Examining the Role of Faqih in the System Building According to Imam Khomeini; from Supervision to Velayat Regarding the Qur'an Teachings and Etrat

Meysam Barzegar[1*], Laleh Eftekhari[2]

1. Master of Political Science, Bu-Ali Sina University, Hamadan, IRAN.
2. Assistant Professor, Department of Quranic and Hadith Sciences, Faculty of Humanities, Shahed University, Tehran, IRAN.

Abstract

The views and thoughts of Imam Khomeini indicated that his political thought is undoubtedly inspired by Shia faith and Fiqh (Islamic jurisprudence), i.e., the school of the Qur'an and Etrat. However, we should not ignore the impact of socio-political conditions and developments in society on their formation because using the teachings of the Qur'an and Etrat as well as Ijtihad, Shia jurisprudence can be flexible following various events and conditions of the community. The present study aimed to explain the reasons for the change and evolution of Imam Khomeini's views over time by comparing his views on the political system and the role of fuqahā (Islamic jurists) in the system building. To this aim, two important works of Imam have been studied, namely "Kashf al-Asrar," written in the early 1320s SH and "Velayat-e Faqih" introduced in the late 1340s SH. Based on the theoretical framework of Spragens' crisis, the hypothesis of the study says that although Imam Khomeini has faced a similar crisis in each period, in his view, the severity of the crisis and, most importantly, the causes of the crisis are completely different and have led to different solutions. Consequently, Imam Khomeini considers the inefficiency of the rulers as the cause of the situation in Kashf al-Asrar, and the key is the supervision of fuqahā. But in Velayat-e-Faqih, the cause of the problem is recognized as the political system's inefficiency. The answer is to overthrow the existing system and establish an Islamic government based on Velayat-e Faqih (Governance of the Jurist). It proves that the conditions and developments of the society have played a significant role in the formation of Imam's political thought.

* Corresponding Author: meysam.b86@gmail.com

Examining the Role of Faqih in the System Building According to Imam Khomeini; from Supervision to Velayat Regarding the Qur'an Teachings and Etrat

2

Introduction

The role of crisis, developments and various conditions in the formation of political theories can be ignored, but special attention should be paid to their construction for a better understanding. It is especially true for pragmatic thinkers and those concerned about solving their society's natural rather than abstract problems. Hossein Bashirieh mentions this issue in his book "History of twentieth-Century Political Thought." He believes that there is a difference between political philosophy and political thought; political thought is more pragmatic and has abandoned the abstract interests of political philosophy, including the discussion of reasons, necessity, and the foundations of the formation of the government. Bashirieh believes that political thought is shaped by reality and what exists, but political philosophy is presented in an abstract world and far from fact (Bashirieh, 1999 AD/1378 SH: 17).

It is necessary to mention that great thinkers have always addressed abstract and philosophical issues to formulate their theory before proposing solutions. But it should not be overlooked that thought is not formed in a vacuum, and every thinker must have faced a question before addressing a subject. It is a general rule, and some theories have been proposed regardless of temporal and spatial conditions (Spragens, 2013 AD/1392 SH: 39). Therefore, studying a text alone is not enough to know a political thought because every idea is rooted in particular issues that the interpreter must understand and the reader. In other words, he must know what question the author has sought to answer. As Glenn Tinder says: "A scholar who is familiar with the answers but does not know the questions, knows almost nothing of political thought" (Tinder, 1995 AD/1374 SH: 4).

Imam Khomeini is also one of the prominent thinkers in the world. According to the above, he can be both a political philosopher who intends to answer general and abstract questions and a political thinker derived from the Qur'an and Etrat who uses them to solve specific problems of society. At every opportunity, he informs the people with his warnings about three issues: Pure Islam (Mohammadi, not Yazid or other Taghuts), Velayat-e-Faqih (Governance of the Jurist), and the connection between religion and politics (Mohammadi Eshtehardi, 2001 AD/1380 SH: 14), part of which refers to verse 256 of Al-Baqarah (فمن يكفر بالطاغوت ويؤمن بالله) and the other amount is based on narrations such as the Tawqī (letters) of Imam Mahdi (AS) (فأما الحوادث الواقعه فارجعوا الى رواه احاديثنا) (al-Hur al-Amili, 1988 AD/1367 SH: 101, 18). Since it is beyond the scope of this article to deal with Imam's philosophical discussions, only his political views are mentioned in the two books of "Kashf al-Asrar," and "Velayat-e Faqih" are discussed.

In these two important works, Imam Khomeini has discussed the political system and the role of fuqahā in system building. In Kashf al-

Asrar, he did not express any opposition to the principle of the imperial system and only took a stand against individuals and the Shah. According to Imam's view in this book, fuqahā have never opposed the basis of the monarchy, and if they have sometimes expressed opposition, it has been opposition to the sultan (Khomeini, 1944 AD/1323 SH: 186). At that point, Imam considers the supervision of fuqahā to be sufficient and does not want a faqih to rule in any way.

Imam's view on the role of fuqahā in government in Velayat-e-Faqih differs from his view in Kashf al-Asrar. In the late 1340s, in the face of problems and to solve them, he proposed overthrowing the monarchy and establishing an Islamic government under the leadership of a fully qualified faqih (Khomeini, n.d.: 182).

