

AYATOLLAH RUHOLLAH KHOMEINI

1902–1989

WITH THE EXCEPTION of Usama bin Laden, no figure epitomizes Islamism more vividly for Western observers than Ayatollah Ruhollah Khomeini of Iran. Khomeini was by far the most important leader of the movement that culminated in the Iranian revolution of 1979. This event marked much more than the overthrow of the Iranian monarchy, headed by Muhammad Reza Shah Pahlavi and widely considered at the time as among the most stable of Muslim governments in the Middle East. The revolution also signified one of the rare occasions when Islamists have been able to make the transition from challenging the constituted political authority to actually taking it over. But if this has been rare in the Muslim world at large, it was practically unheard of in the context of Shi'i Islam, whose scholars had long maintained a resolutely quietist political stance toward the government.

Ruhollah Khomeini was born in a town named Khomein, in southwestern Iran, in 1902. He was a student of the noted scholar 'Abd al-Karim Ha'iri (d. 1936), with whom he studied in Arak, a city not far from Khomein. When Ha'iri moved to Qom, Khomeini joined him there, completing his education in that town and then embarking on his own teaching career there. The history of Qom extends back to early Islamic times, and it has long been revered by the Shi'a as the burial place of a sister of the eighth Shi'i imam, 'Ali al-Rida. Until Ha'iri's arrival in the mid-1920s, however, Qom did not seriously compete with Najaf, in Iraq, then the most prestigious center of teaching and scholarship in the Shi'i world. Part of the reason Ha'iri had been invited to come to Qom was to help invigorate its scholarly culture and, with his own considerable reputation, to draw other scholars and students to the town (Algar 1988, 267–68).

Khomeini's studies in Qom focused on Islamic law, which lay at the heart of the academic concerns of al-Hawza al-'ilmiyya, as the town's many madrasas are collectively known. Only when an advanced student had demonstrated his mastery of the intricacies of Islamic law and legal theory was he recognized as a mujtahid, one capable of arriving at independent judgments (*ijtihad*) in legal matters. Walking in the footsteps of his distinguished teacher, Khomeini gradually rose to be a leading jurist (*faqih*; plural: *fuqaha*) and a mujtahid in the Shi'i religious establishment. Unlike his teacher, Khomeini was never averse to political involvements,

and these would shape the last thirty or so years of his career. His stature as a legal scholar, with well-established credentials to provide religious guidance to the people and, indeed, to speak authoritatively for Islam, was crucial to the political challenges he took upon himself. Yet Islamic law was not the only thing that occupied him. Not long after his arrival in Qom, Khomeini had become part of small study circles in which texts and topics relating to Islamic philosophy and mysticism were discussed. And it was in teaching some of these texts, including the writings of the noted philosopher Mulla Sadra (d. 1640), that Khomeini began his own career (Algar 1988, 268–69).¹

Khomeini was a young man when, in 1925, Riza Khan became the king, founding the Pahlavi dynasty that would rule Iran until 1979. Like many others, Khomeini watched with consternation as the new king—now Riza *Shah*—launched Iran on a course of relentless westernization with the full might of an authoritarian state. The religious scholars were not necessarily averse to change, but they approved of neither its pace nor its direction under Riza Shah's leadership. The king, for his part, viewed the 'ulama as a major rival to his own authority, acting in ways that the 'ulama saw as hostile not only to their own interests but—in a typical conflation—to Islam itself. Under Riza Shah's son, Muhammad Riza Shah, Iran would continue on the path to rapid westernization, with increasingly close ties with the United States. Yet the Hawza itself was dominated during this time by religious scholars with a largely quietist political orientation (Algar 1988, 267–68, 277–78). Not until the death of Ayatollah Muhammad Husayn Borujerdi (d. 1961), the most influential scholar (*marja' al-taqlid*) of his time, was the regime challenged with any vigor from within the Hawza.

¹Islamic philosophy and mysticism have often been viewed with some suspicion in the Hawza. It was not only that many jurists saw both as peripheral to the real work of a scholar, teacher, and preacher, all of which was assumed to be best concerned with Islamic law and legal scholarship. It was also that the jurists had never had an altogether comfortable relationship with the Sufis, and even less so with the Muslim philosophers. At issue were competing conceptions of how to arrive at the ultimate truth, and the implications of this quest for what the jurists regarded as the most important of all obligations—living according to God's law. There is no dearth of Muslim mystics and philosophers who have had only a tenuous relationship with Islamic norms as the jurists have prescribed and upheld them. Khomeini had little doubt about their fundamental concordance, however. And mysticism and philosophy were to remain his lifelong companions. Not long after his return to Iran following the 1979 revolution, Khomeini gave televised lectures on al-Fatiha, the first chapter of the Qur'an, in a distinctly Sufi idiom (Algar 1988, 271; for the text of these lectures, see Algar 1981, 363–425). And in a public letter he wrote to Mikhail Gorbachev in early 1989, a few months before his death, Khomeini invited Gorbachev to begin looking beyond Marxist materialism to more effectively deal with the problems then facing the Soviet Union, urging him to have Soviet scholars study the writings of medieval Muslim philosophers like al-Farabi (d. 950), Ibn Sina (Avicenna [d. 1037]), and al-Suhrawardi (d. 1191), and of Sufis like Ibn 'Arabi ([d. 1240]; see Khomeini 1994, esp. 18; Knysch 1992, 652). See also chapter 1 of the present volume.

