

„THE PROCESS OF VELAYAT FAQIH’S POLITICAL BELIEVES’ DEVELOPMENT IN THE POLITICAL FEQH OF SHIITE“

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The main purpose of this book by Hojatollah Alimohammadi is to show that the origin of Velayat Faqih¹ is deep-rooted, just as long as the Shiite’s jurisprudence. On the other hand, it has constantly been exposed to growth and development and, like any other idea, had gone through its own particular primary stages. In other words, his book emphasizes the importance of the governance and legitimacy of Velayat Faqih in the absence of Immaculate Imam. Accordingly, the opinions of jurists on the kind of guardianship and extent of authorities of the Islamic jurists during the Occultation is compiled and published in his book.

In the introductory part, Alimohammadi presents his opinion. He points out that the governance of theory of Velayat Faqih, after the victory of the Islamic Revolution, opened up a new perspective in the field of political believes of the Shiite. In addition, this theory which had pushed aside other competitor theories and moved from the ambiance of theory and research into practice and execution was faced with plenty of questions and reservations. The new studies in this field lead to different and sometimes opposite judgments. Some researchers believe that the theory of Velayat Faqih belongs to the latest jurists. However, some others made a question about its realm and some of them connected it to the first steps of formation of Shiite political jurisprudence.

According to the author, considering all the factors, indications, and necessities of time and place, one can understand a thought and judge about it. This rule also applies to discussion of political thinking in general and also to the theory of Velayat Faqih in particular. Therefore, only with multilateral and comprehensive look in this field, it is possible to have a correct judgment about it.

In Alimohammadi’s points of view, the study of political thought of Velayat Faqih in separate and interrupted ways gives us an incomplete arbitration; therefore historical review of this theory in its historical context is really important. His book is focused on the votes of great jurisprudents from the absence of the Immaculate Imam to present era and the author divides this course into five periods; in each, we observe a part of evolution process.

In his research, he analyzes the comments of jurists in two areas; theology and ju-

1 Guardianship of the Islamic Jurist (Persian: Velayat Faqih) is a post-Age-of-occultation theory in Shiite Islam which holds that Islam gives a faqih (Islamic jurist) or fuqaha (jurists) custodianship or guardianship over those in need of it.

risprudence. Islamic theology is a branch of Islamic studies regarding the beliefs associated with the Islamic faith. According to the author, theology and in general topics related to the Imamate and government comprise an important part of the history of Velayat Faqih. This Islamic scientist has also discussed different topics in the field of jurisprudence such as government of Shiite jurisprudence, Khums², Zakat³, commanding the good and forbidding evil, Friday prayers, judicature, martyrdom, penal law⁴, blood money, will, protection, endowments, and tyrant ruler and to accept or refuse of the guardianship from him. All these discourses explain the transformation of the theory of Velayat Faqih.

This book is compiled in five chapters. The first chapter is allocated to the political thought of Velayat Faqih from 4th to 8th century A.H.; moreover the author studies the works of jurists like Sheikh Koleini, Sheikh Saduq, Sheikh Mofid, Abu Salah al-Halabi, Seyed Razi, Sheikh Toosi, Ghotb Ravandi, Muhammad ibn Idris, Khaje Nasireddin Toosi, Mohaghegh Helli. The author realizes that what is distinguished in this period from the previous and latest ones are the discussion of hadith⁵ narration and the method of codification of them. Narration and codification of hadiths have been differently accomplished in the age of Imam's presence. For instance, the narratives made notes - although scattered or irregularly - of what they would hear and see directly or indirectly from Immaculate Imams; but in this time, they record them very carefully in appropriate section. So later, this period of Shiite jurisprudence was named as epoch of narration or period of narratives; as the most famous and authoritative sources of Shiite hadiths were written in this time.

