

Islamic Government

Ruhollah Khomeini

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by Ruhollah al-Musavi al-Khomeini

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About the Author

Ayatollah Ruhollah Mousavi Khomeini (Imam Khomeini)

Ruhollah (Rouhollah) Mousavi Khomeini was born on 24 September 1902 (20 Jamadi al-Akhir 1320), the anniversary of the birth of Hazrat Fatima, in the small town of Khomein, some 160 kilometres to the southwest of Qom. He was the child of a family with a long tradition of religious scholarship. His ancestors, descendants of Imam Mousa al-Kazim, the seventh Imam of the Ahl al-Bayt, had migrated



Ruhollah Mousavi Khomeini
(center)

towards the end of the eighteenth century from their original home in Neishapour (in Khorasan province of Iran) to the Lucknow region of northern India. There they settled and began devoting themselves to the religious instruction and guidance of the region's predominantly Shi`i population.

Khomeini's grandfather, Seyed Ahmad, left Lucknow (according to a statement of Khomeini's elder brother, Seyed Morteza Pasandideh, his point of departure was Kashmir, not Lucknow) some time in the middle of the nineteenth century on pilgrimage to the tomb of Hazrat Ali in Najaf. While in Najaf, Seyed Ahmad met Yousef Khan, a prominent citizen of Khomein. Accepting his invitation, he decided to settle in Khomein to assume responsibility for the religious needs of its citizens and also took Yousef Khan's daughter in marriage.

Seyed Ahmad, by the time of death, the date of which is unknown, had two children: a daughter by the name of Sahiba, and Seyed Moustafa Hindi, born in 1885, the father of Khomeini. Seyed Moustafa began his religious education in Esfahan and continued his advanced studies in Najaf and Samarra (this corresponded to a pattern of preliminary study in Iran followed by advanced study in the "Atabat", the shrine cities of Iraq; Ayatollah Khomeini was in fact the first religious leader of prominence whose formation took place entirely in Iran). After

accomplishing his advanced studies he returned to Khomein, and then married with Hajar (mother of Rouhollah Khomeini).

In March 1903, Khomeini when was just 5 months old lost his father. And in 1918, Khomeini lost both his aunt, Sahiba, who had played a great role in his early upbringing, and his mother, Hajar. Responsibility for the family then devolved on his eldest brother, Seyed Mourteza (later to be known as Ayatollah Pasandideh).

Khomeini began his education by memorizing the Quran at a maktab (traditional religious school). In 1920-21, Seyed Mourteza sent the Rouhollah Khomeini to the city of Arak (or Sultanabad, as it was then known) in order for him to benefit from the more ample educational resources available there.

In 1923, Khomeini arrived in Qom and devoted himself to completing the preliminary stage of madreseh (school or academy) education.

Khomeini did not engage in any political activities during the 1930's. He believed that the leadership of political activities should be in the hands of the foremost religious scholars, and he was therefore obliged to accept the decision of Ayatollah Haeri to remain relatively passive toward the measures taken by Reza Shah against the traditions and culture of Islam in Iran. In any event, as a still junior figure in the religious institution in Qom, he would have been in no position to mobilize popular opinion on a national scale.



Young Rouhollah
Khomeini

In 1955, a nationwide campaign against the Baha'i sect was launched, for which the Khomeini sought to recruit Ayatollah Boroujerdi's (he was the most prominent religious leader in Qom after the death of Ayatollah Haeri) support, but he had little success.

Ayatollah Khomeini therefore concentrated during the years of Ayatollah Boroujerdi's leadership in Qom on giving instruction in fiqh (Islamic science) and gathering round him students who later became his associates in the movement that led to the overthrow of the Pahlavi Dynasty, not only Ayatollah Mutahhari and Ayatollah Muntaziri, but younger men such as Hojatolislam Muhammad Javad Bahonar and Hojatolislam Ali Akbar Hashimi-Rafsanjani.

The emphases of Ayatollah Khomeini's activity began to change with the death of Ayatollah Boroujerdi on March 31, 1961, for he now emerged as one of the successors to Boroujerdi's position of leadership. This emergence was signaled by the publication of some of his writings on fiqh, most importantly the basic handbook of religious practice entitled, like others of its genre, *Tawzih al-Masa'el*. He was soon accepted as *Marja-e Taqlid* by a large number of Iranian Shi'is.

In the autumn of 1962, the government promulgated new laws governing elections to local and provincial councils, which deleted the former requirement that those elected be sworn into office on the Quran. Seeing in this a plan to permit the infiltration of public life by the Baha'is, Imam Khomeini telegraphed both the Mohammad Reza Shah and the prime minister of the day, warning them to desist from violating both the law of Islam and the Iranian Constitution of 1907, failing which the 'ulama' (religious scholars) would engage in a sustained campaign of protest.

In January 1963, the Shah announced a six-point program of reform called the White Revolution, an American-inspired package of measures designed to give his regime a liberal and progressive facade. Ayatollah Khomeini summoned a meeting of his colleagues in Qom to press upon them the necessity of opposing the Shah's plans. They sent Ayatollah Kamalvand, to see the Shah and gauge his intentions. Although the Shah showed no inclination to retreat or compromise, it took further pressure by Ayatollah Khomeini on the other senior 'ulama' of Qom to persuade them to decree a boycott of the referendum that the Shah had planned to obtain the appearance of popular approval for his White Revolution. Ayatollah Khomeini issued on January 22, 1963 a strongly worded declaration denouncing the Shah and his plans. Two days later Shah took armored column to

Qom, and he delivered a speech harshly attacking the 'ulama' as a class.

Ayatollah Khomeini continued his denunciation of the Shah's programs, issuing a manifesto that also bore the signatures of eight other senior scholars. In it he listed the various ways in which the Shah had violated the constitution, condemned the spread of moral corruption in the country, and accused the Shah of comprehensive submission to America and Israel. He also decreed that the Noruz celebrations for the Iranian year 1342 (which fell on March 21, 1963) be cancelled as a sign of protest against government policies.

On the afternoon of 'Ashoura (June 3, 1963), Imam Khomeini delivered a speech at the Feyziyeh madreseh in which he drew parallels between the Umayyad caliph Yazid and the Shah and warned the Shah that if he did not change his ways the day would come when the people would offer up thanks for his departure from the country. The immediate effect of the Imam's speech was, however, his arrest two days later at 3 o'clock in the morning by a group of commandos who hastily transferred him to the Qasr prison in Tehran. As dawn broke on June 3, the news of his arrest spread first through Qom and then to other cities. In Qom, Tehran, Shiraz, Mashhad and Varamin, masses of angry demonstrators were confronted by tanks and paratroopers. It was not until six days later that order was fully restored. This uprising of 15 Khordad 1342 marked a turning point in Iranian history.

After nineteen days in the Qasr prison, Ayatollah Khomeini was moved first to the 'Eshratyab' military base and then to a house in the 'Davoudiyeh' section of Tehran where he was kept under surveillance.

He was released on April 7, 1964, and returned to Qom.

The Shah's regime continued its pro-American policies and in the autumn of 1964, it concluded an agreement with the United States that provided immunity from prosecution for all American personnel in Iran and their dependents. This occasioned the Khomeini to deliver a speech against the Shah. He denounced the agreement as surrender of Iranian independence and sovereignty, made in exchange for a \$200 million loan that would be of benefit only to the Shah and his associates, and described as traitors all those in the Majlis who voted in favor of it; the government lacked all legitimacy, he concluded.

Shortly before dawn on November 4, 1964, again commandos surrounded Ayatollah Khomeini house in Qom, arrested him, and this time took him directly to Mehrabad airport in Tehran for immediate exile to Turkey on the hope that in exile he would fade from popular memory. As Turkish law forbade Ayatollah Khomeini to wear the cloak and turban of the Muslim scholar, an identity which was integral to his being. However, On September 5, 1965, Ayatollah Khomeini left Turkey for Najaf in Iraq, where he was destined to spend thirteen years.



Ayatollah Khomeini
going to exile

Once settled in Najaf, Ayatollah Khomeini began teaching fiqh at the Sheikh Mourteza Ansari madreseh. At this madreseh he delivered, between January 21 and February 8, 1970, his lectures on Velayat-e faqeeh, the theory of governance and Islamic Leadership (the text of these lectures was published in Najaf, not long after their delivery, under the title Velayat-e faqeeh ya Hukumat-i Islami). The text of the lectures on Velayat-e faqeeh was smuggled back to Iran by visitors who came to see the Khomeini in Najaf.

The most visible sign of the popularity of Ayatollah Khomeini in the pre-revolutionary years, above all at the heart of the religious institution in Qom, came in June 1975 on the anniversary of the uprising of 15 Khordad. Students at the Feyziyeh madreseh began holding a demonstration within the confines of the building, and a sympathetic crowd assembled outside. Both gatherings continued for three days until they were attacked military forces, with numerous deaths resulting. Ayatollah Khomeini reacted with a message in which he declared the events in Qom and similar disturbances elsewhere to be a sign of hope that "freedom and liberation from the bonds of imperialism" were at hand. The beginning of the revolution came indeed some two and a half years later.



Ayatollah
Khomeini
in exile (Iraq)

In January 7, 1978 when an article appeared in the semi-official newspaper Ittila`at attacking him in such terms as a traitor working

together with foreign enemies of the country. The next day a furious mass protest took place in Qom; it was suppressed by the security forces with heavy loss of life. This was the first in a series of popular confrontations that, gathering momentum throughout 1978, soon turned into a vast revolutionary movement, demanding the overthrow of the Pahlavi regime and the installation of an Islamic government.

Shah decided to seek the deportation of Ayatollah Khomeini from Iraq, the agreement of the Iraqi government was obtained at a meeting between the Iraqi and Iranian foreign ministers in New York, and on September 24, 1978, Khomeini's house in Najaf was surrounded by troops. He was informed that his continued residence in Iraq was contingent on his abandoning political activity, a condition he rejected. On October 3, he left Iraq for Kuwait, but was refused entry at the border. After a period of hesitation in which Algeria, Lebanon and Syria were



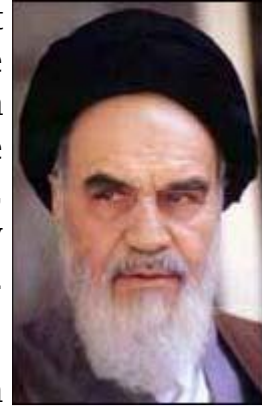
ayatollah Khomeini arrives in Tehran

considered as possible destinations, Ayatollah Khomeini embarked for Paris. Once he arrived in Paris, Khomeini took up residence in the suburb of Neauphle-le-Chateau in a house that had been rented for him by Iranian exiles in France. From now on the journalists from across the world now made their way to France, and the image and the words of Ayatollah Khomeini soon became a daily feature in the world's media.

On January 3, 1979, Shapour Bakhtiar of the National Front (Jabhe-yi Melli) was appointed prime minister to replace General Azhari. And on January 16, Shah left Iran.

Ayatollah Khomeini embarked on a chartered airliner of Air France on the evening of January 31 and arrived in Tehran the following morning. He was welcomed by a very popular joy. On February 5, he introduced Mehdi Bazargan as interim prime minister (yet Bakhtiyar was appointed prime minister of Shah).

On February 10, Ayatollah Khomeini ordered that the curfew should be defied. The next day the Supreme Military Council withdrew its support from Bakhtiyar, and on February 12, 1979, following the sporadic street gunfight all organs of the regime, political, administrative, and military, finally collapsed. The revolution had triumphed.



Ayatollah Khomeini's last years

On March 30 and 31, a nationwide referendum resulted in a massive vote in favor of the establishment of an Islamic Republic. Ayatollah Khomeini proclaimed the next day, April 1, 1979, as the "first day of God's government." He obtained the title of "Imam" (highest religious rank in Shia).

With the establishment of Islamic Republic of Iran he became Supreme Leader (Vali-e Faqeh).

He settled in Qom but on January 23, 1980, Ayatollah Khomeini was brought from Qom to Tehran to receive heart treatment. After thirty-nine days in hospital, he took up residence in the north Tehran suburb of Darband, and on April 22 he moved into a modest house in Jamaran, another suburb to the north of the capital. A closely guarded compound grew up around the house, and it was there that he spent the rest of his life as absolute ruler of Iran.