The opportunity arose less than two years after Borujerdi's death, when the government gave women the right to vote in local council elections. Though women would later actively participate in bringing about the 1979 revolution, and they did so with Khomeini's unambiguous endorsement, he was still among the most vocal opponents of the measure in the early 1960s, leading an opposition that was strong enough to force the government to temporarily withdraw the measure (cf. Martin 2000, 60–62). In 1963 Khomeini led the charge against government initiatives toward, inter alia, limiting the size of private landholdings. The government now responded with a heavy hand. Students were attacked outside the Fayziyyeh, the madrasa at which Khomeini taught in Qom. Khomeini himself was subsequently arrested, and several hundred people were killed in the ensuing riots. Khomeini was released from prison in 1964, but it was not long before he confronted the government once again, this time on the question of the diplomatic immunity the parliament had granted to American military personnel and their families in Iran. As Khomeini put it on this occasion,

If some American's servant, some American's cook, assassinates your marja [leading religious scholar, viewed as the "object of emulation" by lay Shi'a] in the middle of the bazaar, or runs over him, the Iranian police do not have the right to apprehend him. . . . [The members of the Iranian parliament] have reduced the Iranian people to a level lower than that of an American dog. If someone runs over a dog belonging to an American, he will be prosecuted. . . . But if an American cook runs over the Shah, the head of the state, no one will have the right to interfere with him. Why? Because they wanted a loan and America demanded this in return. . . . The government has sold our independence, reduced us to the level of a colony, and made the Muslim nation of Iran appear more backward than savages in the eyes of the world. . . . If the religious scholars have influence, they will not permit this nation to be the slaves of Britain one day, and America the next. (Algar 1981, 181–83)

Needless to say, it is not the shah's authority that Khomeini was defending here. To Khomeini, the shah was a mere pawn of Western powers, and especially of the United States, and it was not so much his own dignity as that of the Iranian nation that he had compromised. A dexterous conflation of Islam and Iranian nationalism, an implacable hostility toward the United States, and a view of the 'ulama as not only the guardians of Islam but also the leaders of national resistance against foreign encroachments are all themes that Khomeini would develop with consummate skill in the following years. The immediate outcome of his challenge to the shah was, however, his exile from Iran. He first went to Turkey and then to Najaf, in Iraq, where he lived until shortly before his return to Iran in February 1979.

In hindsight, by far the most important event of Khomeini's long Najaf years was the lectures on Islamic law he delivered before advanced madrasa students in 1970. It is in these lectures, selections from which are included here, that he offered a sustained elucidation of his vision of an Islamic government. For centuries, Shi'i scholars had concurred in deferring the establishment of a just and properly Islamic government to the time when the twelfth imam, who is believed to have gone into hiding in the late ninth century, would make himself visible once again. Until then, the best they could do was to offer religious guidance to the Shi'i community, oversee the ritual and other religious practices of the believers, and act as deputies of the hidden imam in collecting and disbursing the taxes (notably the *khums*, "the fifth" of one's annual income) due to him. Existing governments were barely, if at all, legitimate in the absence of the imam. And though they were to be tolerated, it was only with the reappearance of the hidden imam that a truly desirable state of affairs would be inaugurated. This political theology had characterized the quietist views of Ha'iri and Borujerdi; in Iraq, they have continued to guide the views of leading Shi'i scholars like Abu'l-Qasim al-Khu'i (d. 1992) and 'Ali al-Sistani (b. 1930).

Khomeini's 1970 lectures represented a radical break with this dominant view. As he saw it, the 'ulama's deputyship of the hidden imam extends to *all* facets of his functions, including the political. God intends his law to be implemented, not simply expounded or such implementation to be deferred to some indeterminate moment in the future. If it is to be implemented, however, then it is those most knowledgeable in it, the jurists, who ought to take the lead in doing so. The public implementation of the sacred law falls within the scope of "the [pre-eminent] jurist's authority" (*velayat-e faqih*), and it is obligatory on the 'ulama to mobilize and lead the people in establishing a state in which this law would be implemented.

Throughout the 1970s, Khomeini strove to deepen his following within the Hawza in Iran and to bring together varied groups on a platform of shared opposition to the shah. By the time he had been exiled from Iran, Khomeini already had a vast network of students (cf. Algar 1988, 280–82), and these, alongside new converts to his cause, were instrumental in mobilizing support for him in Iran and in forging ties among the college- and university-educated Iranians, Iranians studying and living abroad, and the bazaar merchants, on whose financial support the 'ulama had long depended. By 1978 the movement had coalesced around Khomeini, who returned to Iran in February 1979. The shah had left Iran in the face of massive popular demonstrations two weeks earlier. The monarchy was now abolished, Iran declared itself to be an Islamic Republic, and Khomeini's vision of the Islamic state guided by the *vali-ye faqih* (guardian jurist) defined the new constitution.

