Shahristānī*, *Al-Milal wa’n-Nihal*, vol. 1, p. 24.

<sup>7.</sup> – *Ahl al-Bayt*: according to authentic *hadīths* recorded in both *Sunnī* and *Shī‘ah* sources, the term *Ahl al-Bayt*, and interchangeably *Itrah* and *‘ā’l*, is a blessed Qur’anic appellation that belongs exclusively to the Prophet, ‘Alī, *Fatimah*, *Hasan*, and *Husayn* (‘a). The members of this Family of five, with the Prophet Muhammad (s) at its head, were the ones present at the time the Qur’anic verses regarding their virtues were being revealed to the Prophet (s). However, nine other Imāms from the descendants of Imām al-Husayn (‘a) are also included in this chosen Family, the final one being Imām al-Mahdī (‘a). For further information, visit: <http://www.al-islam.org/faq> [1]. [Trans.]

<sup>8.</sup> – *Murtadā Mutahharī*, *Imāmat va Rahbarī* [Imamate and Leadership], p. 52.

<sup>9.</sup> – See *Sunnī* books on the principles of jurisprudence and *Sayyid ‘Abd al-‘Usayn Sharaf ad-Dīn al-Mūsawwī*, *Al-Murājī‘at*, Correspondence 13.

<sup>10.</sup> – *Mutahharī*, *Imāmat va Rahbarī*, p. 53.

<sup>11.</sup> – *Sa‘ad ad-Dīn Taftāzānī*, *Sharḥ al-Maqṣūd*, vol. 5, p. 233; *Shahristānī*, *Al-Milal wa’n-Nihal*, vol. 1, p. 72.

<sup>12.</sup> – *Abū ‘l-‘Āsan Mawwardī*, *Al-Aḥkām as-Salṭaniyyah*, p. 7.

<sup>13.</sup> – *Taftāzānī*, *Sharḥ al-Maqṣūd*, vol. 5, p. 233.

<sup>14.</sup> – *‘Abd ar-Razzāq Lāhijī*, *Gawhūr-e Murūd*, p. 467.

<sup>15.</sup> – *Taftāzānī*, *Sharḥ al-Maqṣūd*, vol. 5, p. 232.

<sup>16.</sup> – See *Mutahharī*, *Imāmat va Rahbarī*, p. 70.

<sup>17.</sup> – See *Uṣūl al-Kḥf*, “*Abwāb al-‘Ujjah*”; *Mutahharī*, *Imāmat va Rahbarī*, p. 56.

<sup>18.</sup> – By referring to the *Shī‘ah* books on tradition [*ṣadīth*], it will become clear that the magnitude of narrations [*riwāyāt*]

is ten times greater than the Holy Qur'an and sayings of the Messenger of Allah (ﷺ). For instance, Was'il ash-Shah compiled by the late Shaykh Qurr al-'amil consists of 30 volumes; Mustadrak al-Was'il by Mu'addith Nuri in 18 volumes; and Bi'at al-Anwar by 'Allamah Majlis in 110 volumes contain narrations from the Infallibles (a).

19. – See Mu'ahhar, Immat va Rahbar, p. 93; Mu'ammad Taq Mi'ab Yazd, 'muzesh-e 'Aq'id, p. 305.

20. – Surah Sh'ar' 26:214: "Warn the nearest of your kinsfolk."

21. – This account is recorded as 'adith ad-D in Sunn history books. For example, see Tarkh a-'abar, vol. 2, pp. 319–321; Al-Kmil f't-Tarkh, vol. 2, p. 62; Ibn Ab'l-'ad, Sharh Nahj al-Balighah, vol. 13, pp. 22, 244; Kanz al-'Umm, vol. 15, p. 115. The text of the 'adith is as follows: "Verily, this is my brother, executor of will and my caliph after me. So, listen to him and obey him."

22. – Known as 'adith ath-Thaqalayn, this statement is recorded without a broken chain of transmission [mutawtir] from the Holy Prophet (ﷺ). It is narrated by 53 companions of the Prophet (ﷺ) [a'abah] and recorded in more than 200 Sunn books on history, tradition and Qur'anic exegesis [tafsir]. See, for example, Muslim, vol. 4, p. 873; a' Tirmidh, vol. 5, p. 663; Musnad A'mad ibn 'anbal, vol. 5, p. 182; Sunan ad-D'ram, vol. 2, p. 231.

23. – This statement of Prophet Mu'ammad (ﷺ) is known as 'adith as-Safnah, narrated by famous a'abah such as 'Ali ibn Ab' lib, 'Abd Allh ibn 'Abbs, Ab' Dharr al-Ghifri, Ab' Sa'd al-Khidri, Anas ibn Malik, and others, and recorded in Sunn books.

24. – In some of these narrations, the names of the twelve caliphs or Imams are mentioned while in some others only the names of the first and the last.

25. – Surah M'idah 5:67: "O Apostle! Communicate that which has been sent down to you from your Lord, and if you do not, you will not have communicated His message."

26. – Surah M'idah 5:3.

27. – See 'Allamah Amn, Al-Ghadr, vol. 1, pp. 14–151.

28. – Sharaf ad-D'n al-M'saw, Al-Murja'at, Correspondences 57–58.

29. – Surah Ahzab 33:6.

30. – Surah Sh'ra 42:23: "Say, I do not ask of you any reward for it except the affection for [my] relatives."

31. – Khw'razm al-M'lik, Al-Man'qib, p. 80; Sib' ibn Jawz al-'anaf, Tadhkirat Khaw' al-Ummah, p. 20; Ganj' Shafi', Kifayah a-'lib, p. 17; and others. [Trans.]