On June 3, 1989, after eleven days in hospital for an operation to stop internal bleeding, Ayatollah Khomeini lapsed into a critical condition and died.

Ayatollah Khomeini in his 10 years of leadership established a theocratic rule over Iran. He did not fulfil his pre-revolution promises to the people of Iran but instead he started to marginalize and crash the opposition groups and those who opposed the clerical rules. He ordered establishment of many institutions to consolidate power and safeguard the cleric leadership. During his early years in power he launched the Cultural Revolution in order to Islamize the whole country. Many people were laid off, and lots of books were revised or burnt according to the new Islamic values. Newly established Islamic Judiciary system sentenced many Iranians to death and long-term imprisonment as they were in opposition to those radical changes.

Preface

Probably the best known of Imam Khomeini's works, the book, *Islamic Government*, originated in a series of lectures given at Najaf between January 21 and February 8, 1970. The lectures were recorded and transcribed by a student, and then published in book form.

Islamic Government is an close translation of the original Persian title, *Hukumat-i Islami*. However, the reader should bear in mind that the book does not purport to offer either a complete scheme of Islamic political philosophy or a detailed plan for the establishment and functioning of an Islamic state. Its purpose is narrower and more specific, and geared to the audience to whom the lectures were delivered: students of the religious sciences, who might be expected later to assume positions of influence in Muslim society.

Three major points emerge from the lectures. The first is the necessity for the establishment and maintenance of Islamic political institutions, or to put it differently, the need for subordinating political power to Islamic goals, precepts, and criteria. The second is the duty of the religious scholars (the *fuqaha*) to bring about an Islamic state, and to assume legislative, executive, and judicial positions within it—in short, the doctrine of "the governance of the *faqih*" (*vilayat-i faqih*). The various texts that support this second point are subjected to lengthy review and examination. Finally, Imam Khomeini sets out a program of action for the establishment of an Islamic state, including various measures for self-reform by the religious establishment. All three themes are expounded against a backdrop of particular concern with Iran; hence the occurrence of numerous references to Iran in the course of the general and theoretical discussion.

Accurate translations of *Hukumat-i Islami* exist in French, Arabic, Turkish, and Urdu. In the fall of 1978, the Joint Publications and Research Service, the translation branch of the U.S. Central Intelligence Agency, commissioned an English translation, not of the original Persian text, but of the translation in Arabic. The resulting version, crude and unreliable, was subsequently published in a vulgar and sensational format by Manor Books, a commercial publisher in New York. What follows is an integral and faithful translation of the third edition of the Persian text, published in Najaf in 1391/1971.

Foreword

In the name of God, the Compassionate, the Merciful

All praise be to God; there is neither might nor strength but from God, the Exalted, the Sublime. May peace and blessings be upon the Messenger of God, Muhammad, the Seal of the Prophets, and his purified progeny.

The present book, *Governance of the Jurist*, including relevant footnotes and explanations, is the compendium of thirteen speeches of His Eminence Imām Khomeini delivered during his stay in Najaf from January 21 to February 8, 1970. Now, this book is presented to the knowledgeable researchers and those ardent of the works of Imām Khomeini. These speeches had been reproduced and disseminated then in various forms as lessons and instruction materials. Later, in autumn of 1970 the texts of the speeches were edited and prepared for printing. Following the approval of Imām Khomeini, it was printed in Beirut (Lebanon) by Imām Khomeini's friends, then secretly sent to Iran, while copies of which were simultaneously sent to the revolutionary Muslims in Europe, United States, Pakistan, and Afghanistan. In 1977, before the victory of the Islamic Revolution, the book was published in Iran entitled, *A Letter from Imām Mūsāwi Kāshif al-Ghitā and Jihād-i Akbar* as its supplement. Like the other works of Imām Khomeini, the book *Governance of the Jurist* had been considered on top of the list of prohibited books for publication during the Shāh's regime. So many people were imprisoned and tortured on the charge of publishing, possessing, or reading the book. However, despite all pressures exerted by the SAVAK (the Shāh's notorious secret police) and restraints imposed by the Shāh's regime, the notion to support the establishment of an Islamic government whose legislative principles are expounded here by Imām Khomeini, gained a widespread adherence among the revolutionary Muslim forces at the religious seminaries, universities and other notable centers; and with the 15th of Khurdād uprising and Imām Khomeini's movement, the idea of establishing an Islamic government based on governance of the jurist was crystallized as a fundamental idea. The Islamic jurists (fuqahā) have generally been involved in the issue of governance of the jurist in different subject matters in fiqh, some briefly and some in details. However, no comprehensive and orderly discourse is found in the fiqh books of predecessors; the reason being

the unfavorable political and social conditions prevailing over Islamic countries in the past and the dominance of tyrannical ruling cliques that had made it impossible to touch upon such discussions. But regardless of the difference among fuqahā on the extent of authorities and the case applicability of governance of the jurist during the period of Occultation,[1] there is unanimity among them in general as to the affirmation of a certain kind of guardianship authority for the fully competent faqīh. Opinions of fuqahā on the kind of guardianship and the extent of authorities of the Islamic jurists during the period of Occultation have been recently compiled and published in some books.

According to available sources, the late Āyatullāh Mullā Ahmad Narāqi[2] (one of the Qājār dynasty contemporary scholars) has dealt with this subject matter in his book ‘Awā’id al-Ayyām more detailed than the others. He first tried to seek evidence from numerous narrations proving that the faqīh is entrusted with guardianship rights during the Occultation period in the following areas:

In all instances, where the Prophet and the infallible Imāms (‘a) had been authorized and assigned as guardians except in cases, where this had been excluded due to religiously legal requirement.

In all instances related to religious and living duties of people that must be carried out.

By relying on Qur’anic verses, Prophetic traditions, and jurisprudential arguments, he continues the discourse by giving ten examples of applicable cases within the sphere of governance of the jurist such as iftā; administering punishment; protecting the properties of the orphans, insane, and the absent individuals; and taking possession of properties of the infallible Imāms.

Although it can be understood from the late Narāqi’s discussions that he has included governance within the same sphere, he has not openly stressed on it.

After the late Narāqi, Imām Khomeini was the only faqīh to deal tacitly with the governance of the jurist for the first time and proved the point. As indicated earlier, Imām Khomeini had once discussed the question of governance of the jurist in Najaf in thirteen instructional sessions of which the present book is the transcription and edited form of the same course instructions. He further discussed governance of the jurist in the second volume of his five-volume book entitled, Kitāb al-Bay’ in the same profound style.

In the present book, *Governance of the Jurist*, Imām Khomeini has laid great emphasis on guardianship (wilāyat) as a principle, serving as the base and foundation for all duties. He especially examines guardianship from governmental and political points of view. Here, in addition to expounding the political and social factors causing the neglect of the most important Islamic issue, he has methodologically examined the question, and based on the same sturdy approach exercised in fiqh, proceeded with introductory practicable programs for realization of governance of the jurist in the government.

He begins by disclosing the plots and conspiracies made by the enemies to annihilate Islam. Then he continues logically to discuss insinuated misgivings, such as “Islam is not a competent religion to govern the society at the age of industrial civilization” or “legal provisions of Islam are inadequate to resolve the social problems, and to provide us with appropriate answers”.

In this regard Imām Khomeini points out that the misgivings suggested by the enemies to pave the way for the faulty notion of separation of religion from politics, have unfortunately been so much effective; even in the seminaries, one dares not to speak freely about the Islamic government. He further indicated the domestic shortcomings and infatuations for the new civilization, all of which are the souvenir of the devilish propaganda of imperialism. He warned the seminaries, the young clergy students, and the Muslim thinkers to endeavor enormously to carry out their political and social duties and be careful not to be deceived. Islam is not opposed to technological and industrial progress; but social problems require ethical and religious solution, and Islam is that all-embracing religion that can solve all problems, provided the thinkers and scholars of the Islamic world would face the challenge.

By expounding the indisputable historical fact that the Most Noble Messenger (s) had appointed a successor, Imām Khomeini posed the question of “whether the successor had been designed just to expound the religious precepts.” Of course not! Expounding religious precepts does not require to be done by the Prophet’s successor. Therefore the appointment had been for rulership, and for enforcement of laws and regulations. It is most important now to believe in the necessity to establish an Islamic government; thus, we can determine the position and role of the successor.

In this book Imām Khomeini has given some instances proving the necessity for establishing an Islamic government, as follows:

Action taken by the Holy Prophet (s) to establish a government;

The fact that divine precepts are to be enforced perpetually; they are enacted not only for the time of the Holy Prophet (s); they are meant for all time.

The nature and characteristic of Islamic laws and regulations like fiscal, national defense, and legal and penal precepts are such that they are not executable without a government.

After giving quite well-reasoned explanation on the necessity of Islamic government, Imām Khomeini refers to the historical background of deviation from this principle during the Umayyad period and its continuation during the Abbasids who had adopted un-Islamic rule, imitating the Iranian monarchical, Roman imperial and the Egyptian pharaonic systems. And the same way continued afterwards. He stresses on the logical demand for alteration of such systems, and that it is therefore necessary to stir up a political revolution. Accordingly, it is necessary to revolt against tyrannical governments to pave the way for the establishment of Islamic government and the enforcement of Islamic precepts, unification of Islamic ummah that have now fallen into the trap of disunity caused by various domestic elements as well as foreigners, and finally, to save the oppressed and the deprived people as a religious duty of all Muslims, especially the scholars. Imām Khomeini further continues emphasizing on the necessity of establishing an Islamic government, by relating the subject to a narration quoted by Fadl ibn Shādān on the philosophy of ordaining governments as provided for in the narration and traditions.

An important part of the book deals with the difference between an Islamic government and other types of governments, pointing out that the Islamic government is a special kind of constitutional government that is anchored on the Islamic laws. Imām Khomeini believes, therefore, that Islamic legislative power or law-making assemblies are bound to devise all governmental plans and programs within the framework of Islamic precepts; not according to regular procedures followed by other states.

Imām Khomeini further deals with the prerequisite qualities of the ruler, as derived directly from the nature of Islamic government. In addition to the regular requirement such as intelligence and prudence, there are two principal prerequisites for the ruler: his knowledge about the law and his justness.

Governance of the faqīh during the Occultation is the next to be dealt with. Following the previous discussion, Imām Khomeini says, “Now we live at the Occultation period. On the one hand, Islamic precepts are to be enforced, (and no one is designated by God Almighty to fulfill this task), and on the other hand, what should we do then?” He examines this subject matter and comes to the conclusion that “God Almighty has given the quality which is required for rulership to a great number of religious scholars from the very outset of Islam to the advent of the Imām of the Age (‘a). This quality is the knowledge about law and justice. A great number of our contemporary scholars (fuqahā) possess this quality and they should join hands. They will be able to establish a just government in the world.” He then points out that governance of the jurist is an extrinsic and rational issue, and the fully competent faqīh is entrusted with all the authorities; that the Prophet and the infallible Imāms (‘a) were entitled too, for governance; and that this guardianship cannot be realized except through entitlement and that it implies in itself no dignity and status, but only a means of carrying out one’s duty and enforcing religious precepts.

The exalted aims of government, and characteristics required for the ruler are then referred to. Relying on traditions, Imām Khomeini deduces that governance of the jurist implies entitlement to government as well as argumentation that constitutes the greater part of the book. The concluding part of the book deals with the necessity for a long-range planning to achieve this divine objective. Here, Imām Khomeini points out the importance of propagation and instructions, while saying, “Meetings must be directed to serve these two important tasks. Struggles must be stirred as ‘Āshūrā to create waves of crowds insisting on the establishment of Islamic government, and prepared for a long-term struggle while not bearing in mind an immediate achievement”.

The necessity for proper attention to instructions and propagations, moral and cultural reformation of seminaries, annihilation of the moral and cultural effects of imperialism, correction of the pseudo-saints, purging the seminaries of the court ‘ulamā, and finally, taking effective measures to overthrow the oppressive and tyrannical governments, are among the concluding discussions of the book.