From the above, it can be understood that Imam Khomeini (AS) presents a reformist view in Kashf al-Asrar and a radical and utterly subversive view in Velayat-e Faqih. Hence, in the early 1320s, he considered the role of fuqahā to be limited to supervising the rulers, but in the late 1340s, he believed that fuqahā should be in power, having the same authority as the Prophet (PBUH). This study looks for the causes of this change. 'Why and how did Imam Khomeini change from a reformist theorist to a radical theorist?'

The present article hypothesises that Imam sought to respond to the crisis of his time and always sought to remove the obstacles and problems of society. As the socio-political situation in Iran has changed over time, his solution has also changed. In Kashf al-Asrar, and per the conditions of that time, the answer is considered to be the supervision of fuqahā and the reform of the rulers. Still, in Velayat-e Faqih, he thinks of overthrowing the system and ruling a faqih.

The theoretical framework used in this research is Thomas Spragens' Crisis Theory which consists of four stages. According to the framework, every political thinker starts theorizing about the events, happenings and socio-political crises that occur continuously in his own time and place. As stated by Spragens, most theorists wrote their works when they felt their society was in trouble. Once the crisis has been appropriately identified, the theorist must find the root of the problem. The next stage is the image of a political order that did not exist in his time. Finally, the theorist presents his practical suggestions (Spragens, 2013 AD/1392 SH: 39-40).

Therefore, each political theory is formed in four stages: Observing crisis and disorder, diagnosing the problem and cause of the situation, imaginative reconstruction of the polis, and prescribing a solution. The hypothesis is tested in this theoretical framework and the form of these stages.

One of the researches conducted in this field is an article entitled "Study

Examining the Role of Faqih in the System Building According to Imam Khomeini; from Supervision to Velayat Regarding the Qur'an Teachings and Etrat

4

of the Evolution of Imam Khomeini's Political Thoughts before and after the Islamic Revolution and the Impact of Time and Place on It." Although the article emphasizes the evolution of Imam's thought from 1320 to 1348, it superficially and transiently considers this change as merely due to Imam's difference in the position about the anti-authoritarian movement in Iran in the two mentioned periods (Mansournejad, 2002 AD/1381 SH: 8). Another article entitled "The Reason for Abd al-Razzaq Mesri and Imam Khomeini's Different Views on the Relationship between Religion and Politics" has been written, emphasising the impact of Shia discourse and concepts such as Velayat on the formation of Velayat-e Faqih theory (Mozaffari, 2008 AD/1387 SH: 129). Therefore, the emphasis on the impact of the current crisis on the construction of Imam Khomeini's political theory distinguishes this study from previous studies.

The present article consists of three parts. In the first part, Imam Khomeini's views in Kashf al-Asrar and the socio-political conditions prevailing in Iran in the 1320s are examined. The second part deals with the theory of Velayat-e Faqih and the requirements of its formation in the 1340s. Finally, the third section is devoted to summarizing the content and testing the hypothesis.

1. Kashf al-Asrar

Imam Khomeini wrote Kashf al-Asrar in 1323 SH in response to "Secrets of a Thousand Years" written by Hakamizadeh. The beliefs of Shia Muslims and especially Muslims the positions of clerics in society were severely criticized. Imam has dealt with several issues in this book to answer the doubts raised by Hakamizadeh. However, the main discussion is the issues related to government and politics and the role of fuqahā in the government. Still, before addressing them, we should examine the socio-political conditions and developments of that time.

The political situation in Iran in the early years of the 1320s seemed very favourable compared to the rule of Reza Shah. Mohammad Reza is a young and inexperienced king who has just ascended the throne and has little power. People who were fed up with Reza Shah's dictatorship now seemed satisfied with the status quo. An essential feature of this period in the contemporary history of Iran is the relative freedom that emerged in society after about two decades of Reza Shah's dictatorship. Numerous parties and hundreds of newspapers and weeklies were created and published in the country. The people witnessed relatively free elections, and the parliament almost returned to its legal status (Zibakalam, 2004 AD/1383 SH: 1). With the fall of Reza Shah, it was as if the black night of tyranny was

over, and sparks of hope appeared over time. Political prisoners were freed; political, religious and other meetings could now be held openly; newspapers and books could be published without political censorship; people could speak freely in their homes, unafraid of being reported by a servant or relative; women could wear the chadur and go to the public bath (Katouzian, 2011 AD/1390 SH: 186). The emergence of different parties, groups, guilds and the creation of conditions for the expression of different opinions showed the improvement of the situation, and it should be noted how hopeful the people who had experienced Reza Shahi's tyranny and its suffocating atmosphere were in this situation. In the words of Abrahamian: "The reign of silence was superseded by the clamour of flamboyant deputies, lively journalists, outspoken party leaders, and discontented demonstrators." (Abrahamian, 1999 AD/1378 SH: 153)

Imam Khomeini wrote Kashf al-Asrar in this regard. Throughout the book, Imam considers Reza Shah's rule as a dictatorship, calling him a murderer, thief and looter of the country. He also refers to how members of parliament came to power and fraud in the elections of that time (Khomeini, 1944 AD/1323 SH: 180). The main problem that plagued the society at that time was the tyranny of Reza Shah towards the people. In the imperial system that ruled Iran, everything was under the supervision and command of the Shah, and no one was able to oppose his orders. During the reign of Reza Shah, he had absolute power, and the Shah determined even the composition of the parliament. As stated by Abrahamian, the parliament was reduced to a rubber stamp. Reza Shah appointed the prime minister and all his ministers, and they all, as usual, received a vote of confidence from the parliament and remained in office as long as the Shah trusted them. Reza Shah closed down independent newspapers and destroyed the political parties (Abrahamian, 1999 AD/1378 SH: 126). Although the government was a constitutional monarchy and the people were involved in its administration, in reality, everything revolved around one person's absolute will and served him. Hence, the Majlis became a redundant rubber-stamp; ministers degenerated into the Shah's houseboys, and their departments became- in the first instance- instruments for the promotion of the Shah's public wishes and private property (Katouzian, 2011 AD/1390 SH: 169).