32. – For example, it is mentioned by Imam 'Al (a) as narrated by Ibn 'ijr in Lis'n al-M'zn, vol. 2, p. 285 and A-'aw'iq al-Mur'iqah, p. 126; adh-Dhahab in M'zn al-'tid, vol. 1, p. 441; Qund'z in Yan'ab' al-Mawaddah, vol. 1, p. 134, b'ab 38; Imam A'mad ibn 'anbal in Musnad A'mad ibn 'anbal, vol. 1, p. 119; Imams 'asan and 'usayn (a) in Al-Ghadr, vol. 1, p. 197.

33. – Tafw'at: the belief that after creating all beings, God has left them to administer their own affairs and follow their own wills. In other words, it is the upholding of freewill [ikhtiyar] vis-à-vis predestination. [Trans.]

34. – The book of fifty-seven prayers known as as-Sah'fah (al-K'milah) as-Sajj'diyah, which is one of the major Islamic manuals of supplications, was transmitted from Imam Zayn al-'abd'n as-Sajj'd, the fourth of the Twelve Imams and the only son of Imam Husayn to survive the massacre at Karbala. See Sah'fah al-K'milah, <http://www.al-islam.org/sahifa> [2]. [Trans.]

35. – In addition, many volumes of narrations on beliefs can be observed in books on 'adith such as Al-Kulayn, U' al-K'f and Shaykh a-'adq, At-Taw'id.

36. – Many collections of juristic narrations have been compiled in books of 'adith the most famous of which is Was'il ash-Shah by Shaykh Qurr al-'amil.

37. – Imam Muhammad al-B'qir: the fifth Imam from the Holy Prophet's Progeny. He was born in 57 AH/675 CE and spent most of his life in Medina, until his martyrdom there in 114 AH/732 CE. See B'qir Shar'f al-Qarashi, The Life of Imam Mohammed al-B'qir, trans. J'sim al-Rasheed (Qum: Ansariyan Publications, 1999). [Trans.]

38. – Ja'far ibn Muhammad (a) entitled, as-S'diq [The Truthful], is the sixth Imam from the Prophet's Progeny (83–148 AH). Many of the Sunn and Sh'ah 'ulam and scholars attended his teaching classes and seminars. Narrators of tradition have quoted the number of Imam as-S'diq's students as four thousand. The socio-economic conditions of his time necessitated utmost efforts to be made by the Imam (a) in the areas of expanding authentic and original Islamic

teachings and in the training and education of the faithful students. For this reason the books of tradition and other books quote and cite more traditions from Imām Ja‘far as-Sādiq than from any other infallible Imāms. See Shaykh Mohammed al-Husayn al-Muzaffar, Imām Al-Sādiq, trans. Jāsim al-Rasheed (Qum: Ansariyan Publications, 1998). [Trans.]

[39.](#) – Al-Kāfi, vol. 1, p. 67.

[40.](#) – Taqiyyah: prudential dissimulation of one’s true beliefs under conditions of acute danger to one’s life, property, or honor, a practice based on Qur’an, 3:28. As its observance depends on certain terms and conditions, it may be obligatory [wājib], recommended [mustahab], abominable [makrūh], or forbidden [harām]. For a discussion of taqiyyah, see Sayyid Saeed Akhtar Rizvi, Taqiyyah (Dar es Salaam: Bilal Muslim Mission of Tanzania, 1992), <http://www.al-islam.org/taqiyyah>; [3] Al-Taqiyya/Dissimulation, <http://www.al-islam.org/encyclopedia/chapter6b.html>; [4] and ‘Allamah Tabataba‘i, Shi‘ite Islam (Albany, N.Y., 1975), pp. 223–225, <http://www.al-islam.org/anthology> [5]. [Trans.]

[41.](#) – See ‘Allamah Ḥillī, Kashf al-Murād fī Tajrīd al-‘Iqīd, Section on Imamate.

[42.](#) – The abbreviation, ‘atfs stands for the Arabic invocative phrase, ‘ajjalallāhu ta‘ālā farajah ash-sharīf [may Allah, the Exalted, expedite his glorious advent], which is invoked after mentioning the name of Imām al-Mahdī (‘atfs). [Trans.]

[43.](#) – See Muḥammad Riḍā Ḥakīmī, Khurshīd-e Maghrib, chaps. 4–6; Gulḥayyiqān, Muntakhab al-Ḥithr.

[44.](#) – See Sayyid Muḥammad Bāqir Ḥadr, Ba‘th Ḥawl al-Mahdī, p. 55.

The book’s English translation is An Inquiry Concerning Al-Mahdī (Tehran: World Organization for Islamic Services, 1980). [Trans.]

[45.](#) – ‘Allamah Majlisī, Tuḥaf al-‘Uqūl, p. 37.

[46.](#) – See Sūrah Anbiyā’ 21:105; Sūrah Nūr 24:55; Sūrah Qaḥāf 28:5.

[47.](#) – See Uḥayyī al-Kāfi, “Kitāb al-Ḥujjah,” Bāb fī ‘I-Ghaybah”; Biḥār al-Anwār, vol. 51, p. 110.

[48.](#) – Gulḥayyiqān, Muntakhab al-Ḥithr, p. 355.

[49.](#) – During the first 70 years of his Imamate, the Imām of the Time (‘atfs) had special deputies to manage on behalf of the Imām the affairs of the Shā‘ah. This period is known as the minor occultation.

[50.](#) – Sūrah Shūrā 42:23: “Say, I do not ask of you any reward for it except the affection for [my] relatives.”