In analyzing Islamist movements and the pronouncements of their leaders, scholars and observers have often speculated on the sort of soci-

ety that would come about should the Islamists succeed in their political aspirations. The case of Iran is of signal importance not only because the Islamist movement here was led by the 'ulama rather than those educated in westernized colleges and universities—as has usually been the case in other Muslim societies—or because this movement had direct implications for long-established trends in Shi'i political theology. Its importance lies also in the fact that this movement actually succeeded in its professed objective of overthrowing the regime of the shah and replacing it with a radically different government. There was not much consensus on the movement's objectives beyond that, however. For all the reverence in which Khomeini was held as the galvanizing force behind the movement, not everyone expected that he would emerge as, let alone remain, the ultimate arbiter in all matters of public policy, or that the 'ulama would gradually come to consolidate their control over key political positions in the state, or that the consequences of being on the wrong side of the paths the state came to chart for itself would be quite so dire. And it was only after the revolution that Iranian women found themselves decidedly disadvantaged in relation to men in matters of marriage, divorce, and inheritance, as well as in the opportunities available to them in the public and political sphere.

Khomeini, of course, had pronounced on what he took an Islamic government to be long before the revolution, though it was in a highly specialized context that he had done so; and he would not have warmed up to having the implications of his arguments in those lectures elucidated to the rank and file of the revolutionary movement. Yet it is important to note that Khomeini's 1970 lectures themselves reveal a crucial ambiguity on the relationship between Islamic law and the Islamic state—an ambiguity that extends well beyond Khomeini's political thought to encompass Islamist discourses in other contexts as well. As Khomeini had put it in those lectures, God's law is there to be implemented, and it is the mandate, and the obligation, of the jurist to see that this is done with exactitude:

If a faqih wishes to punish an adulterer, he must give him one hundred lashes in the presence of the people, in the exact manner that has been specified. He does not have the right to inflict one additional lash, to curse the offender, to slap him, or to imprison him for a single day. . . . If a faqih acts in contradiction to the criteria of Islam (God forbid!), then he will automatically be dismissed from his post, since he will have forfeited his quality of trustee. (Algar 1981, 79)

Yet Khomeini had also argued that "Islam regards law as a tool, not as an end in itself. Law is a tool and an instrument for the establishment of justice in society, a means for man's intellectual and moral reform and his purification" (Algar 1981, 80). The latter statement obviously suggests a

much more malleable view of the sacred law than does the former; and it is this latter view that Khomeini would affirm shortly before his death. In early 1988, Khomeini was asked to intervene in a constitutional crisis that centered on the division of powers in the Iranian state. In a letter to 'Ali Khamene'i, then the president of Iran (and soon to be Khomeini's successor as the guardian jurist), Khomeini publicly rebuked him for taking too narrow a view of the powers of the government in relation to Islamic law. The scope of governmental authority, Khomeini now argued, is *not* constrained by stipulations of Islamic law:

I should state that the government, which is a part of the absolute vice-regency of the Prophet of God . . . is one of the primary injunctions of Islam and has priority over all other secondary injunctions, even prayers, fasting and *hajj*. . . . The government is empowered to unilaterally revoke any shari'ah agreements which it has concluded with the people when those agreements are contrary to the interests of the country or of Islam. It can also prevent any devotional or non-devotional affair if it is opposed to the interests of Islam and for so long as it is so. (quoted in Eickelman and Piscatori 1996, 50)

On this view, the state, as guided by the guardian jurist, was the arbiter of where the interests of Islam lay and how they were best served. Far from merely *upholding* the law, the edicts of the state became its most authoritative expression. This explicit collapsing of any clear distinction between Islam and Islamic law, on the one hand, and the will of the state, on the other, has to do with Khomeini's view of the extraordinary authority the supreme jurist enjoyed by virtue of his scholarly standing. It probably also has to do with Khomeini's lifelong immersion in Islamic philosophy and mysticism, which seems to have rendered God's purposes more transparent to him than the 'ulama have usually professed them to be.

The doctrine of the preeminent jurist's overarching authority has proved contentious among the Shi'i 'ulama. Muhammad Baqir al-Sadr of Iraq did, indeed, have a view similar to Khomeini's, and Sadr's writings had some influence on constitutional deliberations following the revolution in Iran (Mallat 1993). But other leading religious scholars in Iraq have remained notably cool to Khomeini's doctrinal innovations. In Iran, there were few explicit challenges to the velayat-e faqih while Khomeini was alive: the coercive powers of the revolutionary state were scarcely conducive to open debate on a doctrine that bore the imprimatur of the founding father. That there *were* some challenges at all is therefore especially significant, as is the fact that they came from some highly regarded scholars. Khomeini was under no illusions about the depths of opposition to his views within the Hawza. Already in his 1970 lectures, he had issued what amounted to an ominous warning to those who, unlike him, were committed to politically quietist views. They were "pseudo-saints" allied to "imperialists and . . . oppressive governments," he had said on

that occasion (Algar 1981, 141). "Our youths must strip them of their turbans," by which he meant that people should neither recognize them as accredited religious scholars nor permit them to perform their functions as such. "They don't need to be beaten much; just take off their turbans, and do not permit them to appear in public wearing turbans" (Algar 1981, 145). In 1982 Ayatollah Kazem Shari'atmadari (d. 1986), one of the highest-ranking religious scholars in the Qom establishment and a critic of Khomeini's doctrine of velayat-e faqih as well as of many of his policies, would essentially meet that fate after being accused of supporting a plot to overthrow the revolutionary regime.²