Imam also understood this situation well and repeatedly attacked Reza Shah's government in Kashf al-Asrar. In his view, all the laws and orders related to that time were invalid: "The orders issued by Reza Khan's dictatorial government have no value, and even the papers of the laws that were passed in the parliament during his time should be burned and erased and the lawyers in those days do not have the right to practice law today."

(Khomeini, 1944 AD/1323 SH: 214)

It indicates that Imam, at the time of writing Kashf al-Asrar, considered Reza Khan as a clear example of the verse " وقد يريدون ان يتحاكموا الى الطاغوت وقد امروا ان يكفروابه" (al-Nisa: 60) that should be avoided, but he hopes that the situation will improve. The writings of the book show that Imam objected to Reza Shah's dictatorship and called his government a tyrant because Reza Shah did not do his job: "If the government is conscientious and acts based on the reason of the Islamic state, and the government employees are conscientious, not thieves or smugglers, and behave according to the official law of the country which is the law of Islam, that government is not oppressive nor have the government employees supported oppression and tyranny" (Khomeini, 1944 AD/1323 SH: 239). But in an Islamic government, the structure of the rule of kings is not acceptable because Islam never endorses their practice.

Considering that the socio-political situation of the society had improved by rejecting Reza Shah and not changing the ruling political system, Imam recognized the inefficiency of the rulers as the cause of tyranny, oppression and corruption. Imam believes that not to repeat these problems and prevent the rulers from deviating, fuqahā should supervise them. Therefore, he says: "We do not say that a faqih should govern the government, but we say that the government should be governed by the law of God, which is the good of the country and the people, and this will not happen without the supervision of a cleric." (Khomeini, 1944 AD/1323 SH: 222) According to Imam's view on Kashf al-Asrar, a good government is a government in which the divine laws are observed, even in the form of a kingdom. This view is called the ordered theory of Velayat in Islamic society. Perhaps it can be said that the atmosphere of writing the book, the demagogue of the author of 'Secrets of a Thousand Years', and the exceptional situation of the country in the years of writing the book has made Imam formulate this theory (Jamshidi, 2009 AD/1388 SH: 510). Therefore, he says: "If a monarchy or a government is formed... they (fuqahā) have never opposed this semi-system and did not want to destroy the foundation of the government" (Khomeini, 1944 AD/1323 SH: 186). This method of Imam is the same as the lives way of the Imams who sometimes did not rise against the governments and caliphs of their time to protect the interests of the Islamic society. Imam considers time and place as two determining elements that cause an issue that had a ruling in the past seem to find a new command in the future (Jamshidi, 2009 AD/1388 SH: 138). In response to what is meant by 'Guardianship of the Islamic Jurist', Imam said somewhere in the book that Velayat-e-Faqih does not imply that a faqih is simultaneously

a king, minister, or military minister person and a sweeper. Still, that fuqahā should oversee the election of the sultan as well as the legislature. This supervision is also for the divine laws to be implemented in the society and not violated (Khomeini, 1944 AD/1323 SH: 185).

So far, determined the crisis, the cause of the problem, and its solution from Imam Khomeini's point of view in Kashf al-Asrar based on Spragens' crisis's theoretical framework. But Spragens envisions another stage in forming a political theory called the "Imaginative Reconstruction of the Polis." He believes that the pressures, crises, disorders, and disruptions of the old system make the theorists think of rebuilding a new political system in their minds (Spragens, 2013 AD/1392 SH: 120).

Studying the works of Imam Khomeini, it becomes clear that he considers an ideal society that is under the rule of God, "ان الحکم الا لله" (al-An'am: 57). Therefore, he says: "No one has the right to rule except God, and no one has the right to legislate. Reason dictates that God should form a government for the people and enact the laws. Such Law is the Sacred Law of Islam" (Khomeini, 1944 AD/1323 SH: 184). Accordingly, God does this through His chosen servants, who are the prophets. But according to the Shia religion, after the death of the Prophet (PBUH), the infallible Imams (AS) will be responsible for running the society. Shia Muslims believe that God should determine the Imamate and leadership of the community, and the caliphs and sultans do not deserve it. Imam Khomeini has dealt with this issue in detail in Kashf al-Asrar and provides evidence to prove it, including verse 67 of Surah Ma'idah: "یا ایها الرسول بلغ ما انزل الیک من ربک و ان لم تفعل فما بلغت رسالته و الله یعصمک من الناس ان الله لا یهدی القوم الکافرین". He considers the circumstances of the revelation of this verse related to the announcement of the Imamate of Ali (AS) in Ghadir Khum by the Prophet (PBUH) (ibid., 112-130). Accordingly, the Prophet acts by the command of God and introduces Ali (AS) as his successor. Therefore, after the Prophet (PBUH), Imam Ali (AS) manages society. After him, the Imamate will be entrusted to the children of that nobleman by the God command, and this dynasty will continue until the twelfth Imam. Twelver Shi'a Muslims believe that Imam Mahdi (AS) has disappeared, and they are awaiting his return. Imam Khomeini also strongly confirms this point, stressing that the ideal government is Imam Mahdi (AS) that fills the earth with justice. He considers all governments during the absence to be flawed: "None of the governments that will be formed until the appearance in the world will do their job" (ibid., 225). It indicates that the most desirable society from Imam Khomeini's point of view is that the prophets and saints of God govern. The issues related to supervision or guardianship of the

8

**Examining the Role of Faqih in the System Building According to Imam Khomeini;
from Supervision to Velayat Regarding the Qur'an Teachings and Etrat**

faqih are raised in a situation where the groundwork is not laid for the infallibles rule.