In the second chapter "The political thought of Velayat Faqih from 8th to 10th century A.H.," the author studies the comments of Allameh Helli and Muhammad ibn Maki. The third chapter includes the political thoughts of Mohaghegh Korki, Mohaghegh Ardabili, Majlesi and Feyz Kashani. This Period is the beginning of the Safavid dynasty to the outbreak of the Iranian Constitution Revolution. At that time, some jurists were present in the political scene of the society. What was considered in this course as guardianship, never mean the presentation of the government theory from jurists. In other words, Shiite's jurists gave attention to the affairs such as judgment and Friday prayer producing, and not to establish the government or its essentials. Accordingly, what could be imputed to the jurists of this period is the separation between religious affairs and the affairs of conventional.

Forth chapter of the book "The Political thought of Velayat Faqih in 13th and 14th century A.H." included the comments of Vahid Behbahani, Sheik Ja'far Kashef-ol Gheha, Seyed Mohammad Javad Amoli, Seyed Ali Tabatabai, Mulla Ahmad Naraqi, Abdul Fattah Hosseini Maraghi, Sheikh Mohammad Hassan Isfahani, Mirzaye Ghomi, Sheikh Ansari and Mirza Mohammad Hassan Naini. According to the author, Ayatullah Mulla Ahmad Naraqi (one of the Qajar dynasty contemporary scholars) has dealt with this subject

2 Khums (IPA: [xʊms]) is the Arabic word for One Fifth (1/5). According to Shiite Islamic legal terminology, it means "one-fifth of certain items which a person acquires as wealth, and which must be paid as an Islamic tax".

3 Zakat (IPA: [Zakat], sometimes "Zekāt") or "alms giving", one of the Five Pillars of Islam, is the given of a small percentage of one's possessions (surplus wealth) to charity generally to poor and needy Muslims individual.

4 Hadd (literally means limits, 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

5 Hadith: a tradition setting forth a saying or deed of the Prophet, or in Shiite usage, of one of the twelve Imams.

matter in his book *Awid al-Ayyam* more detailed than the others.

Last chapter of the book "The Political thought of Velayat Faqih in 15th century A.H.", the author analyses and compares the comments of Ayatullah Boroujerdi, Ayatullah Khomeini, Seyed Mohammad Bagher Sadr and some others that might be critical of the theory of Velayat Faqih, investigated it from other points of view.

At last, the author gives us a detailed analysis from Ayatullah Khomeini's point of view that expanded the theory of Velayat Faqih in his writings and preaches. Imam Khomeini focused on the necessity of the government's constitution with the aim of elevation and development of the society, protection of law and created order in the society. In his opinion, the nature of Islamic laws represents these laws so as to establish a government. He believed that Islamic government is a government of law. In this form of government, sovereignty belongs to God alone and law is His decree and command. Since Islamic government is a government of law, knowledge of the law and justice is necessary for the ruler.

Some of the researchers believe the theory of Velayat Faqih is a new one and belongs to Ayatullah Khomeini; in this case, it has a weak history. But some other researchers introduce Mohaghegh Naraghi as the inventor of this theory. In this book, the author tries to prove that the theory of Velayat Faqih has the theological basis in the Shiite discourses which are represented in Imamate thought. When something includes theological basis, naturally this subject becomes alive in belief system of Innocent Imams; and then some religious scholars noticed it during the period of Minor Occultation⁶ of Twelfth Imam. Later, jurists worked extensively on it. The first Shiite jurists after Major Occultation⁷ such as Sheikh Mofid paid more attention to this context. So it's necessary to study its historical discourse to represent that the theory of Velayat Faqih is as old as Shiite's religion.

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6 Shiites believe that, for various reasons, God concealed the twelfth and current Shiite Imam, al-Mahdi, from humankind. Minor Occultation or Ghaybat al-Sughra (874-941), consists of the first few decades after the Imam's disappearance when communication with him was maintained through deputies of the Imam.

7 Major Occultation or Ghaybat al-Kubra began 941 and is believed to continue until a time decided by God, when the Mahdi will reappear to bring absolute justice to the world.

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