Esteemed readers’ attentions are drawn to the fact that after his divine uprising, which, thanks to the divine grace, consciousness and unity of the Muslim people, gained victory over monarchical system in Iran on Bahman 22, 1358 Sh./February 11, 1979, Imām Khomeini undertook the leadership of the Islamic Revolution and the guardianship function of the nation. It should, therefore, be taken into

consideration that comprehending precisely Imām Khomeini's viewpoints on governance of the jurist, which is explained in this book, can only be realized when full consideration is given to his personal manners and conducts in the course of his rule and his ideas about the extent of authorities and the station of guardianship as expressed through his speeches, messages and letters.[3]

“O God, foreshorten the arms of the oppressors that are stretched out against the lands of the Muslims and root out all traitors to Islam and the Islamic countries. Awaken the heads of the Muslims states from their deep sleep so that they may exert themselves on behalf of their people's interests and renounce divisiveness and the quest for personal gain. Grant that the younger generation studying in the religious colleges and the universities may struggle to reach the sacred aims of Islam and strive together, with ranks united, first, to deliver the Islamic countries from the clutches of imperialism and its vile agents, and then to defend them. Grant that the fuqahā and the scholars may strive to guide and enlighten the minds of the people, to convey the sacred aims of Islam to all Muslims, particularly the younger generation, and to struggle for the establishment of an Islamic government. From You is success, and there is neither recourse nor strength except in God, the Exalted, the Sublime.”[4]

Notes:

[1] See n. 27 of the present volume.

[2] See n. 107 of the present volume.

[3] A collection of the viewpoints and stances on this argumentation is being compiled by this Institute.

[4] The written supplication at the end of the present volume.

Introduction

In the name of God, the Beneficent, the Merciful All Praise be to God, the Lord of the worlds, And may His blessings be upon the best of His creation, Muhammad and His Descendants.

The subject of the governance of the jurist (vilāyat-i faqīh[27]) provides us with the opportunity to discuss certain related matters and questions. The governance of the faqīh is a subject that in itself elicits immediate assent and has little need of demonstration, for anyone who has some general awareness of the beliefs and ordinances of Islam will unhesitatingly give his assent to the principle of the governance of the faqīh as soon as he encounters it; he will recognize it as necessary and self-evident. If little attention is paid to this principle today, so that it has come to require demonstration, it is because of the social circumstances prevailing among the Muslims in general, and the teaching institution in particular. These circumstances, in turn, have certain historical roots to which I will now briefly refer.

From the very beginning, the historical movement of Islam has had to contend with the Jews, for it was they who first established anti-Islamic propaganda and engaged in various stratagems, and as you can see, this activity continues down to the present. Later they were joined by other groups, who were in certain respects, more satanic than they. These new groups began their imperialist penetration of the Muslim countries about three hundred years ago,[28] and they regarded it as necessary to work for the extirpation of Islam in order to attain their ultimate goals. It was not their aim to alienate the people from Islam in order to promote Christianity among them, for the imperialists really have no religious belief, Christian or Islamic. Rather, throughout this long historical period, and going back to the Crusades,[29] they felt that the major obstacle in the path of their materialistic ambitions and the chief threat to their political power was nothing but Islam and its ordinances, and the belief of the people in Islam. They therefore plotted and campaigned against Islam by various means.

The preachers they planted in the religious teaching institution, the agents they employed in the universities, government educational institutions, and publishing houses, and the orientalist who work in the service of the imperialistic states—all these people have pooled their energies in an effort to distort the principles of Islam. As a result, many persons, particularly the educated, have formed misguided and incorrect notions of Islam.

Islam is the religion of militant individuals who are committed to truth and justice. It is the religion of those who desire freedom and independence. It is the school of those who struggle against imperialism. But the servants of imperialism have presented Islam in a totally different light. They have created in men's minds a false notion of Islam. The defective version of Islam, which they have presented in the religious teaching institution, is intended to deprive Islam of its vital, revolutionary aspect and to prevent Muslims from arousing themselves in order to gain their freedom, fulfill the ordinances of Islam, and create a government that will assure their happiness and allow them to live, lives worthy of human beings.

For example, the servants of imperialism 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.

This kind of evil propaganda has unfortunately had an effect. Quite apart from the masses, the educated class—university students and also many students at the religious teaching institutions—have failed to understand Islam correctly and have erroneous notions. Just as people may, in general, be unacquainted with a stranger, so too they are unacquainted with Islam. Islam lives among the people of this world as if it were a stranger.[30] If somebody were to present Islam as it truly is, he would find it difficult to make people believe him. In fact, the agents of imperialism in the religious teaching institutions would raise a hue and cry against him.

In order to demonstrate to some extent, the difference between Islam and what is presented as Islam, I would like to draw your attention to the difference between the Holy Qur'an and the books of hadith,[31] on the one hand, and the practical treatises of jurisprudence, on the other. The Holy Qur'an and the books of hadith, which represent the sources for the commands and ordinances of Islam, are completely different from the treatises written by the mujtahids[32] of the present age both in breadth of scope and in the effects they are capable of exerting on the life of society. The ratio of Qur'anic verses concerned with the affairs of society to those concerned with ritual worship is greater than a hundred to one. Of the approximately fifty sections[33] of the corpus of hadith containing all the ordinances of Islam, not more than three or four sections relate to matters of ritual worship and the duties of man toward his Creator and Sustainer. A

few more are concerned with questions of ethics, and all the rest are concerned with social, economic, legal, and political questions—in short, the gestation of society.

You who represent the younger generation and who, God willing, will be of service to Islam in the future must strive diligently all your lives to pursue the aims I will now set forth and to impart the laws and ordinances of Islam. In whatever way you deem most beneficial, in writing or in speech, instruct the people about the problems Islam has had to contend with since its inception and about the enemies and afflictions that now threaten it. Do not allow the true nature of Islam to remain hidden, or people will imagine that Islam is like Christianity (nominal, not true Christianity), a collection of injunctions pertaining to man's relation to God, and the mosques will be equated with the church.

At a time when the West was a realm of darkness and obscurity—with its inhabitants living in a state of barbarism, and America still peopled by half-savaged redskins—and the two vast empires of Iran and Byzantium were under the rule of tyranny, class privilege, and discrimination, and the powerful dominated all without any trace of law or popular government, God, Exalted and Almighty, by means of the Most Noble Messenger (s), sent laws that astound people with their magnitude. He instituted laws and practices for all human affairs and laid injunctions for man extending from even before the embryo is formed until after he is placed in the tomb. In just the same way that there are laws setting forth the duties of worship for man, so too there are laws, practices, and norms for the affairs of society and government. Islamic law is a progressive, evolving, and comprehensive system. All the voluminous books that have been compiled from the earliest times on different areas of law, such as judicial procedure, social transactions, penal law,[34] retribution,[35] international relations, regulations pertaining to peace and war, private and public law—taken together, these contain a mere sample of the laws and injunctions of Islam. There is not a single topic in human life for which Islam has not provided instructions and established a norm.

In order to make the Muslims, especially the intellectuals, and the younger generation, deviate from the path of Islam, foreign agents have constantly insinuated that Islam has nothing to offer, that Islam consists of a few ordinances concerning menstruation and parturition, and that this is the proper field of study for the ākhūnds.[36]

There is something of truth here, for it is fitting that those ākhūnds who have no intention of expounding the theories, injunctions and worldview of Islam and who spend most of their time on precisely such matters, forgetting all the other topics of Islamic law, be attacked and accused in this manner. They too are at fault; foreigners are not the only ones to be blamed. For several centuries, as might be expected, the foreigners laid certain plans to realize their political and economic ambitions, and the neglect that has overtaken the religious teaching institution has made it possible for them to succeed. There have been individuals among us, the ‘ulamā,[37] who have unwittingly contributed to the fulfillment of those aims, with the result that you now see.

It is sometimes insinuated that the injunctions of Islam are defective, and said that the laws of judicial procedure, for example, are not all that they should be. In keeping with this insinuation and propaganda, agents of Britain were instructed by their masters to take advantage of the idea of constitutionalism in order to deceive the people and conceal the true nature of their political crimes (the pertinent proofs and documents are now available). At the beginning of the constitutional movement, when people wanted to write laws and draw up a constitution, a copy of the Belgian legal code was borrowed from the Belgian embassy and a handful of individuals (whose names I do not wish to mention here) used it as the basis for the constitution they then wrote, supplementing its deficiencies with borrowings from the French and British legal codes.[38] True, they added some of the ordinances of Islam in order to deceive the people, but the basis of the laws that were now thrust upon the people was alien and borrowed.

What connections do all the various articles of the Constitution as well as the body of Supplementary Law[39] concerning the monarchy, the succession, and so forth, have with Islam? They are all opposed to Islam; they violate the system of government and the laws of Islam.

Islam proclaims monarchy and hereditary succession wrong and invalid. When Islam first appeared in Iran, the Byzantine Empire, Egypt, and the Yemen, the entire institution of monarchy was abolished. In the blessed letters that the Most Noble Messenger (s) wrote to the Byzantine Emperor Heraclius and the Shāhanshāh of Iran,[40] he called upon them to abandon the monarchical and imperial form of government, to cease compelling the servants of God to worship them with absolute obedience, and to permit men to worship God, Who has no partner and is the True Monarch. Monarchy and hereditary succession represent the same sinister, evil system of

government that prompted the Doyen of the Martyrs[41] ('a) to rise up in revolt and seek martyrdom in an effort to prevent its establishment. He revolted in repudiation of the hereditary succession of Yazīd,[42] to refuse it his recognition.

Islam, then, does not recognize monarchy and hereditary succession; they have no place in Islam. If that is what is meant by the so-called deficiency of Islam, then Islam is indeed deficient. Islam has laid down no laws for the practice of usury, for banking on the basis of usury, for the consumption of alcohol, or for the cultivation of sexual vice, having radically prohibited all of these. The ruling cliques, therefore, who are the puppets of imperialism and wish to promote these vices in the Islamic world, will naturally regard Islam as defective. They must import the appropriate laws from Britain, France, Belgium, and most recently, America. The fact that Islam makes no provision for the orderly pursuit of these illicit activities, far from being a deficiency, is a sign of perfection and a source of pride.

The conspiracy worked out by the imperialist government of Britain at the beginning of the constitutional movement had two purposes. The first, which was already known at that time, was to eliminate the influence of Tsarist Russia in Iran, and the second was to take the laws of Islam out of force and operation by introducing Western laws.[43]

The imposition of foreign laws on our Islamic society has been the source of numerous problems and difficulties. Knowledgeable people working in our judicial system have many complaints concerning the existing laws and their mode of operation. If a person becomes caught up in the judicial system of Iran or that of analogous countries, he may have to spend a whole lifetime trying to prove his case. In my youth I once encountered a learned lawyer who said, "I can spend my whole life following a litigation back and forth through the judicial machinery, and then bequeath it to my son for him to do the same thing!" That is the situation that now prevails, except, of course, when one of the parties has influence, in which case the matter is examined and settled swiftly, albeit unjustly.

Our present judicial laws have brought our people nothing but trouble, causing them to neglect their daily task and providing the occasion for all kinds of misuse. Very few people are able to obtain their legitimate rights. In the adjudication of cases, it is necessary not only that everyone should obtain his rights, but also that correct procedure be followed. People's time must be considered, as well as

the way of life and profession of both parties, so that matters are resolved as swiftly and simply as possible.

A case that a sharī‘ah[44] judge in earlier times settled in one or two days cannot be settled now in twenty years. The needy, young, and old alike, must spend the entire day at the Ministry of Justice, from morning to evening, wasting their time in corridors or standing in front of some official’s desk, and in the end they will still not know what has transpired. Anyone who is more cunning, and more willing and able to give bribes, has his case settled expeditiously, but at the cost of justice. Otherwise, they must wait in frustration and perplexity until their entire lives are gone.

The agents of imperialism sometimes write in their books and their newspapers that the legal provisions of Islam are too harsh. One person was even so impudent as to write that the laws of Islam are harsh because they have originated with the Arabs, so that the “harshness” of the Arabs is reflected in the harshness of Islamic law!

I am amazed at the way these people think. They kill people for possessing ten grams of heroin and say, “That is the law” (I have been informed that ten people were put to death some time ago, and another person more recently, for possession of ten grams of heroin).[45] Inhuman laws like this are concocted in the name of a campaign against corruption, and they are not to be regarded as harsh. (I am not saying it is permissible to sell heroin, but this is not the appropriate punishment. The sale of heroin must indeed be prohibited but the punishment must be in proportion to the crime.)[46] When Islam, however, stipulates that the drinker of alcohol should receive eighty lashes, they consider it “too harsh.” They can execute someone for possessing ten grams of heroin and the question of harshness does not even arise!