Based on the theoretical framework of Spragens' crisis, Imam Khomeini's view in Kashf al-Asrar in the early 1320s is as follows:

Observing crisis and disorder	Tyranny, oppression and corruption
Diagnosis of the problem and cause of the crisis	Inefficiency of rulers
Imaginative reconstruction of the polis	Society under the leadership of the infallible Imam (AS)
Prescribing a solution to the problem	Fuqahā supervision over the government

2. Velayat-e Faqih

When Imam Khomeini was in exile because of his opposition to the policies of Mohammad Reza Shah, he proposed a theory known as Velayat-e-Faqih. The idea and its formation in terms of the theoretical framework of the crisis are examined. As Spragens says, to understand a political theory, one must first recognize the problem faced by the thinker in question. Therefore, in the case of Imam Khomeini, understanding how his political thought relates to the external realities of society is of great importance. Thus, the developments and socio-political conditions of the period after the 28 Mordad coup d'état, especially the 1340s SH, must be examined to properly understand the conditions for the formation of the theory Velayat-e Faqih.

A significant problem that has plagued almost all Third World countries during the nineteenth and twentieth centuries is the issue of colonization and the presence of foreign forces in those countries. Although Iran was never fully colonized, it was always under the influence of powerful and colonial governments, which we see during the second Pahlavi regime and after the coup. The effect of countries such as the United States and Britain, which had diminished during the 1320s and resulted from the nationalization of the oil industry in Iran's economy and politics, increased again. An example of this was the 1333 oil contract, which left the production and supply of Iranian oil to a consortium of British, American, French and Dutch companies for 25 years (Katouzian, 2011 AD/1390 SH: 247). In addition to oil contracts, another critical factor that influenced the political-economic influence of foreigners in the country's affairs was receiving loans and financial aid from them. According to Abrahamian, between 1332 and 1336, they acquired a total of $145 million in emergency economic aid from the United States to ward off government bankruptcy (Abrahamian, 2010: 382).

Imam Khomeini was not unaware of this issue and always warned the people in his messages and speeches about the destructive role of the colonialists: "The arrogant are not limited to kings, presidents, oppressive governments. The arrogant have a general meaning; one example is foreigners who consider all nations weak and aggress" (Hajizadeh and Darini, 2004 AD/1383 SH: 3). He writes about the colonialists' plans to strike at Islam and the clergy in the book "The Greatest Jihad: Combat with the Self" and warns that their main goal is the destruction of Islam: "The colonialists want to destroy all aspects of Islam, and you must stand up against them." (Khomeini, 1972 AD/1351 SH: 56)

Muhammad Reza Shah's devotion to foreigners was constantly increasing, leading to Imam Khomeini's arrival on the scene in the 1340s. One example of Imam's struggle against the presence and interference of foreigners in the country's affairs was his opposition to the passage of the Capitulation Law in Mehr 1343, according to which all American advisers and employees in Iran enjoyed judicial immunity. Imam Khomeini described this disgraceful law as follows: "If an American servant or an American cook assassinates your Marja in the bazaar or knock the stuffing out of him, Iranian police are not allowed to stop him, Iranian courts do not deserve to judge him… the case must be referred to the U.S and be decided there by American lords." (The Institute for Compilation and Publication of Imam Khomeini's Works, 1992 AD/1371 SH: Vol. 1, 170)

Another major problem that severely affected society was the growing tyranny of the government towards the people. In the previous pages, it was mentioned that after the overthrow of Reza Shah and the coming to power of the new shah, the suffocating atmosphere of the society improved, and we witnessed the participation of the people in the form of parties, unions and guilds. But these conditions did not last long, and the challenging situation returned to society with more intensity.

The events in Iran after the coup d'etat of 1332 were the exact opposite of what happened in 1320. Political activists were arrested and tried illegally in military courts. In 1336, the Intelligence and Security Organization (SAVAK) was formed to suppress the opposition and consolidate the power of the Shah. The path of Iran's political history since the 28 Mordad coup d'état is based on the destruction of institutions of legal participation and disabling the pillars of the famous political system such as the Parliament and the Executive and turning them into tools of personal power. Another period begins in the continuation of the previous tradition, which continues until 1357. The decrees of the Shah communicated all critical decisions, the parliament and other organizations had a dummy role (Azghandi, 2003

Examining the Role of Faqih in the System Building According to Imam Khomeini;
from Supervision to Velayat Regarding the Qur'an Teachings and Etrat

10

AD/1382 SH: 232). The tyranny and monopoly of the Shah, especially in the 1340s and 1350s, reached their peak due to the huge oil revenues and the lack of need to collect taxes from the people. According to the formula of "non-Taxation Versus non-Representation," the Shah, as the country's first-person, made all decisions, did not feel any obligation to the people and carried out his political and economic actions regardless of social will and consent. Thus, everyone should be obedient and submissive to the Shah (Azghandi, 2005 AD/1384 SH: 43-44).