[51.](#) – Tawassul: literally, to resort to intermediaries. Technically, it refers to the practice of petition prayer addressed to God through a holy personage such as a prophet [nabī] or a saint [walī]. [Trans.]

[52.](#) – Biḥār al-Anwār, vol. 5, p. 312 as narrated from Imām al-Ḥusayn (‘a).

[53.](#) – Uḥayyī al-Kāfi, vol. 1, p. 207.

[54.](#) – Shaykh aḥ-Ḥādīq, At-Tawḥīd, p. 290.

## Section Two: Period of Occultation

### General Objectives

After studying this discourse, students are expected:

1. To know the continuity of the interpretation and practice of religion during this period of occultation;
2. To be acquainted with the characteristics and sources of *ijtihād*; and
3. To know some rational and textual proofs for the guardianship of the jurist [*wilāyah al-faqīh*] and be acquainted with its theoretical dimensions.

## Introduction

Since the Imām of the Time (*‘atfs*) is not present during the period of occultation, flawless interpretation of the religion is naturally not possible and there is deprivation of ideal political leadership. So, the function of religious authority and political leadership of the Imām (*‘atfs*) is not exercised.

As such, the people will be deprived of the religious authority and political leadership of the infallible Imām (*‘atfs*) and they have no option but to engage in “waiting”. However, these questions are raised: Has the religion of Islam offered a solution to these two important issues (interpretation and implementation of the religion)? Or, have the Imāms (*‘a*) shown a way to their Shā‘ah during the period of occultation? We shall examine the reply to these related questions in the two succeeding sections on religious authority and political leadership.

## Religious authority

Without doubt, flawless interpretation of the religion comes to an end with the occultation of the infallible Imām (*‘atfs*). During this period, nothing further will be added to the corpus of the *ḥadīth* of the Infallibles (*‘a*) and the main religious sources. From the existing religious sources, which include the traditions of the Infallibles (*‘a*), the religious duties of the faithful can be inferred such that they have sufficient basis for the performance of duties. However, all people cannot deduce their duties from the religious sources.

Therefore, naturally, they must refer to those who are capable of doing this important task. In this manner, during the occultation of the Imām (*‘atfs*) the position of intellectual authority is assumed by the *‘ulamā’*—who are well-versed in religious principles and capable of deducing the laws.

Of course, even during the time of the presence of the Imāms (*‘a*), not all people had the opportunity to consult the Imām of their time. Due to distance, many had become acquainted with their religious duties through local *‘ulamā’* while the latter had greater chances of consulting the Imām of their time. During the period of occultation, however, there is no option but to refer to the *‘ulamā’*.

The *‘ulamā’* are those who are capable of deducing laws from the religious sources. This capability is technically called *ijtihād* and one who possesses this capability is known as a *mujtahid*.

Of course, in addition to *ijtihād* the intellectual authority has other required qualities such as God-wariness [*taqwā*] and knowledge of the state of affairs of his own time. Hence, the *mujtahidīn* are the intellectual and religious authorities of the people during the period of occultation. [1](#)

## Salient features of *ijtihād*

1. *Non-monopoly*. As defined earlier, *ijtihād* is not a monopoly of a particular social group or class.

Anyone with the required intellectual and moral qualities can be the intellectual authority. As such, according to the Shā‘ah, no particular class or stratum of society is presented as the intellectual and religious authority of the people.

2. *Accessibility of ijtihād*. In the Shā‘ah school of thought, anyone can acquire the competence to exercise *ijtihād* within a specific set of rules. In the Sunnī school of thought, the door of *ijtihād* is closed.<sup>2</sup> The Sunnī ‘*ulamā*’ have to express views within the framework of *ijtihād* viewpoints of a certain number of their great *mujtahid*en. According to the Shā‘ah teachings, however, the ‘*ulamā*’ always have the right to exercise *ijtihād*. Basically, the scholars who are competent to practice *ijtihād* are not obliged to practice *taqlīd*, for they have to act upon their personal *ijtihād*.<sup>3</sup> So, it is possible to have different *ijtihāds* and juristic opinions at one time. It is even possible for a *mujtahid* to express diverse opinions over the course of time and recant his former religious edict [*fatwā*].

3. *Ijtihād as rule-based*. *Ijtihād* as a method of understanding the *shar‘ah* depends on a set of rules. In other words *ijtihād*, which is the process of arriving at a specific understanding of the religion, is considered *ijtihād* only when it is derived through a specified logic. Understanding which is not anchored in technical and systematic *ijtihād* is speculative interpretation [*tafsīr bi’r-rayy*] which is devoid of any value.

Of course, it must be noted that systematic understanding does not always arrive at truth and unambiguous law. For this reason, unlike the understanding of the infallible Imāms (‘a), the theory of *ijtihād* is not considered a flawless pillar of the religion. Rather, at most it is an understanding which serves as a proof [*uujjah*] for the *mujtahid* and those who emulate him [*muqallid*en].

Therefore, the concept of “proof” [*ujjiyyah*] distinguishes *ijtihād* from speculative interpretation [*tafsīr bi’r-rayy*]. Forbidding of speculative interpretation starts exactly from the moment when systematic reasoning is lost. As such, in replying to a juristic question, a *mujtahid* must traverse difficult and tortuous ways. The reason for this is that the *faqīh* does not treat religious laws as facilitators. His aim is to try his best so that his deduction is within the framework of a set of rules and this is the reason for the concern for credibility—so that it may serve as “proof”.

4. *Dynamism of ijtihād*. Since Islam is the final religion, it must be able to offer answers to the problems and predicaments of every age. “Final religion” means that its rules are such that they are applicable in every period. It is true that *ijtihād* is exercised within the framework of specific rules, but it gives the *mujtahid*en the opportunity to offer answers to the problems of his particular time by referring back to the religious sources.