Many forms of corruption that have appeared in society derive from alcohol. The collisions that take place on our roads, and the murders and suicides are very often caused by the consumption of alcohol. Indeed, even the use of heroin is said to derive from addiction to alcohol. But still, some say, it is quiet unobjectionable for someone to drink alcohol (after all, they do it in the West); so let alcohol be bought and sold freely.

But when Islam wishes to prevent the consumption of alcohol—one of the major evils—stipulating that the drinker should receive eighty lashes, or sexual vice, decreeing that the fornicator be given one hundred lashes (and the married man or woman be stoned[47]), then

they start wailing and lamenting: “What a harsh law that is, reflecting the harshness of the Arabs!” They are not aware that these penal provisions of Islam are intended to keep great nations from being destroyed by corruption. Sexual vice has now reached such proportions that it is destroying entire generations, corrupting our youth, and causing them to neglect all forms of work. They are all rushing to enjoy the various forms of vice that have become so freely available and so enthusiastically promoted. Why should it be regarded as harsh if Islam stipulates that an offender must be publicly flogged[48] in order to protect the younger generation from corruption?

At the same time, we see the masters of this ruling class of ours enacting slaughters in Vietnam over fifteen years,[49] devoting enormous budgets to this business of bloodshed, and no one has the right to object! But if Islam commands its followers to engage in warfare or defense in order to make men submit to laws that are beneficial for them, and kill a few corrupt people or instigators of corruption, then they ask: “What’s the purpose for that war?”

All of the foregoing represent plans drawn up several centuries ago that are now being implemented and bearing fruit.

First, they opened a school in a certain place[50] and we overlooked the matter and said nothing. Our colleagues also were negligent in the matter and failed to prevent it from being established so that now, as you can observe, these schools have multiplied, and their missionaries have gone out into the provinces and villages, turning our children into Christians or unbelievers.

Their plan is to keep us backward, to keep us in our present miserable state so they can exploit our riches, our underground wealth, our lands, and our human resources. They want us to remain afflicted and wretched, and our poor to be trapped in their misery. Instead of surrendering to the injunctions of Islam, which provide a solution for the problem of poverty, they and their agents wish to go on living in huge places and enjoy lives of abominable luxury.

These plans of theirs are so broad in scope that they have even touched the institutions of religious learning. If someone wishes to speak about an Islamic government and the establishment of Islamic government, he must observe the principle of taqiyyah[51] and count upon the opposition of those who have sold themselves to imperialism. When this book was first printed, the agents of the embassy undertook certain desperate measures to prevent its

dissemination,[52] which succeeded only in disgracing themselves more than before.

Matters have now come to the point where some people consider the apparel of a soldier incompatible with true manliness and justice, even though the leaders of our religion were all soldiers, commanders, and warriors. They put on military dress and went into battle in the wars that are described for us in our history; they killed and they were killed. The Commander of the Faithful[53] ('a) himself would place a helmet on his blessed head, don his coat of chain mail, and gird on a sword. Imām Hasan[54] and the Doyen of the Martyrs ('a), acted likewise. The later Imāms did not have the opportunity to go into battle, even though Imām Bāqir[55] ('a) was also a warrior by nature. But now the wearing of military apparel is thought to detract from a man's quality of justice,[56] and it is said that one should not wear military dress. If we want to form an Islamic government, then we must do it in our cloaks and turbans; otherwise, we commit an offense against decency and justice!

This is all the result of the wave of propaganda that has now reached the religious institution and imposed on us the duty of proving that Islam also possesses rules of government.

That is our situation then—created for us by the foreigners through their propaganda and their agents. They have removed from operation all the judicial processes and political laws of Islam and replaced them with European importations, thus diminishing the scope of Islam and ousting it from Islamic society. For the sake of exploitation they have installed their agents in power.

So far, we have sketched the subversive and corrupting plan of imperialism. We must now take into consideration as well certain internal factors notably the dazzling effect that the material progress of the imperialist countries has had on some members of our society. As the imperialist countries attained a high degree of wealth and affluence—the result both of scientific and technical progress and of their plunder of the nations of Asia and Africa—these individuals lost all their self-confidence and imagined that the only way to achieve technical progress was to abandon their own laws and beliefs. When the moon landings took place, for instance, they concluded that Muslims should jettison their laws! But what is the connection between going to the moon and the laws of Islam? Do they not see that countries having opposing laws and social systems compete with each other in technical and scientific progress and the conquest of space? Let them go all the way to Mars or beyond the Milky Way; they

will still be deprived of true happiness, moral virtues and spiritual advancement and be unable to solve their own social problems. For the solution of social problems and the relief of human misery require foundations in faith and moral; merely acquiring material power and wealth, conquering nature and space, have no effect in this regard. They must be supplemented by, and balanced with, the faith, the conviction, and the morality of Islam in order truly to serve humanity instead of endangering it. This conviction, this morality, and these laws that are needed, we already possess. So, as soon as someone goes somewhere or invents something, we should not hurry to abandon our religion and its laws, which regulate the life of man and provide for his well being in this world and hereafter.

The same applies to the propaganda of the imperialists. Unfortunately some members of our society have been influenced by their hostile propaganda, although they should not have been. The imperialists have propagated among us the view that Islam does not have a specific form of government or governmental institutions. They say further that even if Islam does have certain laws, it has no method for enforcing them, so that its function is purely legislative. This kind of propaganda forms part of the overall plan of the imperialists to prevent the Muslims from becoming involved in political activity and establishing an Islamic government. It is in total contradiction with our fundamental beliefs.

We believe in government and believe that the Prophet (s) was bound to appoint a successor, as he indeed did.[57] Was a successor designated purely for the sake of expounding law? The expounding of law did not require a successor to the Prophet. He himself, after all, had expounded the laws; it would have been enough for the laws to be written down in a book and put into people's hands to guide them in their actions. It was logically necessary for a successor to be appointed for the sake of exercising government. Law requires a person to execute it. The same holds true in all countries of the world, for the establishment of a law is of little benefit in itself and cannot secure the happiness of man. After a law is established, it is necessary also to create an executive power. If a system of law or government lacks an executive power, it is clearly deficient. Thus Islam, just as it established laws, also brought into being an executive power.

There was still a further question: who was to hold the executive power? If the Prophet (s) had not appointed a successor to assume the executive power, he would have failed to complete his mission, as the Qur'an testifies.[58] The necessity for the implementation of divine law, the need for an executive power, and the importance of that

power in fulfilling the goals of the prophetic mission and establishing a just order that would result in the happiness of mankind—all of this made the appointment of a successor synonymous with the completion of the prophetic mission. In the time of the Prophet (s), laws were not merely expounded and promulgated; they were also implemented. The Messenger of God (s) was an executor of the law. For example, he implemented the penal provisions of Islam: he cut off the hand of the thief and administered lashing and stoning. The successor to the Prophet (s) must do the same; his task is not legislation, but the implementation of the divine laws that the Prophet (s) has promulgated. It is for this reason that the formation of a government and the establishment of executive organs are necessary. Belief in the necessity for these is part of the general belief in the Imamate, as are, too, exertion and struggle for the sake of establishing them.

Pay close attention. Whereas hostility toward you has led them to misrepresent Islam, it is necessary for you to present Islam and the doctrine of the Imamate correctly. You must tell people: “We believe in the Imamate; we believe that the Prophet (s), appointed a successor to assume responsibility for the affairs of the Muslims, and that he did so in conformity with the divine will. Therefore, we must also believe in the necessity for the establishment of government, and we must strive to establish organs for the execution of law and the administration of affairs.” Write and publish books concerning the laws of Islam and their beneficial effects on society. Improve your style and method of preaching and related activity. Know that it is your duty to establish an Islamic government. Have confidence in yourselves and know that you are capable of fulfilling this task. The imperialists began laying their plans three or four centuries ago; they started out with nothing, but see where they are now! We too will begin with nothing, and we will pay no attention to the uproar created by a few “xenomaniacs”[59] and devoted servants of imperialism.

Present Islam to the people in its true form, so that our youth do not picture the ākhūnds as sitting in some corner in Najaf or Qum, studying the questions of menstruation and parturition instead of concerning themselves with politics, and draw the conclusion that religion must be separate from politics. This slogan of the separation of religion from politics and the demand that Islamic scholars should not intervene in social and political affairs have been formulated and propagated by the imperialists; it is only the irreligious who repeat them. Were religion and politics separate in the time of the Prophet (s)? Did there exist, on one side, a group of clerics, and opposite it, a group of politicians and leaders? Were religion and politics separate in

the time of the caliphs—even if they were not legitimate—or in the time of the Commander of the Faithful (‘a)? Did two separate authorities exist? These slogans and claims have been advanced by the imperialists and their political agents in order to prevent religion from ordering the affairs of this world and shaping Muslim society, and at the same time to create a rift between the scholars of Islam, on the one hand, and the masses and those struggling for freedom and independence, on the other. They will thus been able to gain dominance over our people and plunder our resources, for such has always been their ultimate goal.

If we Muslims do nothing but engage in the canonical prayer, petition God, and invoke His name, the imperialists and the oppressive governments allied with them will leave us alone. If we were to say “Let us concentrate on calling the azān[60] and saying our prayers. Let them come and rob us of everything we own—God will take care of them! There is no power or recourse except in Him, and God willing, we will be rewarded in the hereafter!”—if this were our logic, they would not disturb us.

Once during the occupation of Iraq, a certain British officer asked, “ Is the azān I hear being called now on the minaret harmful to British policy?” When he was told that it was harmless, he said: “Then let him call for prayers as much as he wants!”

If you pay no attention to the policies of the imperialists, and consider Islam to be simply the few topics you are always studying and never go beyond them, then the imperialists will leave you alone. Pray as much as you like; it is your oil they are after—why should they worry about your prayers? They are after our minerals, and want to turn our country into a market for their goods. That is the reason the puppet governments they have installed prevent us from industrializing, and instead, establish only assembly plants and industry that is dependent on the outside world.

They do not want us to be true human beings, for they are afraid of true human beings. Even if only one true human being appears, they fear him, because others will follow him and he will have an impact that can destroy the whole foundation of tyranny, imperialism, and government by puppets. So, whenever some true human being has appeared they have either killed or imprisoned and exiled him, and tried to defame him by saying: “This is a political ākhūnd!” Now the Prophet (s) was also a political person. This evil propaganda is undertaken by the political agents of imperialism only to make you shun politics, to prevent you from intervening in the affairs of society

and struggling against treacherous governments and their anti-national and anti-Islamic politics. They want to work their will as they please, with no one to bar their way.

Notes:

[27] Faqīh: one learned in the principles and ordinances of Islamic law, or more generally, in all aspects of the faith. For a full discussion of the term, see p. 69-70.

[28] Since mid-16th century, i.e., more than three centuries ago when the Portuguese and thereafter the Dutch, English, French, Italian, and the Spaniards colonized Muslim countries. At the beginning, newly discovered African countries and then, after finding the sea routes, Asian countries (whose link with the Europeans had been curtailed since the Ottoman conquest of Constantinople in 1453) fell under the sway of colonialism.

[29] Crusades is the name of a series of war campaigns waged by the European Christians against the Muslims (11th-13th centuries) for the control of the Holy Land, particularly Jerusalem. Waged in eight stages, these campaigns commenced with the religious edict of Pope Urban II at the Council of Clermont (1096/489) and ended with the death of the French King, Saint Louis IX (1214-70) in 1270/669. Owing to the red-colored piece of cloth in the form of cross embedded on their right shoulders, the Christians became known as the Army of the Cross, or Crusaders.

[30] This is an allusion to the celebrated saying of the Prophet: "Islam will again become a stranger among men, as it was in the beginning, but blessed is the state of the stranger."

[31] Hadīth: a tradition setting forth a saying or deed of the Prophet, or in Shī'ī usage, of one of the Twelve Imāms.

[32] Mujtahīd: an authority on divine law who practices ijtihād, that is, "the search for a correct opinion...in the deducing of the specific provisions of the law from its principles and ordinances" (Muhammad Sanglaji, *Qazā dar Islam* [Tehran, 1338 Sh./1959], p.14).