This suffocating atmosphere severely suppressed dissenting voices, and no one could stand against His Majesty's demands. Farzin Vahdat, in his book "Iran's Intellectual Encounter with Modernity" describes the tough situation of Iran in the era of Mohammad Reza Shah. He writes: "After the bloody suppression of the Khordad 1342 religious uprising, in which Ayatollah Khomeini and his followers played a central role, the Shah's secret police, the SAVAK, expanded their control over almost all aspects of public life, banning independent political parties; political literature, art, the discourse was subject to widespread censorship" (Vahdat, 2003 AD/1382 SH: 198).

Another critical problem that has plagued Iranian society is its widespread economic corruption, which has made the ruling class richer and ordinary people poorer. This corruption started from the government system of the Shah and eventually reached the lower classes. The exact amount of the Shah's wealth is unknown, as it was distributed in many countries around the world, in banks, insurance companies, construction companies, private enterprises, restaurants and hotels. According to Azghandi, there are incomplete statistics that Mohammad Reza Shah and his wife had a capital of about $35 billion and held between 30 to 40% of the shares of private banks in Iran (Azghandi, 2003 AD/1382 SH: 241).

As the wealth of the Shah and his entourage increased, the ordinary people became poorer day by day and lived with great hardship. In this regard, Imam Khomeini says: "The scholars of Islam have a duty to struggle against all attempts by oppressors to establish a monopoly over the sources of wealth or to make illicit use of them. They must not allow the masses to remain hungry and deprived while plundering oppressors usurp the sources of wealth and live in opulence" (Khomeini, n.d.: 37). An important questioned issue is taking care of the deprived people of the society, who have always been deprived of their rights due to not being connected to the ruling class.

Therefore, it can be said that tyranny, oppression and corruption in all fields had reached their peak in the 1340s. The Pahlavi regime had made Iran one of the most dependent countries on the West, especially the United

States. Culturally, the prevalence of slavery, corruption and debauchery, and from a religious point of view, lack of religious affiliation along with the distortion of spiritual truths and the removal of religious values from society as a result of foreign cultural invasion, had spread throughout Iran (Jamshidi, 2009 AD/1388 SH: 14).

Once the crisis has been identified, we must examine the cause of the crisis from Imam's point of view. At this point, he presents the imperial system as a secular system that called for the separation of religion from politics and the exclusion of fuqahā from political and social affairs as the main cause of the crisis and problems of society. Accordingly, the government always tried to separate politics from religion so that religious scholars would not interfere in the government's policies and the Shah could do whatever he wanted arbitrarily. Azghandi describes this situation as follows: "In fact, from 1340 onwards, Mohammad Reza Shah sought to realize the theory of the separation of religion from politics and not Islam minus the clergy. He promoted a religion that was parallel to his policies or at least indifferent to the social and cultural policies of the Shah." (Azghandi, 2003 AD/1382 SH: 107) The Pahlavi government took steps to achieve this goal, including propaganda against religion. For example, they declared that Islam is not a comprehensive religion providing for every aspect of human life and has no laws or ordinances pertaining to society. It has no particular form of government. Islam concerns itself only with rules of ritual purity after menstruation and parturition. It may have a few ethical principles, but it certainly has nothing to say about human life in general and the ordering of society (Khomeini, n.d.: 7). Imam believes that propaganda against Islam by the government has unfortunately been effective and has left the rules and laws of Islam unknown. He considers influencing the clergy as one of the important tools of anti-religious propaganda and calls them preachers of the government system who present an incomplete form of Islam in seminaries to stop Muslims implementing the rules of Islam (ibid., 7). Imam Khomeini also mentioned this issue in his political-divine testament: "In the hands of oppressive rulers and wicked preachers, who were more decadent than the Taghut rulers, the Holy Qur'an was abused as an instrument of oppression, cruelty and corruption and was distorted to justify acts of tyranny by the enemies of God. Unfortunately, in the hands of conniving enemies and ignorant friends, the Holy Qur'an, this divine book that is empowered to decide man's destiny, has found no place anywhere except in graveyards and at the gatherings for the dead." (Khomeini, 1989: 5)

In short, Imam Khomeini considers the cause of the crisis at this point to be the inefficiency of the ruling political system, which must keep its

Examining the Role of Faqih in the System Building According to Imam Khomeini;
from Supervision to Velayat Regarding the Qur'an Teachings and Etrat

12

primary enemy - Islam and its guardians - away from the political arena to survive. It is pretty evident that to solve a crisis, so we must eliminate its cause. Imam Khomeini believes the cause of the concern in the 1340s was the ruling political system, i.e., the monarchy, which had to be destroyed. As Imam said in the late 40s: "Monarchy and hereditary succession represents the same sinister and evil system of government that prompted Imam Hussein (AS), the Doyen of the Martyrs, to rise in revolt and seek martyrdom to prevent its establishment… Islam does not recognize monarchy and hereditary succession;" (Khomeini, n.d.: 11) because in Islam, according to verse 120 of Surah Tawbah, unquestioning obedience to the leader and commander is necessary (Masoudpour, 2007 AD/1386 SH: 1, 338) and if the ruler is a tyrant, obedience to him is forbidden (al-Nisa: 60).

