

„TRANSITION OF THE CONCEPT OF TYRANT RULER IN SHIISM POLITICAL JURISPRUDENCE“

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408 pages, 6 chapters

The book by Mohammad Reza Ahmadi Taleshian, argues that discussion about tyrant ruler is always set forth in the thoughts of political jurisprudence Shiite clerics and each jurist made his theory with regard to his scientific perspectives and principles in this area. This discussion is not considered as an independent subject in jurisprudence texts, and it was always discussed in the topics such as judgment, directing others to do what is lawful or good and prohibit them from what is bad, selling, and unlawful business and earnings. From the viewpoint of Shiism, the ruler or governor should be appointed or allowed by the Immaculate Imam so as to consider him legitimate; otherwise, he is not legitimate and righteous and we can consider him as the evidence of tyranny. But this concept is too brief; that is, dividing the rulers to immaculate rulers and tyrant rulers relates to the early period of jurisprudence, and later, in the course of time, it has become changed into a joint concept and finally, concluded that it is possible to have justice government in the absence of the 12th Imam.

Of course, Taleshian believes one cannot ignore the political and social contexts of communication and collaboration or lack of communication with religious authorities. All the time, while maintaining scientific and religious principles and regarding their understanding of religious rules and sources and also concerning conditions of their era, Shiite thinkers responded to the confusion and disorder. Response to the legitimacy of an oppressive ruler and how it can be considered, are among secondary discourses of Velayat¹, Imamate² and government³.

Taleshian mentioned that, this subject is more important when the immaculate Imam designated from God is not present among people and is absent⁴ from people's views. There is a question here that if people are free and organizing any kind of state is unlawful and is regarded as the usurpation of the position of immaculate Imam or that people are obliged to organize the affairs such as formation of government? According

1 Velayat: Guardianship

2 Imamate: Leadership

3 Government: Rulership

4 Absence of the 12th Imam= The Occultation in Shi'a Islam refers to a belief that the messianic figure, al-Mahdi, who in Shi'a thought is an infallible male descendant of the founder of Islam, Muhammad, has been born but has disappeared and will one day return and fill the world with justice. ** There are two kinds of occultation: 1) Minor Occultation, 2) Major Occultation.

to the traditional, scientific and jurisprudence sources of Shiism, during the occultation, people are not being ignored, rather, there are some substitutes who are in charge of guiding people and protecting them. But the jurisdiction of these substitutes and transferring their right to others is an independent argument and there are different perspectives in this context.

The author declared that according to the Revayat, the appointment of the successor of the 12th Imam is due to jurists and righteous believers. But referring to the history, we find out that instead of the Jurist, some illegitimate rulers sit in the position of premiership that the innocent Imam or the successor of the 12th Imam did not appoint them. Therefore, they are illegitimate or oppressive rulers.

Classification of Tyranny Governments:

The writer represented some sorts of tyranny government as follows:

1) Tyranny with regard to the source of legitimacy: We can call it tyranny in the basis of the political system.

2) Tyranny in function: The other implication of tyranny government refers to the function and activities of a tyrant ruler. A political system may be tyranny both in its legitimacy roots and in the function of its ruler.

3) Tyranny in rules: One of the examples of the tyranny can be found in the issued rules, instructions and precepts.

4) Tyranny in agents: In addition to oppression in the basis of political system and the function of rulers and compiling the rules, another meaning of tyranny could refer to the assigning and appointing of agents and governors.

The Main Question

The main question of this research is *“How was the transition of the concept of tyrant ruler in Shiism political jurisprudence?”*

With respect to the main question, we conclude that the concept of tyrant ruler which had a brief concept in the beginning of the Minor Occultation, changed into a detailed concept, because of the political-social movements and conditions, and so, Shiism political life entered the context of society and got out of isolation.

As stated by the author, with no doubt, from Imamieh Shiism⁵'s point of view, designation and wording from God is the only basic principle which can be legitimate in political power's dimension. In other words, any rulership which lacks this basic principle is not legitimate from Shiism's point of view and it is considered as a usurper government.

Imamate and Imam's Conditions:

The conditions of Imamate from Shiism's point of view have certain features. Although Sunnism respects allegiance to the ruler as the Imamate condition, from

5 Imamieh Shiism: Islam holds that Muhammad was the last Prophet of God. The Shi'ah believe that humanity is in need of sustained spiritual guidance, provided by the "Imam of the Time", who is the Guardian and guide of all Muslims politically and spiritually. *

Shiism's viewpoint, allegiance to the ruler has its certain concept along with other features such as being appointed by God or the Prophet. Other fundamental aspects are:

- 1) Imam's knowledge and virtue
- 2) Immaculateness
- 3) Appointment (By God or the Prophet)

Also there are three kinds of Imamate: 1) Imamate as directing the public; 2) Imamate as a religious authority; and 3) Imamate as Velayat or Guardianship.