Doubts about Khomeini's doctrine were exacerbated by the question of his succession. Khomeini had anointed Husayn 'Ali Montazeri, one of his students and a respected scholar, as the guardian jurist after him. But shortly before Khomeini's death, Montazeri fell from favor on account of his criticism of some government policies, and it was 'Ali Khamene'i, not Montazeri, who came to succeed Khomeini. A key assumption underlying Khomeini's doctrine had been, of course, that the most learned jurist would occupy this position *and* that the stature of this scholar would be recognized not only in Iran—where it was anchored in the new constitution—but also by the Shi'a everywhere. Yet Khamene'i who, until Khomeini's death, was the president of Iran, was anything but preeminent as a religious scholar, which means that he has seldom been recognized as a religious authority outside Iran; and Iranians themselves have often looked to religious scholars elsewhere for their most revered authorities (see chapter 16 on Fadlallah). Even so, and as mandated by the Iranian constitution, the guardian jurist has continued to enjoy overarching religious and, by extension, political authority in Iran, not infrequently overruling the popularly elected Iranian president himself.

Since his death, Khomeini's doctrine has been vigorously debated in Iran (cf. Akhavi 1996; Arjomand 2002). The significance of this debate lies not only in that it concerns a major institution in contemporary Shi'ism or that participants have sometimes risked imprisonment and intimidation for engaging in it. Its significance consists also in the fact that, in its scope and implications, this debate has come to encompass questions well-beyond the velayat-e faqih: the debate is now also about the relationship between religious and political authority in general, about whether intellectual, social, political, and economic practices and institutions ought to be governed by religious norms at all, and about how foundational religious texts are to be interpreted (cf. Soroush 2000; Mir-Hosseini 1999; Kamrava 2008). If Khomeini's doctrine of velayat-e faqih had marked a major departure in the history of Shi'i Islam and had

²Khomeini's preoccupation with the threat posed by fellow scholars skeptical of his political theology is also in ample evidence in his *Last Will and Testament*. For the text of this document, see Khomeini n.d.

helped provide the theoretical justification for the Iranian revolution, it has also produced a rich, varied, and altogether unintended legacy of contestation in the contemporary Iranian public sphere—part of a varied phenomenon that some observers have characterized as “post-Islamism” (cf. Bayat 2007).

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 (e.g., the ordinances of the shari'a), has laid down a particular form of government together with executive and administrative institutions.

The Most Noble Messenger (peace and blessings be upon him) 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, his successor had the same duty and function. When the Prophet appointed a successor, it was not 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 would have failed to fulfill his mission if he had neglected it. For after the Prophet, the Muslims still needed someone to execute laws and establish the institutions of Islam in society, so that they might attain happiness in this world and the hereafter.

By their very nature, in fact, law 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 *vali amr*.

The sunna and path of the Prophet 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 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, 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, because the Most Noble Messenger 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 (upon whom be peace), was not 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. They were not revealed merely for the time of the Prophet, only to be abandoned thereafter, with retribution and the penal code of Islam no longer to 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. Because the 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 and the age of the Commander of the Faithful, 'Ali ibn Abi Talib (peace be upon them)—namely, the formation of a government and the establishment of executive and administrative organs.³

³'Ali ibn Abi Talib was the cousin and son-in-law of the Prophet Muhammad. He ruled as a caliph from 656 to 661. The Shi'a consider him as the first of their divinely guided imams and consider all other caliphs to have been illegitimate. The Sunnis regard him as the

In order to clarify the matter further, let us pose the following questions: From the time of the Lesser Occultation⁴ 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 Imam 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? Did God limit the validity of His laws to two hundred years? 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.

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 *jizya*, *kharaj*, *khums*, and *zakat*⁵ 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 (peace and blessings be upon him), 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 (upon whom be peace and blessings), both in the time of the caliphs and in that of

fourth of their four "rightly guided caliphs" (see note 9). When Khomeini speaks of the Commander of the Faithful—a designation used by the Sunnis for their caliphs in general—it is only 'Ali to whom he refers.

⁴The Twelver Shi'a believe that their twelfth imam, Muhammad al-Mahdi, disappeared in 874 and remains in hiding, whence he will reappear as a messianic figure, the *mahdi*, at some indeterminate time before the Day of Resurrection. The hidden imam is believed to have remained in sustained contact with four successive representatives during about seventy years following his disappearance. This period is known to the Shi'a as the Lesser Occultation. The period following the death of his fourth representative in 940 inaugurated the Greater Occultation, during which no one can legitimately claim to be in regular contact with the hidden imam.