Imam Khomeini was trained in the school of the Qur'an and the Ahl al-Bayt (AS). Therefore, the different positions of Imam Khomeini can be related to the various roles of Imam Hassan and Imam Hussein (AS) against the Umayyad rule or Imam Hussein's different approaches in confronting Mu'awiyah and Yazid. Mu'awiyah sometimes pretended to be religious while Yazid was trying to overthrow Islam. The behaviour of Aba Abdullah (AS) had not changed in principles, but according to the circumstances, it was changed. The same is true of Imam Khomeini. When the young king pretended to pay attention to the demands and rights of the Muslim people of the country, Imam Khomeini only emphasized the need for the supervision of scholars and fuqahā on the performance of the rulers. And when, around the 1940s, the Shah made every effort to eliminate his main rival, i.e., the religion of Islam, Imam Khomeini spoke of overthrow. Moreover, it can be said that at first, Imam Khomeini did not have enough supporters and companions to be able to confront the tyranny of his time openly.

Before examining Imam Khomeini's approach in the book of Velayat-e Faqih, we should say that the ideal society from his point of view in this book is a society under the rule of God and under the leadership of the Imam (AS), which was mentioned in the review section of Kashf al-Asrar. There is no need to repeat it.

After identifying the crisis and its cause, a solution must be provided to treat the community. To this end, Imam Khomeini inevitably distances himself from his ideal society, which is the rule of the infallible saints of God. Still, as for what should be done in the time of occultation, he says: "Now that we are in the time of the Occultation of the Imam (AS), it is still necessary that the ordinances of Islam relating to government be preserved and maintained, and that anarchy be prevented. Therefore, the establishment of government is still a necessity. Reason also dictates that we establish a

government to be able to ward off aggression and to defend the honor of the Muslims in case of attack" (Khomeini, n.d.: 53). It is clear from these statements that Imam Khomeini considers the establishment of a religious government as the solution to the crisis of society. However, it should be noted that throughout the history of Islam, many governments have been formed under the name of Islamic government, including the system based on the caliphate and the kingdoms that claimed are Islamic. Imam refers to the Islamic government as a particular type of government first established in Iran, a system based on Velayat-e Faqih. He has repeatedly pointed out that Islam has a comprehensive relationship with politics, and the two cannot be separated: "I swear by God that Islam is politics in its entirety, but it has been misrepresented. Political science originates from Islam" (The Institute for Compilation and Publication of Imam Khomeini's Works, 1992 AD/1372 S: 1, 105). Therefore, Muslims must form an Islamic government, must enforce a government in which sovereignty belongs to God and divine laws (Dastani Biraki, 2013 AD/1392 SH: 299). Instead, it is managed under the supervision of a fully qualified faqih.

Regarding the conditions of a faqih who should be the ruler of the Islamic society, he raises two prerequisites: Knowledge of law and justice. Because the Islamic government is the rule of law, the ruler must be aware of the divine laws, and on the other hand, he must have religious and moral perfection and not be tainted with sins, which is justice. Imam Khomeini considers such a person suitable for leading the Islamic society during the absence of the infallible Imam (AS): "If a worthy individual possessing these two qualities arises and establishes a government, he will maintain the same authority as the Noblest Messenger (PBUH) in the administration of society. It will be the duty of all people to obey him" (Khomeini, n.d.: 55). According to the issues raised, Imam Khomeini considers a fully qualified faqih as the successors of the Prophet (PBUH), and the Imam (AS) believe that should establish an Islamic government to save society and get rid of the current crises under the leadership of the Valiye Faqih (Supreme Leader).

Imam Khomeini's view in Velayat-e Faqih and the theoretical framework of Spragens' crisis is as follows:

Observing crisis and disorder	Oppression and corruption
Diagnosis of the problem and cause of the crisis	Inefficiency of the political system
Imaginative reconstruction of the polis	Society under the leadership of the infallible Imam (AS)
Prescribing a solution to the problem	Establishment of an Islamic government in the form of Velayat-e-Faqih

14

Examining the Role of Faqih in the System Building According to Imam Khomeini;
from Supervision to Velayat Regarding the Qur'an Teachings and Etrat

3. Differences in Identifying the Causes and Various Solutions

In the previous sections, an attempt was made to reconcile Imam Khomeini's view, at two different points in time, about the government and the role of fuqahā in the system building with the theoretical framework of Spragens' crisis. As mentioned before, in Kashf al-Asrar, Imam considered curing society as reforming the system through the supervision of fuqahā over the executors and legislators. Still, in Velayat-e-Faqih, the solution to the problems is overthrowing the imperial system and establishing an Islamic government under the leadership of a fully qualified faqih. By putting the above together, we can easily understand the reasons for the evolution of his political theory.

In both periods, the 1320s and 1340s, which are the subject of the present study, Imam is facing an almost similar crisis, namely tyranny, oppression and corruption. However, according to him, the cause of the problem is different in each period. It has already been explained that the socio-political situation in Iran in the early 1320s, with the departure of Reza Shah, suddenly changed and significantly reduced Rezakhan's tyranny. The point is that the monarchy had not changed but had changed with the king's replacement. Therefore, Imam Khomeini recognizes the cause of the crisis as the inefficiency of Reza Shah himself and his henchmen. Hence, the solution he offers, namely monitoring the rulings, is appropriate to this cause.