In order to introduce dynamic Shi'a jurisprudence and the evolution of the concept of tyrant ruler, the Center for Islamic Revolution Documents published this book.

Organizing the Research

This research by Mohammad Reza Ahmadi Taleshian is presented in an introduction, six chapters and a conclusion. Chapter 1 is allocated to tyrant government from Revayat's⁶ viewpoint. Whereas Imamate is an important argument in government and Velayat, at first the author investigated briefly about it. Then, he classified the Revayat about tyrant kings and governments. Some Shiite jurists and scholars are opposed to entering the realm of tyrant government, but in some other Revayat, they encourage outstanding people to attend the Court (Imperial Court) and accept the Velayat of the King or ruler. Investigating the immaculate Imams' behavior with tyrant rulers, we can discover their attitude toward the rulers; three cases are: Imam Ali's behavior with Caliphs, and Imam Sadeq and Imam Reza's behavior with Caliphs of their time.

In the second chapter, Taleshian reviewed the situation of Al-Buyeh and the role of Ulama⁷ in this period; fortifying the foundations of Imamate and explaining the occultation of the 12th Imam among the most important concerns of this period. In such a situation, Ulama paid attention to the tyrant government and declared their viewpoint and also people's duties toward this kind of government. Sheikh Toosi believes that near the end of this era, qualified people should accept the Velayat of oppressive ruler. In this type of government, Tyranny means the basis of political system to be legitimate or illegitimate.

In chapter 3, the author discussed that with decline of Abbasids and the emergence of Mongols and Ilkhanids, a new era of communication between Ulama and rulers began. Although we expect that the Ulama withstand against non-Muslim rulers, but considering a special kind of justice and tyranny, especially according to Seyyed Tavous's understanding of justice and tyranny, Ulama welcomed Mongols, because it was Imam Ali's prediction. Here, we don't consider the basis of political system, rather, tyranny and oppress that led to pressure on the Shiites, forcing Ulama to prefer infidel ruler to Muslim ruler; the Muslim ruler who was basically illegitimate and practically oppressive. One of the most important results of Ulama's relationship with infidel rulers was the Mongol rulers' inclination to Islam.

In chapter 4, Taleshian stated that with the emergence of Safavids, Shiism gradually

6 Revayat: Tradition

7 Religious Authorities

got out of isolation and while most of Iranians were Sunni, Shah Ismaeil⁸ officially announced the Twelver⁹ or Imamieh Shiism as the official religion of the country (Iran). From now on, social, political and scientific life of Ulama entered a new stage and also certain rules were issued with regard to the rulers. In the first stage and with the advent of Al-Buyeh, Ulama was faced with Shiite rulers, and in the next stage, they encountered with infidel rulers and then, they established communication with Shiite rulers again. In this era, Ulama's relationship with rulers was extended and Shiism manifestations enjoyed so much importance.

In the fifth chapter, the writer investigated the Ulama's relationship and their understanding of Qajar rulers, the features of this era, and Iran's admission to the New Age and the new atmosphere of political and social relations, both internal and external. At the time of Fath Ali Shah's reign, some scholars brought up the King's permission in all affairs, but Sahib Javaher believed that all affairs should be in the hands of Faqih¹⁰. At the same time, Sahib Javaher supposed that the Jurist could transfer his duties to the King. But the most important event at that time was the Constitutional Movement which was able to limit the powers of the Sultan¹¹.

In chapter 6, i.e. the Constitutional period, Talesian analyzed the views of some scholars of that era. The important feature of this period which was at the end of it is linked together with the advent of the combatant and crusader jurist, Ayatollah Khomeini and this feature was to oppose with the King in both theory and practice. If in the previous periods, the opposition was more in theoretical aspects, Imam Khomeini claimed that monarchy or sultanate was in opposition with the fundamental principles of Islam; so, having faith in the absolute Velayat-Faqih¹², he overthrew the Pahlavi dynasty and founded the Islamic government.

At the end of the study, after the conclusion, with regard to his achievements, the author presented the results of the research and also offered some suggestions.

References

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2. http://en.wikipedia.org/wiki/The_Occultation
3. <http://en.wikipedia.org/wiki/Twelvers>

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8 King Ismaeil is the founder of Safavid Dynasty

9 An adherent of Twelver Shiism is most commonly referred to as a *Twelver*, which is derived from their belief in twelve divinely ordained leaders, known as the Twelve Imams. ***

10 Jurist

11 King

12 Absolute Governance of the Jurist

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