

Preventing dictatorship

Question No. 26

Supposing the ruler is appointed in Islamic State and people have no right in appointing or deposing him, how can we prevent Islamic State from leading to dictatorship?

To prevent dictatorship and autocracy, there are various methods discussable under the topic of “control” in Islamic State. What can be briefly stated here follows:

First. The appointment by the Legislator is contingent upon the fulfillment of the necessary qualifications. The first qualification is “impeccability”, and in case of occultation of the Impeccable Imam, “legal expertise” and “justice” are among necessary qualifications for the Authoritative Guardian. These are not restricted to the moment of acceding to the power and starting the government; it is also a necessary condition for viability of the power. That is, as long as these conditions prevail, he will be the appointed Authoritative Guardian and his government will be legitimate. As soon as he indulges in dictatorship and corruption, he will lose the necessary qualification and will thus be deposed by the Legislator; he then must abdicate. The society must also remove him and not obey him any more.

Second. The ruler’s appointment does not necessarily negate people’s participation in appointing and deposing him; rather, the religious ruler takes the power only through people’s participation and social acceptability. In Islamic Republic, people choose their leader indirectly through the experts. Thus, in Imam Khomeini’s thought, the religious guardianship of the “Muslim scholar” is mentioned along with people’s choice and voting. To clarify this point, the following excerpts of his speeches are quoted:

“We comply with the people’s votes. We will do as they vote.”¹ “The criterion is the people’s vote.”² “If there is no Muslim scholar, no Muslim scholar’s Authority, there will be illegitimate sovereign. Either God governs or illegitimate sovereign. If God’s command is not followed, and the president is not appointed by the Muslim scholar, [the state] will be illegitimate. When it is illegitimate, it is Devil...”³

Imam Khomeini, in ratifying the late president Rajaie’s presidential prescript, said: “... and as its legitimacy must be ratified by the Authoritative Muslim scholar, I ratify the people’s vote and appoint him

as the president of Islamic Republic”.⁴ He also wrote in a letter to the Council for Revising the Constitution: “The effect of the Authoritative Guardian’s decree is based on the people’s choice”.⁵

In these statements, the “divine appointment” and the “people’s election” are clearly found besides one another. Thus, divine appointment does not prevent people’s election based on religious principles; the same God who has appointed the “Authoritative Guardian” has attached a great importance to people’s choice.

Question No. 27

Are people’s will and consent regarded as necessary conditions or elements in legitimacy [of the government]?

Three assumptions are conceivable in this respect:

1. A government may be both legitimate and acceptable, such as the Prophet’s, Imam Ali’s, Imam Khomeini’s and Imam Khamenei’s governments.
2. A government may be illegitimate but acceptable, such as some democratic non-Islamic States.
3. A government may be legitimate but not acceptable, such as religious authority of the Impeccable Imam, who is not obeyed or whose government is not accepted by the society; a similar case happened to Imam Hassan. In such cases, if the ruler cannot defend Islamic State peacefully and the society does not support him, he is not allowed to impose dictatorship upon people and must relinquish the government, just as Imam Hassan did so.

However, we may suppose many cases wherein “people’s consent and will” is to some extent involved in legitimacy; that is, when there are two just Muslim scholars who are equally qualified for government and leadership of the society, but one of them enjoys more public acceptability. In that case, it may be said that the public acceptability of one is a kind of reference for rational reasoning [in this respect].⁶ Nevertheless, it must be noted that acceptability is in general a condition for permitting the exercise of authority not the authority itself.

Another point is that if someone has accepted the “Muslim scholar’s Authority” not as the Legislator’s appointment but as a certain point – i.e. he believes that expertise in jurisprudence is a necessary condition for leadership according to goals of religion, and thus only the competent Muslim scholar is qualified for leadership of Islamic government⁷; according to this view, in the case of numerous qualified persons, the certain point will be the priority of the very elected Muslim scholar.

In other words, if two Muslim scholars have equal qualifications, with one accepted by people and the other not, and we may doubt which one is affirmed by the Legislator, we are certain about the Legislator’s affirmation of the one elected by people, whereas for the other person – while the former is

present – the doubt still remains. Thus, with the certain person’s presence, the dubious one would have no priority.

[1.](#) Sahifiy-e nur, 10, p. 181.

[2.](#) ibid, iv, p. 422.

[3.](#) ibid, iv, p.253.

[4.](#) ibid, xv, p. 76.

[5.](#) ibid, xxi. P. 129.

[6.](#) For further information, see Sayyid Kazim Husseini Ha’iri, Wilayat al-amr fi asr al-ghayba, p. 217–221.

[7.](#) Ibid, p. 113, 221.

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