In the Islamic *shar‘ah*, there are alterable elements which make it possible for laws to be implemented in different areas. Some of these elements are as follows:

a. In the Islamic *shar‘ah*, rules are presented in general form. Since the addressees of the religion are all people in all places, many of the laws are in the form of permanent rules and not confined to a

particular time in history. For example, the principle of *pacta sunt servanda*<sup>4</sup> covers every treaty at every period.

b. In the Islamic *shar‘ah*, apart from the common laws that are implemented in normal conditions, certain laws are considered for special conditions which are called secondary laws [*al-‘ak‘am ath-thaw‘iyah*]. These laws make it possible for the *shar‘ah* to conform to special conditions. For instance, in an emergency situation in which it is not possible to implement a mandatory law, as long as the situation is not normalized, it is not mandatory to implement it. Or, in the case that the implementation of a law causes harm to a person or persons, it must not be implemented.

c. In the Islamic *shar‘ah*, the Islamic state has a credible standing and can issue decrees while taking the society’s welfare into consideration. These decrees or laws which are called “administrative decrees” [*al-‘ak‘am al-Huk‘miyyeh*] gives the Islamic state the opportunity to implement the Islamic *shar‘ah* based on the welfare of Islam and the Muslims. These decrees are within the prerogatives granted to the Islamic state.

In view of the alterable elements of the Islamic *shar‘ah*, *ijtih‘d* is a dynamic process compatible with time and place. Therefore, time and place are two fundamental and decisive elements in the practice of *ijtih‘d*.

It must be noted that many items or objectives assume various forms over the course of time. In consonance with changes, laws may also change accordingly. It is possible for an object to be an instrument of gambling at a certain time and place and not so at another time and place. Or, it is possible that at a certain time to buy and sell an item is not allowed for being devoid of any rational benefit, but the same item may be allowed as a commercial commodity at another time on account of its acquisition of rational utility.

It is worth mentioning that in accordance with the famous view in Sh‘ah jurisprudence, persons who are not *mujtahid* (i.e. they are not experts in deducing religious laws) must refer to a living *mujtahid*. The rule of referring to a living *mujtahid* gives the opportunity to the people to always emulate a *mujtahid* who knows the conditions and exigencies of the time and address their needs in accordance with each period.

Therefore, *ijtih‘d* in the Islamic culture, especially in the Sh‘ah conception, has the necessary dynamism in conforming the religious laws to current problems while ensuring that it is within the framework of its conventional rules. While connecting to the religious tradition, it addresses the needs of the changing world.

It must be added that these are the salient features of *ijtih‘d*. *Ijti‘d* is a process which can discharge this responsibility well. However, the absence of answers to some problems in their various dimensions is not an indication of the failure or futility of *ijtih‘d*. Rather, the reason for this is that sometimes all the potential of *ijtih‘d* in different areas are not utilized.

## Sources of *ijtihād*

For the *Shāh*, *ijtihād* is performed based on the four famous sources, viz. the Qur'an, *Sunnah*, reason [*ʿaql*], and consensus [*ijmāʿ*]. The Qur'an is the primary source of the religion and it is the basis of deducing religious views.

Along with the Qur'an, since the *Sunnah* serves as the elucidation, explanation and elaboration of the Qur'an, the authentic and credible narrations constitute a vital source, such that without them one cannot content himself with the Qur'an. Many religious laws cannot be inferred by only referring to the Qur'an. In essence, the basic function of the *Sunnah* is to elaborate the subjects concisely mentioned in the Qur'an.

Apart from the Qur'an and the *Sunnah*, which are considered the textual sources of *ijtihād*, the intellect or reason [*ʿaql*] is presented as one of the sources of deducing laws. Since religion and reason are totally compatible and concordant, definite rational laws are substantiated by religion.<sup>5</sup>

Consensus [*ijmāʿ*] is the fourth source of *ijtihād*. *Ijmāʿ* means the agreement of '*ulamāʿ*' on a religious law such that through this agreement, the view of the Infallibles (*ʿa*) can be inferred. In other words, *ijmāʿ* in *Shāh* *ijtihād* is a specific kind of agreement among '*ulamāʿ*' which uncovers the view of the Infallibles (*ʿa*) on a particular issue. Therefore, mere consensus of a number of '*ulamāʿ*' and *mujtahidīn* on a religious law cannot be considered credible *ijmāʿ* just because it closes the door for other *mujtahidīn*. Rather, this consensus must be such that it establishes its concordance with the pertinent view of the Infallibles (*ʿa*).

Hence, *Shāh* *ijtihād* is practiced only within the framework of these four sources, and the logic of inferring the *sharāh* is also put into action within this parameter. Every proof which is claimed to be the basis of understanding the religion has no option but to come from one of these four sources. As such, it becomes clear that:

Firstly, sufficing with only the Qur'an in understanding Islamic law and searching for all the answers in it alone is an exercise in futility and an unacceptable inference.

Secondly, relying on rationalization and personal inferences is acceptable provided only that it is substantiated by definite proof and evidence.

Thirdly, custom or usage is not automatically credible unless it is substantiated by reason or the *Sunnah*. In other words, if a customarily accepted rule is consistent with explicit dictate of reason or because of its persistence from the time of the Imams (*ʿa*) up to the present, meaning that it is evident that it is approved by them, such a rule can be considered a religious rule or decree. Otherwise, it cannot be considered an integral part of the *sharāh*.