[33] The term kitāb ("book") in the parlance of the Islamic jurists and traditionists means "section" in which Prophetic narrations (ahādīth) pertaining to a single topic are collected or particular laws of a topic, are discussed, such as Kitāb at-Tawhīd, Kitāb al-Īmān wa 'l-Fikr, Kitāb as-Salāh, and others. For instance, in the hadīth literature, *Dūreh-ye Kāfi* consists of 35 books, and in jurisprudence, *Sharā'i 'ul-Islām* comprises 50 books.

[34] Hadd (literally means limit, boundary or limit) in the Islamic law is generally applied for penal law for punishments prescribed for particular crimes. The extent of these punishments is determined by law.

[35] Qisās (literally means retribution or retaliation) in the Islamic jurisprudence is to be executed against a criminal, according to the legal decree, who committed

such crime as murder, amputation of a body limb, or laceration and beating in case the victim or his guardians are seeking retribution in lieu of receiving fine or blood money.

[36] Ākhūnd: a word of uncertain etymology that originally denoted a scholar of unusual attainment, but was later applied to lesser-ranking scholars, and then acquired a pejorative connotation, particularly in secularist usage.

[37] ‘Ulamā: the scholars of Islam.

[38] The draft of the first constitution was written by a commission from among the members of the Parliament and was approved with 51 articles. Kasravi, in this connection, writes: "It seems that Mashīr ad-Dawlah and Mu'tamīn al-Mulk and sons of Sadr A'zam wrote it, or to be more appropriate, we say they translated [it]." Thereafter, a committee was formed so that a text called "Supplement" be appended in the constitution. By the way, this text was prepared in 107 articles. According to the narration of Mustafā Rahīmi, "With the use of the Belgian constitution and to some extent, the French constitution, and taking into account the laws of the Balkan states (in view of the newness of the supplementary laws under consideration), the committee embarked on the compilation of the Supplementary Constitutional Laws and on the omission of flaws of the former laws." Concerning this influence of Belgian constitutional law on the six-man committee that drafted the Supplementary Constitutional Laws of 1907, see A.K.S. Lambton, "Dustur, iv: Iran," *Encyclopedia of Islam* new ed., II, 653-654; Kasravi Tabrizi, *Tārīkh-i Mashrūteh-yi Īrān* (Constitutional History of Iran), pp. 170, 224; Mustafā Rahīmi, *Qānūn-i Asāsi-yi Īrān va Usūl-i Demokrāsi* (The Constitution of Iran and Democratic Principles) (Tehran, 1347 Sh./1968), p. 94; *Qānūn-i Asāsi va Mutammin Ān* (The Constituion and Its Supplement) (Tehran: National Consultative Assembly Press).

[39] Articles 35 through 57 of the Supplementary Constitutional Laws approved on October 7, 1906 relate to "the rights of the throne." See E.G. Browne, *The Persian Revolution of 1905-1909* (Cambridge, 1911), pp. 337-379.

[40] In the seventh year of the Islamic era, Prophet Muhammad wrote not only to Heraclius and the ruler of Iran (probably Parvīz), but also to the rulers of Egypt and Abyssinia, inviting them all to embrace Islam and abandon unjust rule. Following is the text of the Most Noble Messenger's letter to Khosroe Parviz:

"In the name of Allah, the Beneficent, the Merciful. From Muhammad, the Messenger of Allah, to the great Kisra of Iran. Peace be upon him, who seeks truth and expresses belief in Allah and in His Prophet and testifies that there is no god but Allah and that He has no partner, and who believes that Muhammad is His servant and Prophet. Under the Command of Allah, I invite you to Him. He has sent me for the guidance of all people so that I may warn them all of His wrath and may present the unbelievers with an ultimatum. Embrace Islam so that you may remain safe. And if you refuse to accept Islam, you will be responsible for the sins of the Magi."

Text of his letter to Heraclius is as follows:

"In the name of Allah, the Beneficent, the Merciful. "(This is a letter) from Muhammad ibn ‘Abdullāh to the great Hercules of Rome. Peace be upon the followers of guidance. I invite you to the religion of Islam. Embrace Islam so that

you may be safe. Allah will give you two rewards (reward for your own faith as well as reward for the faith of those who are your subordinates). In case, however, you turn away your face from Islam you will be responsible for the sins of the Arisiyans as well. "O people of the Scriptures! We invite you to a common basis i.e., we should not worship anyone except Allah. We should not treat anyone to be His partner. Some of us too should not accept others as their gods. And (O Muhammad! as and when) they become recalcitrant against the true religion say: "Be witness to the fact that we are Muslims [Q 3:64]."

See Makātib ar-Rasūl, vol. 1, pp. 90 and 105; Ja'far Subhāni, *The Message* (Karachi: Islamic Seminary Publications, 1984), chap. 42, pp. 540-566, <http://www.al-islam.org/message/43.htm>; Muhammad Hamidullah, *Le Prophète de l'Islam* (Paris, 1959), I, 196-197, 212, 230, 241.

[41] The Doyen of the Martyrs: Imām Husayn, grandson of the Prophet. Concerning his biography, see Mīr Ahmad 'Alī, *Husain the Saviour of Islam* (Qum: Ansariyan Publications, 1987); 'Abdullāh Yūsuf 'Alī, *Imām Husain and His Martyrdom*, <http://www.al-islam.org/short/martyrdom/index.htm>.

[42] In 60/680, Imām Husayn refused to swear allegiance to Yazīd, son of Mu'āwiyah and second caliph of the Umayyad dynasty, since Yazīd did not possess legitimate authority and had succeeded to the caliphate by hereditary succession. The ensuing death of the Imām in battle at Karbala has always been commemorated by Shī'ah Muslims as the supreme example of martyrdom in the face of tyranny. It served as an important point of both ideological and emotive reference throughout the Islamic Revolution in Iran. See Shaykh Muhammad Mahdi Shams ad-Dīn, *The Revolution of Al-Husayn*, <http://www.al-islam.org/revolution>; Ibrāhīm Āyātī, *A Probe into the History of Āshūrā* (Karachi: Islamic Seminary Publications, 1984); Zākir, *Tears and Tributes* (Qum: Ansariyan Publications); Yāsīn T. al-Jibouri, *Kerbala and Beyond* (Qum: Ansariyan Publications); Sayyid Wāhid Akhtar, "Karbala: An Enduring Paradigm of Islamic Revivalism," *Al-Tawhīd Journal*, <http://www.al-islam.org/al-tawhid/paradigm-akhtar.htm>.

[43] No detailed study has yet been made of the British role in the early part of the constitutional movement. Some of the relevant documents, however, are to be found in General Report on Persia for the Year 1906 (file F.O. 416/30, Public Records Office, London).

[44] Sharī'ah: the all-embracing law of Islam derived from the Qur'an, the normative practice and authoritative pronouncements of the Prophet, and a number of secondary sources.

[45] A law promulgated in July 1969 provided the death penalty for anyone in possession of more than two kilograms of opium or ten grams of heroin, morphine, or cocaine. The first ten executions were carried out in December 1969 and by 1974, 236 people had been executed on charges under this law. See Ulrich Gehrke, *Iran: Natur, Bevölkerung, Geschichte, Kultur, Staat, Wirtschaft* (Tubingen and Basel, 1976), p. 281. It is also probable that the law was also used to provide a cover for the execution of political prisoners who had no involvement with narcotics. Concerning the royal family's own involvement in the drug trade, see p. 117, n. 167.

[46] Imām Khomeini's complain is referring to another point; that is, the absence of justice.

[47] Under the penal laws of Islam, proof of the married status is one of the indispensable requisites for stoning an adulterer. Married man or woman is one who is mature (bāligh), mentally sound, and has a permanent spouse.

[48] In Islamic law, the presence of a number of believers at the time of penal execution has been considered part of etiquettes of punishing the offender. Shi'ah jurists have been emphasizing on the observance of this tradition at the time of penal execution for adultery, slandering, and pandering. Their religious edict regarding the first case is based on Sūrah an-Nūr (24:2): "And a number of believers must witness the punishment of adulterer men and women." Another reason for it is that the attendants would take lesson from the requital, and anyone who is inclined to do so or is guilty of the same, would desist or cease from its performance.

[49] After many years of resistance against the French and Japanese colonizers, in 1960 Vietnam had once again engaged in a protracted war with the United States. This war that ended in 1973 with the defeat and withdrawal of the American forces, brought untold destructions and casualties on the Vietnamese people. As the official figures fall short of exactly describing the degree of casualties and damages wrought by this ruthless aggression, the realities of the bitter contemporary history can be gleaned to some extent: Up to early 1965 when the scope of the war extended to South Vietnam, the number of South Vietnamese who perished or were injured is as follows: 170,000 died, 800,00 wounded, and 400,000 imprisoned. During that time the number of persons who had been sent on concentration camps, which are called "agricultural units" exceeds 5 millions. According to the Voice of America (January 6, 1963), throughout 1962 US Air Force had attacked 50 thousand times villages beyond the realm of "state villages," and based on the assertions of General Herkins(?), on the same year about 30 thousand villages perished. US Air Force operations in South Vietnam reached 30 thousand times a month. According to a news report of the New York Times, in a combined US and Saigon government air operations nearly 1,400 out of 2,600 villages in the South were totally ruined by napalm bombs and chemical weapons. A Red Cross report indicates that as the effect of using poisonous elements in the vast and populous areas, thousands of residents in the South have been afflicted with divergent diseases particularly skin-related ones and for a long time they have experienced sufferings and discomforts arising from the sickness. Moreover, many herds of cows and buffalos as well as other four-footed domesticated animals had died while leaves, flowers, and fruits of tree and rice fields were completely devastated.

[50] We have not been able to determine whether this is an allusion to a particular school established by foreigners. Before the Islamic Revolution, there were a number of foreign-run schools in Iran—secular and missionary—that in effect alienated their students from Islamic culture and society.

[51] Taqiyyah: prudential dissimulation of one's true beliefs under conditions of acute danger, a practice based on Qur'an, 3:28. For a fuller discussion of taqiyyah, see 'Allāmah Tabātabā'i, Shi'ite Islam (Albany, N.Y., 1975), pp. 223-225, <http://www.al-islam.org/anthology/index.htm>; Al-Taqiyya/Dissimulation, <http://al-islam.org/encyclopedia/chapter6b/1.html>; and also p. 133 of the present work.

[52] This is a reference to an earlier and briefer series of talks given by Imām Khomeini on the subject of Islamic government. The Iranian embassy in Baghdad had sought to prevent the published text of those talks from being distributed.

[53] The Commander of the Faithful: ‘Ali ibn Abi Tālib, cousin and son-in-law of the Prophet, and first of the Twelve Imāms from the Prophet’s Progeny. He exercised rule from 35/656 until his martyrdom in 40/661. See Yousuf N. Lalljee, ‘Ali the Magnificent (Qum: Ansariyan Publications, 1987); Muhammad Jawād Chirri, The Brother of the Prophet Mohammad (Imām ‘Ali), (Qum: Ansariyan Publications); George Jordağ, The Voice of Human Justice, trans. M. Fazal Haq (Qum: Ansariyan Publications, 1990).

[54] Imām Hasan: son of Imām ‘Ali and second of the Imāms. He was poisoned in 50/670 after spending most of his life in seclusion in Medina. See Shaykh Rādi Āl-Yāsīn, Sulh al-Hasan: The Peace Treaty of Al-Hasan, trans. Jāsīm al-Rasheed (Qum: Ansariyan Publications, 1998), <http://www.al-islam.org/sulh/>.

[55] Imām Bāqir: the fifth Imām. He was born in 57/675 and spent most of his life in Medina, until his martyrdom there in 114/732. See Bāqir Sharīf al-Qarashi, The Life of Imām Mohammed al-Bāqir, trans. Jāsīm al-Rasheed (Qum: Ansariyan Publications, 1999).

[56] The “quality of justice” that is demanded of a religious scholar includes not only the practice of equity in all social dealings, but also complete abstention from major sins, the consistent performance of all devotional duties, and the avoidance of conduct incompatible with decorum. Justice is among the requisites for becoming a judge, rector (mufti), and congregational prayer leader (imām). At the margin of the book, Sharh-i Lum’ah, vol. 1, chap. 11, p. 98, wearing of indecent clothes in the congregational prayers has been considered contrary to the spirit of magnanimity (muruwah) and justice.