⁵These are the designations of taxes mandated by Islamic law. *Jizya* is the tax imposed in early and medieval Islam on non-Muslim residents of Muslim lands. *Kharaj* was an early Islamic tax on agricultural lands; initially imposed only on lands held by non-Muslims, it later came to be extended to agricultural holdings in general. *Zakat* is an annual tax that all Muslims of means are required to pay on their accumulated wealth or their agricultural produce. And *khums*, according to Twelver Shi'ism, is an annual tax that Shi'is of means pay to their leading religious scholars.

the Commander of the Faithful (peace be upon him); and apparatus of government came into existence with administrative and executive organs.

The nature and character of Islamic law and the divine ordinances of the shari'a 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.

First, the laws of the shari'a embrace a diverse body of laws and regulations, 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 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 the goal of creating conditions conducive to the production of morally upright and virtuous human beings.

The Glorious Qur'an and the sunna contain all the laws and ordinances man needs in order to attain happiness and the perfection of his state. The book *al-Kafi*⁶ has a chapter entitled, "All the Needs of Men Are Set Out in the Book and the Sunna," the "Book" meaning the Qur'an, which is, in its own words, "an exposition of all things." According to certain traditions, the imam also swears that the Book and the sunna 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

⁶The Shi'a and the Sunnis regard different collections of hadith as authoritative. In case of the Shi'a, such collections include not only the words of the Prophet Muhammad but also those of their imams. *Al-Kafi*, compiled by Muhammad b. Ya'qub al-Kulayni (d. 941), is one of the most authoritative collections of Twelver Shi'i hadith.

established properly comprehensive administrative and executive organs. Let us now mention certain types of provision 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 (peace and blessings be upon him); 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 Shi'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 green grocer 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 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* 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, zakat (this, of course, would not represent an appreciable sum), jizya, and kharaj. . . .

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 nonimplementation of the Islamic political order. Then, all non-Islamic systems of government are the systems of *kufri*, because the ruler in each case is an instance of *taghut*,⁷ and it is our duty to remove from the life of Muslim society all traces of *kufri* 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 *taghut* and illegitimate power. The

⁷*Kufri*, which literally means "ungratefulness," is the standard Qur'anic term for unbelief. *Taghut* is also a Qur'anic term, meaning an "idol" and, more broadly, any symbol of ungodliness. In the course of the Iranian revolution of 1978–79, *taghuti* was a common way of referring to those viewed as opposed to the revolution. *Shirk*, a term Khomeini uses further below in this paragraph, is the standard Islamic term for any implicit or explicit contravening of *tawhid*, the oneness of God.

social environment created by taghut and *shirk* invariably brings about corruption such as you can now observe in Iran, the corruption termed "corruption on earth." This corruption must be swept away, and its instigators 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 sociopolitical 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 the taghut, 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 umma 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 a 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. 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 umma and 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 Fatima az-Zahra (upon whom be peace) 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 also 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 form 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 (upon whom be peace) entrusted to his two great offspring in his celebrated testament: "Be an enemy to the oppressor and a helper to the oppressed."

The scholars of Islam have a duty to struggle against all attempts by the 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 (upon whom be peace) 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 the 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.

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 Muslims 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 law of Islam, the practice of the Prophet (upon whom be peace and blessings) and that of the Commander of the Faithful (upon whom be peace), 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 imams, I now quote the following Tradition of Imam Riza⁸ (upon whom be peace):

'Abd al-Wahid ibn Muhammad ibn 'Abdus an-Nisaburi al-'Attar said, "I was told by Abu'l-Hasan 'Ali ibn Muhammad ibn Qutayba al-Naysaburi that he was told by Abu Muhammad al-Fadl ibn Shadhan al-Naysaburi 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, because 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, including doubt in the Muslims. For we see that men are needy and defective,

⁸Ali al-Riza (Arabic: Rida; d. 818) is the eighth imam of the Twelver Shi'a.

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, 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.

We have omitted the first part of the hadith, 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 their 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 congregational prayer, 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 imam 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 strive after

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, in the manner we have described, men would fall 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 imam (upon whom be peace), 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 (upon whom be peace) and that afterward, 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 serve this purpose? The same factors of necessity that led him to become the imam still exist; the only difference is that no single individual has been designated for the task. 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 innovation and the approval of anti-Islamic laws by sham parliaments 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. . . .