# Leadership

The issue of leadership during the period of occultation can be examined in two perspectives, viz. rational [*‘aql*] and textual [*naql*]. Here, we shall discuss them separately as “rational proof” and “textual proof”:

## 1. Rational proof

The rational approach to the issue of leadership is based on the following preliminary points:

1. From the *Shari‘ah* viewpoint, during the presence of the Imams (‘a) the leadership of the Islamic *ummah* rested on the shoulders of the infallible Imams and the religious laws were implemented in the society by the Imam of every period who was the vicegerent of Allah and His Messenger (ﷺ). Since God has introduced them as the leaders of the *ummah*, the rule of any other was naturally a usurpation of the authority [*wilayah*] of God, the Messenger (ﷺ) and the Imams (‘a). The people were duty-bound to pave the ground for the rule of the Imam of their time.

2. The sovereignty of God in the sphere of legislation demands that the government during the period of occultation must also serve the interests of the *shari‘ah* in the realms of actions, decisions and laws. It cannot be accepted that the religion is accepted and God is the Sovereign and yet the Islamic laws are not implemented. Thus, as a rational necessity emanating from the sovereignty of God, the Islamic laws must be implemented.<sup>6</sup>

3. Implementation of Islamic laws necessitates a decision-making body or state. The verdicts of the *shari‘ah* regarding different areas such as economics, politics, *‘udud*,<sup>7</sup> retribution and punishment, training and education, and so on cannot be implemented without the existence of a government. Just as earning a livelihood necessitates the establishment of a government, the religion also cannot be implemented except through a powerful ruling authority. Accordingly, a government is necessary as a prerequisite to the implementation of the religion of God.<sup>8</sup>

4. The existence of a government or state naturally necessitates requirements [*ilzim*] and mandates [*dastur*]. The state presents religious orders as legal obligations. In other words, the implementation of religion lies in the government’s imposition. This obligation is acceptable provided that the imposing institution has the competence to impose them. If the ruling person or body does not have this competence, he or it will have no right to rule and impose orders. In essence, such an imposing institution lacks legitimacy [*mashruiyyah*].

Human beings on their own capacity have no right to oblige others to do a thing and impose orders upon them unless God, who is the Real Ruler, grants such a right. This is the principle of “man’s lack of authority” on the basis of which one has no authority [*wilayah*] over another unless he has rational or textual proof to exercise such authority.

5. Since one of the elements of the Islamic government is the Islamic nature of its decisions, reason dictates that it must be headed by a person who is an expert on Islam.

6. After the acceptance of Imamate and the acknowledgment of the point that the infallible Imams (‘a) are the true leaders of the Islamic society (after the Prophet (ﷺ)) and that divine sovereignty is implemented through them, religious leadership essentially belongs to the infallible Imams (‘a) and no other person has the right to rule except when that right is delegated to him. In the case that there is no proof of the infallible Imam’s (‘atfs) delegation of this right to a specific person, since the government cannot be without a head, the most pious and most righteous person among the Islamic scholars shall act as the Imam’s deputy [*nayib*].<sup>9</sup>

This view is a paraphrase of the theory of the guardianship of the jurist [*wilayah al-faqih*]. The concept of *wilayah* in this context is nothing but the supervision of the Islamic society and it does not mean interdiction of the people. Even if all people have attained sufficient social maturity and rational growth, in the realm of government and collective welfare, there is still a need for an institution of leadership to maintain law and order. In the Sh‘ah culture, this institution is what we called *wilayah*.

## 2. Textual proof

Apart from rational proof regarding the *wilayah* of the competent jurist or Islamic scholar, it can also be clearly inferred from sayings of the Infallibles (‘a) that the competent jurists [*fuqah*] and *mujtahid* are the deputies of the Imams (‘a) during the period of occultation and that the issue of leadership, like religious authority, is within the competence of the *fuqah*. In one of his sayings, the Messenger of Allah (ﷺ) has described the ‘ulam’ as his caliphs. In reply to a question on the identity of his caliphs, the Apostle (ﷺ) said: “They are those who narrate my *Sunnah*.”<sup>10</sup>

Undoubtedly, the most common definition of “caliphate” is “the leadership of the *ummah*”. Meanwhile, it is evident that the narrators of the *Sunnah* are those who have the competence to know the substance of religious views. Therefore, the Holy Prophet (ﷺ) has delegated the position of caliphate and leadership after him to the religious scholars. During the presence of the Imams (‘a), they were the indisputable religious scholars while during the period of occultation, the *mujtahid* are the narrators of religion.

In another narration, the Imam of the Age (‘atfs) said about the duty of the faithful in the events to come in the future: “In such cases, refer to those who narrate our traditions. They are my proof over you and I am Allah’s proof over them.”<sup>11</sup>

Imam al-Mahdi (‘atfs) referred his followers to the *fuqah* and this referral is not only in explaining religious issues (religious authority) but also in matters of implementation (political leadership). In other words, both religious authority and political leadership have been delegated to the religious scholars.<sup>12</sup>

In these narrations, a specific *faqih* or *mujtahid* has not been appointed for the post. Any person who possesses this competence is qualified to exercise authority [*wilayah*]. Therefore, these narrations

indicate the general *wilayah* of the *fuqah*. As such, during the period of oppressive governments, in judicial affairs and some issues requiring administrative decrees, the Shā'ah used to refer to the *fuqah* as much as possible, and the *fuqah*, in turn, used to address the affairs of the Shā'ah as much as they could.