[57] The Most Noble Messenger (s) indicated in many instances the successorship of Imām ‘Ali ibn Abi Tālib (‘a) such as in Hadīth Yawm ad-Dār (Day of the Prophet’s invitation to his kinsmen); Hadīth Manzilah (The Prophet’s designation of ‘Ali as his deputy in Medina during the Tabuk expedition); Āyat al-Wilāyah (‘Ali’s offering of a ring to a beggar and the subsequent revelation of a pertinent verse); Event of Ghadr Khumm; and Hadīth ath-Thaqalayn. See Tafsir Kabīr, vol. 12, pp. 28, 53 under Sūrah al-Mā’idah, verses 55, 67; Sūrah ibn Hisham, vol. 4, p. 520; Tārīkh Tabarī, vol. 2, pp. 319, 322; Al-Ghadīr, vols. 1-3; Caliphate of Imām ‘Ali, <http://www.al-islam.org/encyclopedia/chapter3/1.html>.

[58] “O Messenger! Proclaim what has been revealed to you by your Lord, for if you do not, you will not have fulfilled the mission He has entrusted to you” (4:67). On the commentary of this verse, see Mīr Ahmad ‘Ali, Text, Translation and Commentary of the Holy Qur’an (Ehlmurst, NY: Tahrike Tarsile Qur’an, Inc., 1988), <http://www.al-islam.org/quran>.

[59] Xenomaniacs: those infatuated with foreign and especially Western models of culture. This is a translation of a Persian term, gharbzādeh-ha, popularized by Jalāl Āl-i Ahmad (d. 1969) in his book Gharbzādegi (“Xenomania”). See its English translation, R. Campbell (trans.) and Hamid Algar (ed. and anno.), Occidentosis: A Plague from the West (Berkeley: Al-Mizan Press, 1984). He was a writer of great influence and Imām Khomeini was acquainted with his work. See the commemorative supplement on Jalāl Āl-i Ahmad in the Tehran daily newspaper Jumhūrī-yi Islāmi, Shahrivar 20, 1359/October 12, 1980, p. 10.

[60] Azān: the call to prayer.

The Necessity for Islamic Government

A body of laws alone is not sufficient for a society to be reformed. In order for law to ensure the reform and happiness of man, there must be an executive power and an executor. For this reason, God Almighty, in addition to revealing a body of law (i.e., the ordinances of the sharī'ah), has laid down a particular form of government together with executive and administrative institution.

The Most Noble Messenger (s) headed the executive and administrative institutions of Muslim society. In addition to conveying the revelation and expounding and interpreting the articles of faith and the ordinances and institutions of Islam, he undertook the implementation of law and the establishment of the ordinances of Islam, thereby, bringing into being the Islamic state. He did not content himself with the promulgation of law; rather, he implemented it at the same time, cutting off hands and administering lashings, and stonings. After the Most Noble Messenger (s), his successor had the same duty and function. When the Prophet (s) appointed a successor, it was not only for the purpose of expounding articles of faith and law; it was for the implementation of law and the execution of God's ordinances. It was this function—the execution of law and the establishment of Islamic institutions—that made the appointment of a successor such an important matter that the Prophet (s) would have failed to fulfill his mission if he had neglected it. For after the Prophet (s), the Muslims still needed someone to execute laws and establish the institution of Islam in society, so that they might attain happiness in this world and the hereafter.

By their nature, in fact, laws and social institutions require the existence of an executor. It has always and everywhere been the case that legislation alone has little benefit: legislation by itself cannot assure the well-being of man. After the establishment of legislation, an executive power must come into being, a power that implements the laws and the verdicts given by the courts, thus allowing people to benefit from the laws and the just sentences the courts deliver. Islam has therefore established an executive power in the same way that it has brought laws into being. The person who holds this executive power is known as the valī-yi amr.[61]

The Sunnah[62] and path of the Prophet (s) constitute a proof of the necessity for establishing government. First, he himself established a government, as history testifies. He engaged in the implementation of laws, the establishment of the ordinances of Islam, and the administration of society. He sent out governors to different regions;

both sat in judgment himself and also appointed judges; dispatched emissaries to foreign states, tribal chieftains, and kings; concluded treaties and pacts; and took command in battle. In short, he fulfilled all the functions of government. Second, he designated a ruler to succeed him, in accordance with divine command. If God Almighty, through the Prophet (s), designated a man who was to rule over Muslim society after him, this is in itself an indication that government remains a necessity after the departure of the Prophet from this world. Again, since the Most Noble Messenger (s) promulgated the divine command through his act of appointing a successor, he also, implicitly stated the necessity for establishing a government.

It is self-evident that the necessity for enactment of the law, which necessitated the formation of a government by the Prophet (s), was confined or restricted to his time, but continues after his departure from this world. According to one of the noble verses of the Qur'an, the ordinances of Islam are not limited with respect to time or place; they are permanent and must be enacted until the end of time.[63] They were not revealed merely for the time of the Prophet, only to be abandoned thereafter, with retribution and the penal code no longer be enacted, or the taxes prescribed by Islam no longer collected, and the defense of the lands and people of Islam suspended. The claim that the laws of Islam may remain in abeyance or are restricted to a particular time or place is contrary to the essential creedal bases of Islam. Since enactment of laws, then, is necessary after the departure of the Prophet from this world, and indeed, will remain so until the end of time, the formation of a government and the establishment of executive and administrative organs are also necessary. Without the formation of a government and the establishment of such organs to ensure that through enactment of the law, all activities of the individual take place in the framework of a just system, chaos and anarchy will prevail and social, intellectual and moral corruption will arise. The only way to prevent the emergence of anarchy and disorder and to protect society from corruption is to form a government and thus impart order to all the affairs of the country.

Both reason and divine law, then, demonstrate the necessity in our time for what was necessary during the lifetime of the Prophet (s) and the age of the Commander of the Faithful, 'Ali ibn Abi Tālib ('a)—namely the formation of a government and the establishment of executive and administrative organs.

In order to clarify the matter further, let us pose the following question. From the time of the Lesser Occultation[64] down to the

present (a period of more than twelve centuries that may continue for hundreds of millennia if it is not appropriate for the Occulted Imām to manifest himself), is it proper that the laws of Islam be cast aside and remain unexecuted, so that everyone acts as he pleases and anarchy prevails? Were the laws that the Prophet of Islam labored so hard for twenty-three years to set forth, promulgate, and execute valid only for a limited period of time? Was everything pertaining to Islam meant to be abandoned after the Lesser Occultation? Anyone who believes so, or voices such a belief, is worse situated than the person who believes and proclaims that Islam has been superseded or abrogated by another supposed revelation.[65]

No one can say it is no longer necessary to defend the frontiers and the territorial integrity of the Islamic homeland; that taxes such as the *jizyah*, *kharāj*, *khums*, and *zakāt*[66] should no longer be collected; that the penal code of Islam, with its provisions for the payment of blood money and the exacting of requital, should be suspended. Any person who claims that the formation of an Islamic government is not necessary implicitly denies the necessity for the implementation of Islamic law, the universality and comprehensiveness of that law, and the eternal validity of the faith itself.

After the death of the Most Noble Messenger (s), none of the Muslims doubted the necessity for government. No one said: "We no longer need a government". No one was heard to say anything of the kind. There was unanimous agreement concerning the necessity for government. There was disagreement only as to which person should assume responsibility for government and head the state. Government, therefore, was established after the Prophet (s), both in the time of the caliphs and in that of the Commander of the Faithful ('a); an apparatus of government came into existence with administrative and executive organs.

The nature and character of Islamic law and the divine ordinances of the *sharī'ah* furnish additional proof of the necessity for establishing government, for they indicate that the laws were laid down for the purpose of creating a state and administering the political, economic and cultural affairs of society.

Firstly, the laws of the *sharī'ah* embrace a diverse body of laws and regulation, which amounts to a complete social system. In this system of laws, all the needs of man have been met: his dealings with his neighbors, fellow citizens, and clan, as well as children and relatives; the concerns of private and marital life; regulations concerning war and peace and intercourse with other nations; penal and commercial

law; and regulations pertaining to trade, industry and agriculture. Islamic law contains provisions relating to the preliminaries of marriage and the form in which it should be contracted, and others relating to the development of the embryo in the womb, and what food the parents should eat at the time of conception. It further stipulates the duties that are incumbent upon them while the infant is being suckled, and specifies how the child should be reared, and how the husband and the wife should relate to each other and to their children. Islam provides laws and instructions for all of these matters, aiming, as it does, to produce integrated and virtuous human beings who are walking embodiments of the law, or to put it differently, the law's voluntary and instinctive executors. It is obvious, then, how much care Islam devotes to government and the political and economic relations of society, with goal of creating conditions conducive to the production of morally upright and virtuous human beings.

The Glorious Qur'an and the Sunnah contain all the laws and ordinances man needs in order to attain happiness and the perfection of his state. The book al-Kāfi[67] has a chapter entitled, "All the Needs of Men Are Set Out in the Book and the Sunnah,"[68] the "Book" meaning the Qur'an, which is, in its own words, "an exposition of all things." [69] According to certain traditions, the Imām[70] also swears that the Book and the Sunnah contain without a doubt all that men need.

Second, if we examine closely the nature and character of the provisions of the law, we realize that their execution and implementation depend upon the formation of a government, and that it is impossible to fulfill the duty of executing God's commands without there being established properly comprehensive administrative and executive organs. Let us now mention certain types of provisions in order to illustrate this point; the others you can examine yourselves.

The taxes Islam levies and the form of budget it has established are not merely for the sake of providing subsistence to the poor or feeding the indigent among the descendants of the Prophet (s); they are also intended to make possible, the establishment of a great government and to assure its essential expenditures.

For example, khums is a huge source of income that accrues to the treasury and represents one item in the budget. According to our Shī'i school of thought, khums is to be levied in an equitable manner on all agricultural and commercial profits and all natural resources whether

above or below the ground—in short, on all forms of wealth and income. It applies equally to the greengrocer with his stall outside this mosque, and to the shipping or mining magnate. They must all pay one-fifth of their surplus income, after customary expenses are deducted, to the Islamic ruler, so that it enters the treasury. It is obvious that such a huge income serves the purpose of administering the Islamic state and meeting all its financial needs. If we were to calculate one-fifth of the surplus income of all the Muslim countries (or of the whole world, should it enter the fold of Islam), it would become fully apparent that the purpose for the imposition of such a tax is not merely the upkeep of the sayyids[71] or the religious scholars, but on the contrary, something far more significant—namely, meeting the financial needs of the great organs and institutions of government. If an Islamic government is achieved, it will have to be administered on the basis of the taxes that Islam has established—khums, zakāt (this, of course, would not represent an appreciable sum)[72] jizyah, and kharāj.

How could the sayyids ever need so vast a budget? The khums of the bazaar of Baghdad would be enough for the needs of the sayyids and the upkeep of the religious teaching institution, as well as all the poor of the Islamic world, quite apart from the khums of the bazaars of Tehran, Istanbul, Cairo, and other cities. The provision of such a huge budget must obviously be for the purpose of forming a government and administering the Islamic lands. It was established with the aim of providing for the needs of the people, for public services relating to health, education, defense, and economic development. Further, in accordance with the procedures laid down by Islam for the collection, preservation, and expenditure of this income, all forms of usurpation and embezzlement of public wealth have been forbidden; so that the head of state and all those entrusted with responsibility for conducting public affairs (i.e., members of the government) have no privileges over the ordinary citizen in benefiting from the public income and wealth; all have an equal share.

Now, should we cast this huge treasury into the ocean, or bury it until the Imām returns, or just spend it on fifty sayyids a day until they have all eaten their fill? Let us suppose we give all this money to 500,000 sayyids; they would not know what to do with it. We all know that the sayyids and the poor have a claim on the public treasury only to the extent required for subsistence. The budget of the Islamic state is constructed in such a way that every source of income is allocated to specific types of expenditures. Zakāt, voluntary contributions and charitable donations, and khums are all levied and spent separately. There is a hadīth to the effect that at the end of the year, sayyids must

return any surplus from what they have received to the Islamic ruler, just as the ruler must aid them if they are in need.