Islamic government does not correspond to any of the existing forms of government. For example, it is not a tyranny, where the head of state can deal arbitrarily with the property and lives of the people, making use of them as he wills, putting to death anyone he wishes, and enriching anyone he wishes by granting landed estates and distributing the property and holdings of the people. The Most Noble Messenger (peace be upon him), the Commander of the Faithful (peace be upon him), and the other caliphs did not have such powers. Islamic government is neither tyrannical nor absolute, but constitutional. It is not constitutional in the current sense of the word, that is, based on the approval of laws in accordance with the opinion of the majority. It is constitutional in the sense that the rulers are subject to a certain set of conditions in governing and administering the country, conditions that are set forth in the Noble Qur'an and the sunna of the Most Noble Messenger. It is the laws and ordinances of Islam comprising this set of conditions that must be observed and practiced. Islamic government may therefore be defined as the rule of divine law over men.

The fundamental difference between Islamic government, on the one hand, and constitutional monarchies and republics, on the other, is this: whereas the representatives of the people or the monarch in such regimes engage in legislation, in Islam the legislative power and competence to establish laws belongs exclusively to God Almighty. The Sacred Legislator of Islam is the sole legislative power. No one has the right to legislate, and no law may be executed except the law of the Divine Legislator. It is for this reason that in an Islamic government, a simple planning body takes the place of the legislative assembly that is one of the three branches of government. This body draws up programs for the different ministries in the light of the ordinances of Islam and thereby determines how public services are to be provided across the country.

The body of Islamic laws that exist in the Qur'an and the sunna has been accepted by the Muslims and recognized by them as worthy of

obedience. This consent and acceptance facilitate the task of government and make it truly belong to the people. In contrast, in a republic or a constitutional monarchy, most of those claiming to be representatives of the majority of the people will approve anything they wish as law and then impose it on the entire population.

Islamic government is a government of law. In this form of government, sovereignty belongs to God alone, and law is His decree and command. The law of Islam, divine command, has absolute authority over all individuals and the Islamic government. Everyone, including the Most Noble Messenger (peace be upon him) and his successors, is subject to law and will remain so for all eternity—the law that has been revealed by God, Almighty and Exalted, and expounded by the tongue of the Qur'an and the Most Noble Messenger. If the Prophet assumed the task of divine vice-regency upon earth, it was in accordance with divine command. God, Almighty and Exalted, appointed him as His vice regent, "the vice regent of God upon earth"; he did not establish a government on his own initiative in order to be leader of the Muslims. Similarly, when it became apparent that disagreements would probably arise among the Muslims because their acquaintance with the faith was recent and limited, God Almighty charged the Prophet, by way of revelation, to clarify the question of succession immediately, there in the middle of the desert. Then the Most Noble Messenger (upon whom be peace) nominated the Commander of the Faithful (upon whom be peace) as his successor, in conformity and obedience to the law, not because he was his own son-in-law or had performed certain services, but because he was acting in obedience to God's law, as its executor.

In Islam, then, government has the sense of adherence to law; it is law alone that rules over society. Even the limited powers given to the Most Noble Messenger (upon whom be peace) and those exercising rule after him have been conferred upon them by God. Whenever the Prophet expounded a certain matter or promulgated a certain injunction, he did so in obedience to divine law, a law that everyone without exception must obey and adhere to. Divine law obtains for both the leader and the led; the sole law that is valid and imperative to apply is the law of God. Obedience to the Prophet also takes place in accordance with divine decree, for God says: "And obey the Messenger" (Q 4:59). Obedience to those entrusted with authority is also on the basis of divine decree: "And obey the holders of authority from among you" (Q 4:59). Individual opinion, even if it be that of the Prophet himself, cannot intervene in matters of government or divine law; here, all are subject to the will of God.

Islamic government is not a form of monarchy, especially not an imperial system. In that type of government, the rulers are empowered over the property and persons of those they rule and may dispose of them entirely as they wish. Islam has not the slightest connection with this form and method of government. For this reason, we find that in Islamic government, unlike monarchical and imperial regimes, there is

not the slightest trace of vast palaces, opulent buildings, servants and retainers, private equerries, adjutants to the heir apparent, and all the other appurtenances of monarchy that consume as much as half of the national budget. You all know how the Prophet lived, the Prophet who was the head of the Islamic state and its ruler. The same mode of life was preserved by his successors until the beginning of the Umayyad period. The first two successors to the Prophet adhered to his example in the outer conduct of their personal lives, even though in other affairs they committed errors, which led to the grave deviations that appeared in the time of 'Uthman,⁹ the same deviations that have inflicted on us these misfortunes of the present day. In the time of the Commander of the Faithful (peace be upon him), the system of government was corrected and a proper form and method of rule were followed. Even though that excellent man ruled over a vast realm that included Iran, Egypt, Hijaz, and the Yemen among its provinces, he lived more frugally than the most impoverished of our students. According to tradition, he once bought two tunics, and finding one of them better than the other, he gave the better one to his servant Qanbar. The other he kept for himself, and because its sleeves were too long for him, he tore off the extra portion. In this torn garment the ruler of a great, populous, and prosperous realm clothed himself.

If this mode of conduct had been preserved, and government had retained its Islamic form, there would have been no monarchy and no empire, no usurpation of the lives and property of the people, no oppression and plunder, no encroachment on the public treasury, no vice and abomination. Most forms of corruption originate with the ruling class, the tyrannical ruling family, and the libertines that associate with them. It is these rulers who establish centers of vice and corruption, who build centers of vice and wine drinking, and spend the income of the religious endowments constructing cinemas.