Any objection relating to the possibility of different *fuqah* exercising *wilayah* at the same time is unjustifiable because in periods of *qāghat* rule every *faqih* exercises *wilayah* within his own jurisdiction. Whenever the leadership of a *faqih* acquires general acceptance and he has the opportunity to administer affairs, his decree is also binding upon the other *fuqah* within his jurisdiction and they should not independently issue administrative decrees. Thus, upon the formation of an Islamic state, a *faqih* shall exercise *wilayah* over the government.

There are many ways of selecting the one among the *fuqah* to head the government. One of them is through general suffrage in the sense that the faithful pay allegiance to one of the *fuqah* who are competent and rightful to exercise *wilayah*. Thereafter, his view shall also be binding upon the rest of *fuqah*.

Hence, *wilayah*, on the one hand, is an “appointed” [*intibāh*] position in the sense that the *fuqah* have been designated to this position by the Imams (‘a). On the other hand, there is also the people’s will through “election” to make “official” a *faqih*’s *wilayah* and the preeminence of his opinion over that of other *fuqah* in the realm of government and public welfare.

Assuming that the selected person loses one of the required intellectual, practical or moral conditions of leadership, he is automatically removed from the position of *wilayah*. Similarly, if a *mujtahid* loses his competence in *ijtihad*, he is automatically removed from the position of religious authority. As such, there is a system of identification in the Islamic government which constantly supervises the administrative performance of the *faqih*.

Whenever it finds out that the leader is no longer competent to administer the affairs of society, it will inform the society accordingly so that the faithful can pay allegiance to another *faqih* who possesses all the necessary qualifications of a leader. In our Islamic system, the Assembly of Experts shoulders this responsibility. This assembly, composed of Islamic scholars and *mujtahid* familiar with current issues, has the prerogative to inform the people of their responsibilities toward the Leader and his leadership. [13](#)

## **Dimensions of the theory of *wilayah al-faqih***

It is said that during the period of occultation of the infallible Imam (‘a), just as the *fuqah* are in charge of interpreting the religion and expounding the laws, they also assume the post of leadership and implementation of the religion. The different dimensions of the theory of *wilayah al-faqih* will become clear through attention to the following points:

1. According to the theory of *wilāyah al-faqāh*, in terms of leadership the Islamic scholar is the successor of the infallible Imām ('atfs). This succession does not mean that the true station of the *faqāh* is exactly the same as that of the infallible Imām ('atfs). Obviously, the true position and station of the infallible Imām ('a) can never be assumed or occupied by anyone else. The succession of the *faqāh* encompasses only certain aspects mentioned earlier. However, the superiority of the station of the infallible Imāms ('a) compared with that of the *fuqahā* and religious scholars does not invalidate the fact that both the Imāms ('a) and the *fuqahā* must be obeyed as the leaders of society.

2. A state based on *wilāyah al-faqāh* has the necessary authority to decide on matters of public interest. Therefore, when taking public welfare, the principle of consultation and Islamic laws into consideration, the state may decide to restrict individual liberties. These prerogatives are likewise known as “absolute guardianship” [*wilāyat-e muṭlaqah*]. Acceptance of absolute guardianship does not mean acceptance of unlimited power. In other words, “absoluteness” is not incompatible with “constitutionalism”. That is, on the one hand, the Islamic government is bound to implement Islamic laws and observe Islamic standards. Even in the government of the Infallibles ('a), no decision which will incur the displeasure of God can ever be made.<sup>14</sup> On the other hand, since God has made the Imāms ('a) the guardians of the people and the society of the faithful and they, in turn, have delegated this position to the *fuqahā*, the latter have the right to exercise *wilāyah* within the framework of public interests and the Islamic government has the necessary prerogatives as far as this framework is concerned. Therefore, the following conclusions can be drawn:

Firstly, absoluteness can never signify disregarding religious laws. In other words, *wilāyah* is not absolute to such an extent that the religious laws can be ignored, for basically *wilāyah* is in fact intended to make the religion prevalent.

Secondly, absoluteness does not mean that the holder of *wilāyah* can make any decision he likes. In addition to being compatible with religious laws, decisions must be consistent with the interests of people. Without taking into account the public welfare, individual interests cannot be sacrificed. In principle, in the framework of religious laws, none except the Islamic government has the right to ignore individual interests unless there is a higher set of interests at stake, i.e. the interests of society.

Thirdly, the jurist-guardian [*walī al-faqāh*] is obliged to consult with experts. Thus, absoluteness does not mean disregarding the views of other specialists. As provided for in the Constitution of the Islamic Republic of Iran, the Expediency Council serves as the advisory body of the *walī al-faqāh* in identifying what is expedient.<sup>15</sup>

3. The theory of *wilāyah al-faqāh* is in no way incompatible with republicanism. Of course, *Wilāyah al-faqāh* signifies the rule of religion and naturally, with respect to the rule of divine laws, the people have no authority of their own and based on their religion, they are obliged to implement the laws of Islam. The legitimacy [*mashrū'iyah*] of Islamic laws does not emanate from the will of the people. In the same vein, the rightfulness of the Islamic government does not depend on the inclinations of the people.

It is undeniable, though, that an Islamic government is established through the determination of the people and if the people do not desire its establishment, the Islamic government can never be put into practice. Therefore, the legitimacy of a government must be distinguished from its materialization.

Since the Islamic government is a means to materialize some elements of divine sovereignty, its rightfulness stems from the religion. However, in many societies a religious government is not established because the people are incapable of materializing their wish. As such, the religious government has two pillars: a divine aspect—its rightfulness and legitimacy [*mashrū‘iyyah*], and its people-related element which is the source of the government’s acceptability [*maqbuliyyah*]. *Wilāyah* represents the first pillar of the Islamic government while republicanism is the basis of the second.