The jizyah, which is imposed on the ahl adh-dhimmah,[73] and the kharāj, which is levied on agricultural land, represent two additional sources of considerable income. The establishment of these taxes also proves that the existence of a ruler and a government is necessary. It is the duty of a ruler or governor to assess the poll tax to be levied on the ahl adh-dhimmah in accordance with their income and financial capacity, and to fix appropriate taxes on their arable lands and livestock. He must also collect the kharāj on those broad lands that are the “property of God” and in the possession of the Islamic state. This task requires the existence of orderly institutions, rules and regulations, and administrative procedures and policies; it cannot be fulfilled in the absence of order. It is the responsibility of those in charge of the Islamic state, first, to assess the taxes in due and appropriate measure and in accordance with the public good; then, to collect them; and finally, to spend them in a manner conducive to the welfare of the Muslims.

Thus, you see that the fiscal provisions of Islam also point to the necessity for establishing a government, for they cannot be fulfilled without the establishment of the appropriate Islamic institutions.

The ordinances pertaining to preservation of the Islamic system and defense of the territorial integrity and independence of the Islamic ummah[74] also demanded the formation of a government. An example is the command: “Prepare against them whatever force you can muster and horses tethered” (Qur’an, 8:60), which enjoins the preparation of as much armed defensive force as possible and orders the Muslims to be always on the alert and at the ready, even in time of peace.

If the Muslims had acted in accordance with this command, and after forming a government, made the necessary extensive preparations to be in a state of full readiness for war, a handful of Jews would never have dared to occupy our lands and to burn and destroy the Masjid al-Aqsā[75] without the people’s being capable of making an immediate response. All this has resulted from the failure of the Muslims to fulfill their duty of executing God’s law and setting up a righteous and respectable government. If the rulers of the Muslim countries truly represented the believers and enacted God’s ordinances, they would set aside their petty differences, abandon their subversive and divisive activities, and join together like the fingers of one hand. Then a handful of wretched Jews (the agents of America, Britain and other

foreign powers) would never have been able to accomplish what they have, no matter how much support they enjoyed from America and Britain. All this has happened because of the incompetence of those who rule over the Muslims.

The verse: “Prepare against them whatever force you can muster” commands you to be as strong and well-prepared as possible, so that your enemies will be unable to oppress you and transgress against you. It is because we have been lacking in unity, strength, and preparedness that we suffer oppression and are at the mercy of foreign aggressors.

There are numerous provisions of the law that cannot be implemented without the establishment of a government apparatus; for example, blood money, which must be exacted and delivered to those deserving it, or the corporeal penalties imposed by the law, which must be carried out under the supervision of the Islamic ruler. All of these laws refer back to the institutions of government for it is the government power alone that is capable of fulfilling this function.

After the death of the Most Noble Messenger (s), the obstinate enemies of the faith, the Umayyads[76] (God’s curses be upon them), did not permit the Islamic state to attain stability with the rule of ‘Ali ibn Abi Talib (‘a). They did not allow a form of government to exist that was pleasing to God, Exalted and Almighty, and to His Most Noble Messenger (s). They transformed the entire basis of government, and their policies were, for the most part, contradictory to Islam. The form of government of the Umayyads and the Abbasids,[77] and the political and administrative policies they pursued, were anti-Islamic. The form of government was thoroughly perverted by being transformed into a monarchy, like those of the kings of Iran, the emperors of Rome, and the pharaohs of Egypt. For the most part, this non-Islamic form of government has persisted to the present day, as we can see.

Both law and reason require that we not permit governments to retain this non-Islamic or anti-Islamic character. The proofs are clear. First, the existence of a non-Islamic political order necessarily results in the non-implementation of the Islamic political order. Then, all non-Islamic systems of government are the systems of kufr[78] since the ruler in each case is an instance of tāghūt,[79] and it is our duty to remove from the life of Muslim society all traces of kufr and destroy them. It is also our duty to create a favorable social environment for the education of believing and virtuous individuals, an environment that is in total contradiction with that produced by the rule of tāghūt

and illegitimate power. The social environment created by tāghūt and shirk[80] invariably brings about corruption such as you can observe now in Iran, the same corruption termed “corruption on earth.”[81] This corruption must be swept away, and its instigators should be punished for their deeds. It is the same corruption that the Pharaoh generated in Egypt with his policies, so that the Qur’an says of him, “Truly, he was among the corruptors” (28:4). A believing, pious, just individual cannot possibly exist in a socio-political environment of this nature, and still maintain his faith and righteous conduct. He is faced with two choices: either he commits acts that amount to kufr and contradict righteousness, or in order not to commit such acts and not to submit to the orders and commands of tāghūt, the just individual opposes him and struggles against him in order to destroy the environment of corruption. We have in reality, then, no choice but to destroy those systems of government that are corrupt in themselves and also entail the corruption of others, and to overthrow all treacherous, corrupt, oppressive, and criminal regimes.

This is a duty that all Muslims must fulfill, in every one of the Muslim countries, in order to achieve the triumphant political revolution of Islam.

We see, too, that together, the imperialists and the tyrannical self-seeking rulers have divided the Islamic homeland. They have separated the various segments of the Islamic ummah from each other and artificially created separate nations. There once existed the great Ottoman State, and that, too, the imperialists divided. Russia, Britain, Austria, and other imperialist powers united, and through wars against the Ottomans, each came to occupy or absorb into its sphere of influence, part of the Ottoman realm. It is true that most of the Ottoman rulers were incompetent, that some of them were corrupt, and that they followed the monarchical system. Nonetheless, the existence of the Ottoman State represented a threat to the imperialists. It was always possible that righteous individuals might rise up among the people and, with their assistance, seize control of the state, thus putting an end to imperialism by mobilizing the unified resources of the nation. Therefore after numerous prior wars, the imperialists at the end of World War I divided the Ottoman State, creating in its territories about ten or fifteen petty states.[82] Then each of these was entrusted to one of their servants or a group of their servants, although certain countries were later able to escape the grasp of the agents of imperialism.

In order to assure the unity of the Islamic ummah, in order to liberate the Islamic homeland from occupation and penetration by the

imperialists and their puppet governments, it is imperative that we establish a government. In order to attain the unity and freedom of the Muslim peoples, we must overthrow the oppressive governments installed by the imperialists and bring into existence an Islamic government of justice that will be in the service of the people. The formation of such a government will serve to preserve the disciplined unity of the Muslims; just as Fātimah az-Zahrā[83] (‘a) said in her address: “The Imamate exists for the sake of preserving order among the Muslims and replacing their disunity with unity”.

Through the political agents they have placed in power over the people, the imperialists have imposed on us an unjust economic order, and thereby divided our people into two groups: oppressors and oppressed. Hundreds of millions of Muslims are hungry and deprived of all forms of health care and education, while minorities comprised of the wealthy and powerful live a life of indulgence, licentiousness, and corruption. The hungry and deprived have constantly struggled to free themselves from the oppression of their plundering overlords, and their struggle continues to this day. But their way is blocked by the ruling minorities and the oppressive governmental structures they head. It is our duty to save the oppressed and deprived. It is our duty to be a helper to the oppressed, and an enemy to the oppressor. This is nothing other than the duty that the Commander of the Faithful (‘a) entrusted to his two great offspring[84] in his celebrated testament: “Be an enemy to the oppressor and a helper to the oppressed.”[85]

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. The Commander of the Faithful (‘a) says: “I have accepted the task of government because God, Exalted and Almighty, has exacted from the scholars of Islam a pledge not to sit silent and idle in the face of gluttony and plundering of the oppressors, on the one hand, and the hunger and deprivation of the oppressed, on the other.” Here is the full text of the passage we refer to:

“I swear by Him Who causes the seed to open and creates the souls of all living things that were it not for the presence of those who have come to swear allegiance to me, were it not for the obligation of rulership now imposed upon me by the availability of aid and support, and were it not for the pledge that God has taken from the scholars of Islam not to remain silent in the face of the gluttony and

plundering of the oppressors, on the one hand, and the harrowing hunger and deprivation of the oppressed, on the other hand---were it not for all of this, then I would abandon the reins of government and in no way seek it. You would see that this world of yours, with all of its position and rank, is less in my eyes than the moisture that comes from the sneeze of a goat.”[86]

How can we stay silent and idle today when we see that a band of traitors and usurpers, the agents of foreign powers, have appropriated the wealth and the fruits of labor of hundreds of millions of Muslims—thanks to the support of their masters and through the power of the bayonet—granting the Muslim not the least right to prosperity? It is the duty of Islamic scholars and all Muslims to put an end to this system of oppression and, for the sake of the well-being of hundreds of millions of human beings, to overthrow these oppressive governments and form an Islamic government.

Reason, the laws of Islam, and the practice of the Prophet (s), and that of the Commander of the Faithful (‘a), the purport of various Qur’anic verses and Prophetic traditions—all indicate the necessity of forming a government. As an example of the traditions of the Imāms, I now quote the following tradition of Imām Ridā[87] (‘a):

Abd al-Wāhid ibn Muhammad ibn ‘Abdus an-Neyshābūri al-‘Attār said: “I was told by Abū ‘l-Hasan ‘Ali ibn Muhammad ibn Qutayba an-Neyshābūri that he was told by Abū Muhammad al-Fadl ibn Shadhan an-Neyshābūri this tradition. If someone asks, ‘Why has God, the All-Wise, appointed the holders of authority and commanded us to obey them?’ then we answer, ‘For numerous reasons. One reason is this: Men are commanded to observe certain limits and not to transgress them in order to avoid the corruption that would result. This cannot be attained or established without there being appointed over them a trustee who will ensure that they remain within the limits of the licit and prevent them from casting themselves into the danger of transgression. Were it not for such a trustee, no one would abandon his own pleasure and benefit because of the corruption it might entail for another. Another reason is that we find no group or nation of men that ever existed without a ruler and leader, since it is required by both religion and worldly interest. It would not be compatible with divine wisdom to leave mankind to its own devices, for He, the All-Wise, knows that men need a ruler for their survival. It is through the leadership he provides that men make war against their enemies, divide among themselves the spoils of war, and preserve their communal solidarity, preventing the oppression of the oppressed by the oppressor.

“A further reason is this: were God not to appoint over men a solicitous, trustworthy, protecting, reliable leader, the community would decline, religion would depart, and the norms and ordinances that have been revealed would undergo change. Innovators would increase and deniers would erode religion, inducing doubt in the Muslims. For we see that men are needy and defective, judging by their differences of opinion and inclination and their diversity of state. Were a trustee, then, not appointed to preserve what has been revealed through the Prophet (s), corruption would ensue in the manner we have described. Revealed laws, norms, ordinances, and faith would be altogether changed, and therein would lie the corruption of all mankind.”[88]

We have omitted the first part of the hadīth, which pertains to prophethood, a topic not germane to our present discussion. What interests us at present is the second half, which I will now paraphrase for you.

If someone should ask you, “Why has God, the All-Wise, appointed holders of authority and commanded you to obey them?” you should answer him as follows: “He has done so for various causes and reasons. One is that men have been set upon a certain well- defined path, and commanded not to stray from it, nor to transgress against the established limits and norms, for if they were to stray, they would fall prey to corruption. Now men would not be able to keep to their ordained path and to enact God’s laws unless a trustworthy and protective individual (or power) were appointed over them with responsibility for this matter, to prevent them from stepping outside the sphere of the licit and transgressing against the rights of others. If no such restraining individual or power were appointed, nobody would voluntarily abandon any pleasure or interest of his own that might result in harm or corruption to others; everybody would engage in oppressing and harming others for the sake of his own pleasures and interests.

“Another reason and cause is this: we do not see a single group, nation, or religious community that has ever been able to exist without an individual entrusted with the maintenance of its laws and institutions—in short, a head or a leader; for such a person is essential for fulfilling the affairs of religion and the world. It is not permissible, therefore, according to divine wisdom that God should leave men, His creatures, without a leader and guide, for He knows well that they depend on the existence of such a person for their own survival and perpetuation. It is under his leadership that they fight against their enemies, divide the public income among themselves,

perform Friday and other congregational prayers and foreshorten the arms of the transgressors who would encroach on the rights of the oppressed.