That is why identifying the causes of a crisis is essential for understanding the problem and treating it. The critical point that Spragens points out at this stage, which he considers one of the most sensitive issues in political theory, is that the identification of different causes for problems and crises is the source of the separation of the schools of political theory. What is essential at this stage is that the theorist cannot make appropriate suggestions for the treatment of the problem without clarifying the natural causes (Spragens, 2013 AD/1392 SH: 80).

According to the above mentioned, Imam in the 1320s, under the influence of relatively free conditions after the Reza Shah dictatorship, hoped to improve the situation; the effect of these conditions can be seen in identifying the causes of the crisis in providing treatment by him. Imam's relative satisfaction with that situation can be seen in his statement in a proclamation issued in the early 1340s: "My generation remembers that in 1941 the Iranian people were happy that the invading foreigners threw out the shah. I do not want the present shah to meet the same fate as the old shah. It is why I beseech the shah (Mohammad Reza) respect the religious authorities, don't help Israel, and learn from your father's mistakes." (Abrahamian,

2010: 389) But as mentioned before, the Iranian society and government's situation went against the people's expectations, and the crisis in the 1340s was visible. In these circumstances, Imam correctly recognized the cause of the problem in the context of time and, as a result, distanced himself from his position in Kashf al-Asrar. At this time, he recognized the cause of the crisis, the inefficiency of individuals, and the entire monarchy.

Consequently, he called for the overthrow of the existing system. Therefore, the solution is not only the supervision of fuqahā over rulers but also the direct rule of a fully qualified faqih over the society. Before this period, Imam sought to reform the monarchy, but seeing the widespread anti-Islamic dimensions of the Pahlavi regime, he called for the abolition of the system and the establishment of a new government. In a period in the history of Iran, namely in the 1340s when the crisis had become widespread, and almost everyone was aware of it, Imam proposed the theory of Velayat-e-Faqih. It is worth mentioning that the 1340s was the period of the culmination of the sabotage of the Pahlavi regime, and these problems and crises provoked the society and coherently started the struggles. Iranian society in this period has witnessed the emergence of many theories by different groups and individuals. The emergence of groups such as the Freedom Movement centred on Bazargan and Ayatollah Taleghani, Fadaiyan-e-Islam and the Mojahedin Khalq, both of which had Marxist leanings. Above all, the direct entry of Imam Khomeini into the struggle against the regime all occurred in the 1340s.

Seyyed Mohammad Ali Hosseinizadeh, in his book "Political Islam as a Discourse" clearly refers to how the crises of the 1340s provoked the minds of various thinkers and groups. He believes that since the beginning of the 1340s, the Pahlavi regime has shown its repressive, secular, and pro-Western features and each of them stimulated and strengthened anti discourses. Authoritarianism and Westernization supported freedom and localism, and finally, anti-religious policies led to the reconstruction of religious principles and speech and led it to become more and more politicized (Hosseinizadeh, 2006 AD/1385 SH: 183). Hussein Bashirieh also emphasizes that the politicization of Islam in the twentieth century was a reaction to the spread of secularism. He believes that although Islam was presented as a political movement in response to the threats and pressures of modernism in the contemporary era, it showed more of its political image (Bashirieh, 2002 AD/1381 SH: 404).

Therefore, the relatively improved situation of the 1320s and the highly critical situation of the 1340s had a significant impact on the formation of Imam's political theory about government and the role of fuqahā in the system

**Examining the Role of Faqih in the System Building According to Imam Khomeini;
from Supervision to Velayat Regarding the Qur'an Teachings and Etrat**

16

building. The following sentence from Imam Khomeini, delivered by him in a speech in 1357, clearly shows the impact of the crisis and circumstances on the formation of his political theory: "If only they had compromised somewhat with the people; if only they had heeded the people's demands; if only they had performed their duties; if only they had shown sympathy towards Islam and the laws of Islam then the people would not have opposed them so." (Khomeini, 1982 AD/1361 SH: 2, 26)

It is understood from these discussions that Imam Khomeini's primary concern is the dominance of Islamic affairs over society, and in his view, what is essential and constant is the content of the government. Its form may change according to circumstances, as long as the rules of Islam are respected and enforced. The sanctities of Muslims are not insulted. Evidence shows that Imam did not want to gain political power for himself and other clerics in any way. He inevitably entered politics when he saw the society was exposed to complete corruption and destruction.

Conclusion

Discussing and thinking about Imam Khomeini's political thought is very important as a renowned thinker and to get acquainted with his views as the leader of the Islamic Revolution of Iran. The founder of a new political system in the world; especially since the idea of Imam is taken from the Qur'an and Etrat. Therefore, this study, analyzed his political views from different angles. The article's primary purpose was to examine the evolution of Imam's views on the role of fuqahā and their position in government, presented in the two books of "Kashf al-Asrar" and "Velayat-e Faqih," which we achieved using the theoretical framework of Spranges' crisis. For that purpose, he studied his thoughts and opinions in the two books and the socio-political conditions of Iran in the two decades of 1320 and 1340 and its religious documents in detail.