It is significant to note that the Islamic government cannot afford to disregard its acceptability, for without legitimacy it has no means to exert influence and implement its will and without influence it has no basis for the materialization of its religious aspirations. Thus, the Islamic government must be acceptable to the people both during its establishment and its perpetuity.

Given this explanation it becomes clear that *wilāyah*, as a matter of appointment [*intibāh*], does not signify disregard for the people’s role in government; rather, it only expresses emphasis on the first element.

4. It is clear that apart from intellectual competence to identify religious views, the government is also in need of other sources of expertise. The theory of *wilāyah al-faqh* does not mean that in the Islamic government only *fiqh* and *shar‘ah* are held in honor while other types of expertise and specializations are not shown importance. The decisions of the government are legitimate provided that they are endorsed and approved by the religious leader. It is natural, however, that these decisions must have undergone the required process and reached the stage of final approval. Certainly, in case that they require non-juristic expertise, they must undergo a specific process.

5. In the *wilāyah al-faqh* system, the *walī al-faqh* is both a real and legal entity. As a real entity, he is equal to all other citizens of the Islamic state in the eyes of the law. As a legal entity, he gives legitimacy to government decisions. After obtaining the approval of the *walī al-faqh*, administrative decrees become binding to all including the *walī al-faqh* himself and other *fuqahā*, and no one is excused.

Naturally, whenever a stated law tends to go against the interests of the people, it shall be changed through a well-defined legal mechanism except in cases where it is not possible to do so. In case of the latter, using his legal prerogative and after consultation with the concerned experts, the *walī al-faqh* can suspend a law that tends to go against the public interest.

Therefore, “absolute guardianship” does not efface the rule of law and welfare-orientation of the society. Like all other citizens, the *walī al-faqh* is obliged to abide by every law enacted for all. In the juristic parlance, to violate the ruler’s decree is unlawful even to the ruler himself. After undergoing the entire legal process, a law is considered a ruler’s decree.

6. *Wilayah al-faqih* does not deprive the people of any of their legitimate and legal liberties. In the system based on *wilayah al-faqih*, the people enjoy civil liberties and have the right to decide on their choice of occupation, place of residence, spouse, and other civil liberties related to their personal lives. Similarly, they enjoy freedom of belief and the government does not impose any particular belief upon them. Naturally, any freedom the exercise of which adversely affects collective life and public welfare lacks any legitimacy.

In the Islamic system, the people are free in their political activities and they are able to criticize government policies. As required by the rule of enjoining what is right and forbidding what is wrong, the people in the Islamic society abide by government orders but at the same time monitor government policies and even criticize them whenever necessary.

They are religiously obligated to keep their criticism constructive and relay their views to officials and leaders of the Islamic society even up to the highest echelon. On the other hand, the Islamic state is obliged to encourage the participation and supervision of the people. In other words, it must strive to promote the people's political liberties.

Meanwhile, it must be noted with emphasis that the Islamic approach to freedom is much different from that of the atheistic and secular schools of thought. From the Islamic perspective, freedom does not signify empowerment of the people to commit sins and promiscuities—this is unacceptable. Any promotion of 'freedom' which carries the people away from divine sovereignty is unethical and unprincipled and in conflict with virtue.

7. In the Islamic system, many *mujtahid* have been recognized by the people as sources of emulation [*marji' at-taqlid*]. Meanwhile, the *wal al-faqih* is also a *mujtahid* who has a particular understanding of Islamic laws and this understanding may be different from that of other *mujtahid* at a particular time. In such a situation, this question is raised: Which view should the people follow in discharging their religious duties?

This conundrum has also been expressed in a different way: In a religious government, on the one hand, the door of *ijtihad* is open and different interpretations are advanced by *marji' at-taqlid* and *mujtahid* through the institution of *ijtihad*. On the other hand, all the many views cannot practically be converted into administrative decrees. In such a situation, how can administrative decisions be based upon religious views? What is the duty of those people who follow *marji' at-taqlid* whose views are not reflected in the administrative decrees and laws?

In reply to these questions, it must be said that obviously, no law can accommodate and reflect all views. It must be borne in mind that once a requirement of the law and government is approved, only one *ijtihad* can be the basis of a law or administrative decision. Similarly, we have implicitly accepted that in any realm where the government has to make decisions, naturally the organs constituting the government must act based on those decisions. In such a situation, in cases where acting upon the law

is not considered against the verdicts of a *marja' at-taqleed*, practically no problem will arise. However, in cases where a conflict exists, assuming that the issue in question is within the jurisdiction of the religious government, the government's decree or decision shall prevail.

Therefore, by delineating the jurisdiction of government decisions and those of personal affairs which are beyond the jurisdiction of the government, the faithful citizen can abide by government policies and at the same time follow his *marja' at-taqleed*. This is also applicable to the *mar'aji' at-taqleed* in the sense that, although they have their own particular juristic views, they must also abide by government policies. In the same vein, experts in fields other than religion must abide by administrative decrees and government decisions even where their expert opinions are inconsistent with those decrees and decisions.

8. The theory of *wilayah al-faqeh* is the understanding of the Sh'ah '*ulam*' and *mujtahid* from the religious sources. Among the *mujtahid*, there may possibly be different views on the Islamic political system during the period of occultation which are distinct from the theory of *wilayah al-faqeh*. In such a situation, there is no doubt that only one view must be considered official on which the religious government should be based.

Formalization of a political system has its own process. One conventional method is to transform a theory on the Islamic system into a public covenant. When based on public consensus, a theory acquires a legal status, and it is natural that others who possess a different view must accept the theory as the foundation of the government. It is true that the door for discussion and exchange of opinions regarding the theoretical foundation of the government is always open and the right of concerned experts and scholars to express views is reserved.