If it were not for these profligate royal ceremonies, this reckless spending, this constant embezzlement, there would never be any deficit in the national budget forcing us to bow in submission before America and Britain and request aid for a loan from them. Our country has become needy on account of this reckless spending, this endless

⁹Uthman b. 'Affan (r. 644–56) was the third caliph to succeed the Prophet Muhammad. Together with Abu Bakr, 'Umar, and 'Ali, the Sunnis count him among the "rightly guided caliphs," while the Shi'a consider only 'Ali to have been a legitimate caliph. The murder of 'Uthman in 656 precipitated the First Civil War (fitna) in Islamic history, which ended with the death of 'Ali in 661 and the emergence of the Umayyad dynasty (661–750). Though the Shi'a have usually been highly critical of all three of 'Ali's predecessors, Khomeini here adopts a notably milder tone toward Abu Bakr and 'Umar—referred to here as the "first two successors of the Prophet"—than he does towards 'Uthman (cf. Algar 1985, 155). The latter has had a mixed reputation even among the Sunnis, and not just in early Islam but also in some modern Islamist circles. Mawdudi, for instance, was much criticized by many 'ulama for his criticism of 'Uthman on grounds of his political ineptitude. For one instance of such criticism, cf. Qaradawi 2005b, 47–49.

embezzlement, for are we lacking in oil? Do we have no minerals, no natural resources? We have everything, but this parasitism, this embezzlement, this profligacy—all at the expense of the people and the public treasury—have reduced us to a wretched state. Otherwise he [the shah] would not need to go all the way to America and bow down before that ruffian's desk, begging for help.

In addition, superfluous bureaucracies and the system of file keeping and paper shuffling that is enforced in them, all of which are totally alien to Islam, impose further expenditures on our national budget not less in quantity than the illicit expenditures of the first category. This administrative system has nothing to do with Islam. These superfluous formalities, which cause our people nothing but expense, trouble, and delay, have no place in Islam. For example, the method established by Islam for enforcing people's rights, adjudicating disputes, and executing judgments is at once simple, practical, and swift. When the juridical methods of Islam were applied, the shari'a judge in each town, assisted only by two bailiffs and with only a pen and an inkpot at his disposal, would swiftly resolve disputes among people and send them about their business. But now the bureaucratic organization of the Ministry of Justice has attained unimaginable proportions and is, in addition, quite incapable of producing results.

It is things like these that make our country needy and produce nothing but expense and delay.

The qualifications essential for the ruler derive directly from the nature and form of Islamic government. In addition to general qualifications like intelligence and administrative ability, there are two other essential qualifications: knowledge of the law and justice.

After the death of the Prophet (upon whom be peace), differences arose concerning the identity of the person who was to succeed him, but all the Muslims were in agreement that his successor should be someone knowledgeable and accomplished; there was disagreement only as to his identity.

Because Islamic government is a government of law, knowledge of the law is necessary for the ruler, as has been laid down in tradition. Indeed, such knowledge is necessary not only for the ruler but also for anyone holding a post or exercising some government function. The ruler, however, must surpass all others in knowledge. In laying claim to the imamate, our imams also argued that the ruler must be more learned than everyone else. The objections raised by the Shi'i 'ulama are also to the same effect. A certain person asked the caliph a point of law, and he was unable to answer; he was therefore unfit for the position of leader and successor to the Prophet. Or, again, a certain act he performed was contrary to the laws of Islam; hence, he was unworthy of his high post.

Knowledge of the law and justice, then, constitute fundamental qualifications in the view of the Muslims. Other matters have no

importance or relevance in this connection. Knowledge of the nature of the angels, for example, or of the attributes of the Creator, Exalted and Almighty, is of no relevance to the question of leadership. In the same vein, one who knows all the natural sciences, uncovers all the secrets of nature, or has a good knowledge of music does not thereby qualify for leadership or acquire any priority in the matter of exercising government over those who know the laws of Islam and are just. The sole matters relevant to rule, those that were mentioned and discussed in the time of the Most Noble Messenger (upon whom be peace) and our imams (upon whom be peace) and were, in addition, unanimously accepted by the Muslims, are: (1) the knowledgeability of the ruler or caliph, that is, his knowledge of the provisions and ordinances of Islam; and (2) his justice, that is, his excellence in belief and morals.

Reason also dictates the necessity for these qualities, because Islamic government is a government of law, not the arbitrary rule of an individual over the people or the domination of a group of individuals over the whole people. If the ruler is unacquainted with the contents of the law, he is not fit to rule; for if he follows the legal pronouncements of others, his power to govern will be impaired, but if, on the other hand, he does not follow such guidance, he will be unable to rule correctly and implement the laws of Islam. It is an established principle that "the faqih [jurist; plural: *fuqaha*] has authority over the ruler." If the ruler adheres to Islam, he must necessarily submit to the faqih, asking him about the laws and ordinances of Islam in order to implement them. This being the case, the true rulers are the fuqaha themselves, and rulership ought officially to be theirs, to apply to them, not to those who are obliged to follow the guidance of the fuqaha on account of their own ignorance of the law.