The critical issue is that Imam considers the role of fuqahā in Kashf al-Asrar to supervise the rulers and implement the rules of Islam merely. Still, in Velayat-e-Faqih, he wants fuqahā to rule over the society. In response to why Imam's view on the role of fuqahā in the government has changed, the authors believe that since Imam always sought to answer and solve the problems and issues of society, he presented his solution according to the conditions and developments. The inclusion of the socio-political developments in his theory about the Pahlavi government over the years is quite evident, as the verses of the Qur'an sometimes command peace and in some cases, war, and the same kind of stance is obvious in the lives of the Imams and the uprising of Aba Abdullah (AS). In the 1320s and in the

particular circumstances of that decade, Imam Khomeini was satisfied with the supervision of fuqahā over the government. Still, he took a different stance when he saw the severity of corruption and degeneration in later years. He moved from the supervision of fuqahā over the government to establishing an Islamic government led by a fully qualified faqih as the only way to get rid of problems.

It should be noted that the main foundation of Imam's view, namely the creation of a society based on the implementation of the rules of Islam, has not changed at all, and what has changed over time is the way to achieve this society. He always believed that Islamic scholars should intervene in political and social affairs and be the guardians and executors of the rules of Islam. Only the form of this intervention has been different in different periods and conditions. Both the views, Supervision and Velayat-e-Faqih, point to the fact that the content of the government must be Islamic.

References

The Holy Quran

Abrahamian, E. (1999 AD/1378 SH). *Iran Between Two Revolutions*. (Firoozman, K et al. Trans). Tehran: Markaz Publishing.

Azghandi, A. (2003 AD/1382 SH). *History of Political and Social Developments in Iran (1320-1357)*. Tehran: Samt.

Azghandi, A. (2005 AD/1384). *An Introduction to Political Sociology in Iran*. Tehran: Qoms Publishing.

Bashirieh, H. (1999 AD/1378 SH). *History of Political Thought in the Twentieth Century*. Tehran: Ney Publishing.

—————. (2002 AD/1381 SH). "Islamic Culture and the Politicization of Islam." *Baztabe Andisheh*, Vol. 12, no. 29, pp. 401-404.

Dastani Biraki, A .(2013 AD/1392 SH) .*The Ideal Government from the Perspective of Imam Khomeini (RA)*. Tehran: The Institute for Compilation and Publication of Imam Khomeini's Works.

Hajizadeh, A .Darini, M .(2004 AD/1383 SH). *Global Arrogance and the Great Satan from Imam Khomeini's Perspective*. Tehran: The Institute for Compilation and Publication of Imam Khomeini's Works.

Al-Hur al-Amili, M. (1988 AD/1367 SH). *Wasa'il al-Shia*. N.p.: Al-Bayt Lehayate al-Tarath

Hosseinizadeh, M. (2006 AD/1385 SH). *Political Islam as a Discourse*. Qom: Mofid University.

Jamshidi, M. (2009 AD/1388 SH). Imam Khomeini's Political Thought. Tehran: Research Institute of Imam Khomeini (S) and Islamic Revolution.

Katouzian, M. (2011 AD/1390 SH). *The Political Economy of Modern Iran*: Despotism and pseudo-Modernism. (Rafisi, M; Azizi, K. Trans). Tehran: Markaz Publishing.

The Institute for Compilation and Publication of Imam Khomeini's Works, (1992 AD/1371 SH). *Kawthar* (A collection of Speeches by Imam Khomeini (RA) with a description of the events of the revolution). Tehran: The Institute for Compilation and Publication of Imam Khomeini's Works.

Khomeini, R. (1944 AD/1323 SH). *Kashf al-Asrar*. N.p.

——————. (1972 AD/1351 SH). *The Greatest Jihad*: Combat with the Self. N.p.

——————. (1989 AD/1368 SH). *Last Will and Testament*. Isfahan: Isfahan University of Technology.
——————. (n.d.). *Velayat-e Faqih*. N.p.

Mansournejad, M. (2002 AD/1381 SH). "Study of the Evolution of Imam Khomeini's Political Thoughts Before and After the Islamic Revolution and the Impact of Time and Place on it." *Mesbah*. Vol. 4, no. 42, pp. 5-22.

Masoudpour, A. (2007 AD/1386 SH). *Politics in the Quran*. Tehran: Ideological-political Organization of the Army of the Islamic Republic of Iran.

Mohammadi Eshtehardi, M. (2001 AD/1380 SH). *Velayat-e Faqih*: Pillar of the Tent of the Islamic Revolution. Tehran: Tolo Azadi.

Mozaffari, A. (2008 AD/1387 SH). "The Reason for the Conflicting View of the Relationship Between Religion and Politics from the Point of View of Ali Abdel Raziq and Imam Khomeini (RA)." *Studies of the Islamic Revolution*. Vol. 4, no. 15, pp. 105-138.

Khomeini, R. (1982 AD/1361 SH) *Sahifa Noor* (Collection of Imam Khomeini's guidelines). Tehran: Ministry of Islamic Guidance.

Spragens, T. (2013 AD/1392 SH). *Understanding Political Theories*. (Rajai, F. Trans). Tehran: Agah.

Tinder, G. (1995 AD/1374 SH). *Political Thinking*. (Sadri, M. Trans). Tehran: Scientific and Cultural Publishing Company.

Vahdat, F. (2003 AD/1382 SH). *Iran's Intellectual Encounter with Modernity*. (Haghighatkhah, M. Trans). Tehran: Qoqnoos.

Zibakalam, S. (2004 AD/1383 SH). *Political and Social Developments in Iran 1320-1322*. Tehran: Samt.