However, the subject must not be discussed in such way that it would lead to public distrust in the foundation of government and indifference to the legal body, especially the constitution. Obviously, even those who believe that the law must be changed acknowledge a specified way or mechanism of legal amendment.

9. Every political system is explainable within the framework of a particular worldview. When accepting a particular worldview, not every political system can then be accepted. Naturally, depending on a person's perspective on the world and humanity, there are certain limitations in his choice of the type of political system.

Given this explanation, it must be noted that the religious government must not necessarily be consistent with other prevailing political systems. It should not be expected that every political system could be reconciled with the Islamic worldview in every aspect. As such, in dealing with political systems which have been formed on the basis of non-Islamic viewpoints, one must be very careful and meticulous and reserve the right to criticize and deliberate. If there are positive or acceptable points in these systems, these points must be taken and used while observing the limits set by the Islamic worldview or ideology.

This point is applicable with respect to all political concepts. For this reason, in dealing with such concepts, first of all their association with religious views must be examined. Of course, without sufficient knowledge of both the concepts and religious ideology, this examination will be defective. It is possible that in certain political systems, there are certain elements that can be accepted as positive points.

On this basis, it cannot be asserted that democracy, as it is implemented in the West, is totally compatible with the Islamic system. Nevertheless, some of its features as a positive product of human experience can be considered compatible with religious concepts. In other words, a democratic model can be accommodated within the framework of an Islamic system. That is, while the legitimacy of the Islamic system is anchored in religious views, the substance of democratic decisions is also compatible with Islamic law. So long as it does not contradict Islamic rules, democracy as a method or means can be taken.

Public participation in different levels of decision-making, implementation of a parliamentary system, devising systems to monitor the performance of executive organs, selection of officeholders through general suffrage, and similar elements can also be adopted in an Islamic system.

1. – See books on jurisprudence, the section regarding ijtihād and taqlīd.
2. – See Sharaf ad-Dīn al-Mūsawwī, Al-Murājīʿat, Correspondence 4.
3. – See books on jurisprudence, the section regarding ijtihād and taqlīd.
4. – Pacta sunt servanda: abidance with a treaty in letter and spirit. [Trans.]
5. – Obviously, indefinite laws cannot automatically be considered religious laws. Contrary to Sunnī ijtihād in which indefinite and hypothetical laws are sometimes treated as proof, in Shīʿah ijtihād such is not the case.
6. – See Imām Khomeinī, Al-Bayʿ, vol. 2, pp. 461, 464.
7. – Hudūd (literally meaning boundaries or limits) in the Islamic law are generally applied to penal law for punishments prescribed for particular crimes whose extent is determined by law. [Trans.]
8. – Al-Bayʿ, vol. 2, pp. 461, 464.
9. – In view of the fact that the principle is the absence of authority, we cannot choose just any person to act as the Imām’s deputy but must choose the best available person. In a government based on religious laws, the best available person is none except the duly competent jurist [faqīh jāmiʿ ash-sharʿiyyī].
10. – This narration is recorded in Man Lī Yaʿqūruh al-Faqīh, vol. 4, p. 420. The text of the narration is as follows:

رسول الله (ص): أَللَّهُمَّ ارحم خلفائي. قيل يا رسول الله! و من خلفاؤك؟ قال الذين يأتون من بعدي يروون عني حديثي و سنتي

“The Messenger of Allah (ﷺ) said: ‘O Allah! Have mercy on my caliphs.’ ‘Who are they, O Messenger of Allah? And who are your caliphs?’ He (ﷺ) said: ‘They are those who after me shall narrate my ḥadīth and my Sunnah.’”

11. – Shaykh Ḥurr al-ʿAimīlī, Wasʿil ash-Shīʿah, “Abwāb ifṣāṭ al-Qḥḥ,” section 11, ḥadīth 9. The text of the narration is as follows:

أما الحوادث الواقعة فارجعوا فيها إلى رواة حديثنا فإنهم حجتي عليكم و أنا حجة الله عليهم

12. – Al-Bayʿ, vol. 2, p. 474.

13. – Article 107 of the Constitution of the Islamic Republic of Iran thus stipulates:

“(1) After the demise of Imām Khomeinī, the task of appointing the Leader shall be vested with the experts elected by the people. The experts will review and consult among themselves concerning all the religious men possessing the qualifications specified in Articles 5 and 109. In the event they find one of them better versed in Islamic regulations or in

political and social issues, or possessing general popularity or special prominence for any of the qualifications mentioned in Article 109, they shall elect him as the Leader. Otherwise, in the absence of such superiority, they shall elect and declare one of them as the Leader. The Leader thus elected by the Assembly of Experts shall assume all the powers of the religious leader and all the responsibilities arising from it. (2) The Leader is equal with the rest of the people of the country in the eyes of law.”

[14.](#) – Al-Bay‘, vol. 2, p. 461.

[15.](#) – Article 112 of the Constitution of the Islamic Republic of Iran thus stipulates:

“(1) Upon the order of the Leader, the Nation’s Exigency Council shall meet at any time the Guardian Council judges a proposed bill of the Islamic Consultative Assembly to be against the principles of shar‘ah or the Constitution, and the Assembly is unable to meet the expectations of the Guardian Council. Also, the Council shall meet for consideration on any issue forwarded to it by the Leader and shall carry out any other responsibility as mentioned in this Constitution. (2) The permanent and changeable members of the Council shall be appointed by the Leader. (3) The rule for the Council shall be formulated and approved by the Council members subject to the confirmation by the Leader.”

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