“Another proof and cause is this: were God not to appoint an Imām over men to maintain law and order, to serve the people faithfully as a vigilant trustee, religion would fall victim to obsolescence and decay. Its rites and institutions would vanish; the customs and ordinances of Islam would be transformed or even deformed. Heretical innovators would add things to religion and atheists and unbelievers would subtract things from it, presenting it to the Muslims in an inaccurate manner. For we see that men are prey to defects; they are not perfect, and must need to strive for perfection. Moreover, they disagree with each other, having varying inclinations and discordant states. If God, therefore, had not appointed over men one who would maintain order and law and protect the revelation brought by the Prophet (s), in the manner we have described, men would have fallen prey to corruption; the institutions, laws, customs, and ordinances of Islam would be transformed; and faith and its content would be completely changed, resulting in the corruption of all humanity.”

As you can deduce from the words of the Imām (‘a), there are numerous proofs and causes that necessitate formation of a government, and establishment of an authority. These proofs, causes, and arguments are not temporary in their validity or limited to a particular time, and the necessity for the formation of a government, therefore, is perpetual. For example, it will always happen that men overstep the limits laid down by Islam and transgress against the rights of others for the sake of their personal pleasure and benefit. It cannot be asserted that such was the case only in the time of the Commander of the Faithful (‘a), and that afterwards, men became angels. The wisdom of the Creator has decreed that men should live in accordance with justice and act within the limits set by divine law. This wisdom is eternal and immutable, and constitutes one of the norms of God Almighty. Today and always, therefore, the existence of a holder of authority, a ruler who acts as trustee and maintains the institutions and laws of Islam, is a necessity—a ruler who prevents cruelty, oppression, and violation of the rights of others; who is a trustworthy and vigilant guardian of God’s creatures; who guides men to the teachings, doctrines, laws, and institutions of Islam; and who prevents the undesirable changes that atheists and the enemies of religion wish to introduce in the laws and institutions of Islam. Did not the caliphate of the Commander of the Faithful (‘a) serve this purpose? The same factors of necessity that led him to become the Imām still exist; the only difference is that no single individual has

been designated for the task.[89] The principle of the necessity of government has been made a general one, so that it will always remain in effect.

If the ordinances of Islam are to remain in effect, then, if encroachment by oppressive ruling classes on the rights of the weak is to be prevented, if ruling minorities are not to be permitted to plunder and corrupt the people for the sake of pleasure and material interest, if the Islamic order is to be preserved and all individuals are to pursue the just path of Islam without any deviation, if innovations and the approval of anti-Islamic laws by sham parliaments[90] are to be prevented, if the influence of foreign powers in the Islamic lands is to be destroyed—government is necessary. None of these aims can be achieved without government and the organs of the state. It is a righteous government, of course, that is needed; one presided over by a ruler who will be a trustworthy and righteous trustee. Those who presently govern us are of no use at all for they are tyrannical, corrupt, and highly incompetent.

In the past, we did not act in concert and unanimity in order to establish proper government and overthrow treacherous and corrupt rulers. Some people were apathetic and reluctant even to discuss the theory of Islamic government, and some went so far as to praise oppressive rulers. It is for this reason that we find ourselves in the present state. The influence and sovereignty of Islam in society have declined; the nation of Islam has fallen victim to division and weakness; the laws of Islam have remained in abeyance and been subjected to change and modification; and the imperialists have propagated foreign laws and alien culture among the Muslims through their agents for the sake of their evil purposes, causing people to be infatuated with the West. It was our lack of a leader, a guardian, and our lack of institutions of leadership that made all this possible. We need righteous and proper organs of government; that much is self-evident.

Notes:

[61] Valī-yi Amr: “the one who holds authority,” a term derived from Qur’an, 4:59: “O you who believe! Obey God, and obey the Messenger and the holders of authority (ūli ’l-amr) from among you.” For commentary of this verse, see Mīr Ahmad ‘Alī, *The Holy Qur’an* (NY: Tahrike Tarsile Qur’an, 1988), <http://www.al-islam.org/quran>

[62] Sunnah: the practice of the Prophet, accepted by Muslims as the norm and ideal for all human behavior.

[63] See, for example, Sūrah Ibrāhīm (14:52), Sūrah Yūnus (10:2), Sūrah al-Hājj (22:49), Sūrah al-Ahzāb (33:40), and Sūrah Yā-Sīn (36:70).

[64] Lesser Occultation: *ghaybat-i sughrah*, the period of about 70 years (260/872-329/939) when, according to Shī'i belief, Muhammad al-Mahdi, the Twelfth Imām, absented himself from the physical plane but remained in communication with his followers through a succession of four appointed deputies, viz., 'Uthmān ibn Sa'īd, Muhammad ibn 'Uthmān, Husayn ibn Rūh, and 'Ali ibn Muhammad. At the death of the fourth deputies no successor was named, and the Greater Occultation (*ghaybat-i kubrah*) began, and continues to this day. See Muhammad Bāqir as-Sadr and Murtadā Mutahhari, *Awaited Saviour* (Karachi: Islamic Seminary Publications), <http://www.islam.org/saviour/index.htm>; Muhammad Bāqir as-Sadr, *An Inquiry Concerning Al-Mahdi* (Qum: Ansariyan Publications); Jassim M. Husain, *The Occultation of the Twelfth Imām: A Historical Background* (London: Muhammadi Trust, 1982); Ibrāhīm Amīni, *Al-Imām Al-Mahdī: The Just Leader of Humanity*, trans. 'Abdul 'Azīz Sachedina (Qum: Ansariyan Publications), <http://www.al-islam.org/mahdi/nontl/index.htm>.

[65] The allusion is probably to the Bahā'is, who claim to have received a succession of post-Qur'anic revelations.

[66] *Jizyah*: a tax levied on non-Muslim citizens of the Muslim state in exchange for the protection they receive and in lieu of the taxes, such as *zakāt*, that only Muslims pay. *Kharaj*: a tax levied on certain categories of land. *Khums*: a tax consisting of one-fifth of agricultural and commercial profits (see p. 24 and Sayyid Muhammad Rizvi, *Khums*, <http://www.al-islam.org/beliefs/practices/khums.html>). *Zakāt*: the tax levied on various categories of wealth and spent on the purposes specified in Qur'an, 9:60.

[67] *Al-Kāfi*: more fully, *Al-Kāfi fī 'l Hadīth*, one of the most important Shī'i collections of hadīth, compiled by Shaykh Abū Ja'far Muhammad ibn Ya'qūb al-Kulayni (d. 329/941). This treatise consists of 34 books, 326 sections, and over 16,000 ahādīth. Two fascicules of this work have been translated into English by Sayyid Muhammad Hasan Rizvi and published by the Tehran-based World Organization for Islamic Services (WOFIS), <http://www.wofis.com>, e-mail: wofis@wofis.com.

[68] *Usūl al-Kāfi*, Book of "Virtues of Knowledge," vol. 1, pp. 76-80.

[69] Qur'an, 16:89.

[70] The reference is probably to Imām Ja'far as-Sādiq, whose sayings on this subject are quoted by 'Allāmah Tabātabā'i in *al-Mīzān fī Tafsīr al-Qur'ān* (Beirut, 1390/1979), XII, 327-328. First eight volumes of 'Allāmah Tabātabā'i's *Al-Mīzān* has been translated into English by Sayyid Saeed Akhtar Rizvi and published by the WOFIS.

[71] *Sayyids*: the descendants of the Prophet through his daughter Fātimah and son-in-law 'Ali, the first of the Twelve Imāms.

[72] *Zakāt* would not represent an appreciable sum presumably because it is levied on surplus wealth, the accumulation of which is inhibited by the economic system of Islam.

[73] *Ahl adh-Dhimmah*: non-Muslim citizens of the Muslim state, whose rights and obligations are contractually determined.

[74] Ummah: the entire Islamic community, without territorial or ethnic distinction.

[75] Masjid al-Aqsā: the site in Jerusalem where the Prophet ascended to heaven in the eleventh year of his mission (Qur'an, 17:1); also the complex of mosques and buildings erected on the site. The chief of these was extensively damaged by arson in 1969, two years after the Zionist usurpation of Jerusalem.

[76] Umayyads: descendants of 'Umayyah ibn 'Abdu Shams ibn 'Abdu Manāf from the Quraysh tribe, and members of the dynasty that ruled at Damascus from 41/632 until 132/750 and transformed the caliphate into a hereditary institution. Mu'āwiyah, ibn Abū Sufyān frequently mentioned in these pages, was the first of the Umayyad line. This kingdom ended with the murder of Marwān II, the last Umayyad caliph.

[77] Abbasids: offspring of 'Abbās ibn 'Abdul Muttalib, uncle of the Holy Prophet (s), and the dynasty that replaced the Umayyads and established a new caliphal capital in Baghdad. This dynastic rule began in 132/750 with the caliphate of 'Abdullāh as-Saffāh. With the rise of various local rulers, generally of military origin, the power of the Abbasids began to decline from the fourth/tenth century and it was brought to an end by the Mongol conquest in 656/1258.

[78] Kufr: the rejection of divine guidance; the antithesis of Islam.

[79] Tāghūt: one who surpasses all bounds in his despotism and tyranny and claims the prerogatives of divinity for himself, whether explicitly or implicitly. See also p. 78-79.

[80] Shirk: the assignment of partners to God, either by believing in a multiplicity of gods, or by assigning divine attributes and prerogatives to other-than-God.

[81] "Corruption on earth": a broad term including not only moral corruption, but also subversion of the public good, embezzlement and usurpation of public wealth, conspiring with the enemies of the community against its security, and working in general for the overthrow of the Islamic order. See the commentary on Qur'an, 5:33 in *Tabātabā'i's*, *al-Mizān*, V, 330-332.

[82] It may be apposite to quote here the following passage from a secret report drawn up in January 1916 by Thomas E. Lawrence, the British organizer of the so-called Arab revolt led by Sharīf Husayn of Mecca: "Husayn's activity seems beneficial to us, because it matches with our immediate aims, the breakup of the Islamic bloc and the defeat and disruption of the Ottoman Empire.... The Arabs are even less stable than the Turks. If properly handled they would remain in a state of political mosaic, a tissue of small jealous principalities incapable of political cohesion." See Philip Knightley and Colin Simpson, *The Secret Lives of Lawrence of Arabia* (New York, 1971), p. 55.

[83] Fātimah az-Zahrā: Fātimah, the daughter of the Prophet and wife of Imām 'Ali. For her biography, see *Fātimah the Gracious* (Qum: Ansariyan Publications).

[84] I.e., Hasan and Husayn.

[85] Nahj al-Balāghah, Letter 47. See English translation of Nahj al-Balāghah, Peak of Eloquence with commentary and its original Arabic text (Qum: Ansariyan Publications), <http://www.al-islam.org/nahjul/index.htm>.

[86] Nahj al-Balāghah, Sermon 3 (The famous Shaqshaqiyyah Sermon). See Nahj al-Balāghah, ed. Subhi as-Sālih.

[87] Imām Ridā: eighth of the Twelve Imāms, born in 148/765 and died in 203/817 in Tūs (Mashhad). He was poisoned by the Abbasid caliph Ma'mūn, who had appointed him as his successor at first, but then grew fearful of the wide following he commanded (see p. 137). His shrine in Mashhad is one of the principal centers of pilgrimage and religious learning in Iran. See Bāqir Sharīf al-Qarashī, The Life of Imām 'Ali bin Mūsā al-Ridā, trans. Jāsīm al-Rasheed (Qum: Ansariyan Publications); Muhammad Jawād Fadlallāh, Imam al-Ridā: A Historical and Biographical Research, trans. Yāsīn T. al-Jibouri, <http://www.al-islam.org/al-rida/index.html>; Muhammad Mahdi Shams ad-Dīn, "Al-Imām ar-Ridā ('a) and the Heir Apparency," At-Tawhīd Journal, <http://www.al-islam.org/al-tawhid/heir.htm>.

[88] The text of this tradition can be found in Shaykh Sadūq, 'Ilal ash-Sharāi' (Qum, 1378/1958), I, sec. 182, hadith 9, p. 251.

[89] That is, in the absence of the Imām or an individual deputy named by him (as was the case during the Lesser Occultation), the task devolves upon the fuqahā as a class. See argument on pp. 44-112.

[90] Here the allusion may be in particular to the so-called Family Protection Law of 1967, which Imām Khomeini denounced as contrary to Islam in an important ruling. See Imām Khomeini, Tauzih al-Masā'il, n.p., n.d., pp. 462-463, par. 2836, and p. 441.

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