Of course, it is not necessary for all officials, provincial governors, and administrators to know all the laws of Islam and be fuqaha; it is enough that they should know the laws pertaining to their functions and duties. Such was the case in the time of the Prophet and the Commander of the Faithful (peace be upon them). The highest authority must possess the two qualities mentioned—comprehensive knowledge and justice—but his assistants, officials, and those sent to the provinces need know only the laws relevant to their own tasks; on other matters they must consult the ruler.

The ruler must also possess excellence in morals and belief; he must be just and untainted by major sin. Anyone who wishes to enact the penalties provided by Islam (i.e., to implement the penal code), to supervise the public treasury and the income and expenditures of the state, and to have God assign to him the power to administer the affairs of His creatures must not be a sinner. God says in the Qur'an: "My covenant does not embrace the wrongdoer" (2:124); therefore, He will not assign such functions to an oppressor or sinner.

If the ruler is not just in granting the Muslims their rights, he will not conduct himself equitably in levying taxes and spending them correctly and in implementing the penal code. It becomes possible then for his assistants, helpers, and confidants to impose their will on society, diverting the public treasury to personal and frivolous use.

Thus, the view of the Shi'a concerning government and the nature of the persons who should assume rule was clear from the time following the death of the Prophet (upon whom be peace and blessings) down to the beginning of the Occultation. It specified that the ruler should be foremost in knowledge of the laws and ordinances of Islam and just in their implementation. Now that we are in the time of Occultation of the Imam (upon whom be peace), it is still necessary that the ordinances of Islam relating to government be preserved and maintained and that anarchy be prevented. Therefore, the establishment of government is still a necessity.

Reason also dictates that we establish a government in order to be able to ward off aggression and to defend the honor of the Muslims in case of attack. The shari'a, for its part, instructs us to be constantly ready to defend ourselves against those who wish to attack us. Government, with its judicial and executive organs, is also necessary to prevent individuals from encroaching on each other's rights. None of these purposes can be fulfilled by themselves; it is necessary for a government to be established. Because the establishment of a government and the administration of society necessitate, in turn, a budget and taxation, the Sacred Legislator has specified the nature of the budget and the taxes that are to be levied, such as kharaj, khums, zakat, and so forth.

Now that no particular individual has been appointed by God, Exalted and Almighty, to assume the function of government in the time of Occultation, what must be done? Are we to abandon Islam? Do we no longer need it? Was Islam valid for only two hundred years? Or is it that Islam has clarified our duties in other respects but not with respect to government?

Not to have an Islamic government means leaving our boundaries unguarded. Can we afford to sit nonchalantly on our hands while our enemies do whatever they want? Even if we do not put our signatures to what they do as an endorsement, still we are failing to make an effective response. Is that the way it should be? Or is it rather that government is necessary, and that the function of government that existed from the beginning of Islam down to the time of the Twelfth Imam (upon whom be peace) is still enjoined upon us by God after the Occultation, even though He has appointed no particular individual to that function?

The two qualities of knowledge of the law and justice are present in countless fuqaha of the present age. If they would come together, they could establish a government of universal justice in the world.

If a worthy individual possessing these two qualities arises and establishes a government, he will possess the same authority as the Most Noble Messenger (upon whom be peace and blessings) in the administration of society, and it will be the duty of all people to obey him.

The idea that the governmental powers of the Most Noble Messenger (peace and blessings be upon him) were greater than those of the Commander of the Faithful (upon whom be peace), or that those of the Commander of the Faithful were greater than those of the faqih, is false and erroneous. Naturally, the virtues of the Most Noble Messenger were greater than those of the rest of mankind, and after him, the Commander of the Faithful was the most virtuous person in the world. But superiority with respect to spiritual virtues does not confer increased governmental powers. God has conferred upon government in the present age the same powers and authority that were held by the Most Noble Messenger and the imams (peace be upon them) with respect to equipping and mobilizing armies, appointing governors and officials, and levying taxes and expending them for the welfare of the Muslims. Now, however, it is no longer a question of a particular person; government devolves instead upon one who possesses the qualities of knowledge and justice.

When we say that after the Occultation, the just faqih has the same authority that the Most Noble Messenger and the imams had, do not imagine that the status of the faqih is identical to that of the imams and the Prophet. For here we are not speaking of status but rather of function. By "authority" we mean government, the administration of the country, and the implementation of the sacred laws of the shari'a. These constitute a serious, difficult duty but do not earn anyone extraordinary status or raise him above the level of common humanity. In other words, authority here has the meaning of government, administration, and execution of law; contrary to what many people believe, it is not a privilege but a grave responsibility. The governance of the faqih is a rational and extrinsic matter; it exists only as a type of appointment, like the appointment of a guardian for a minor. With respect to duty and position, there is indeed no difference between the guardian of a nation and the guardian of a minor. It is as if the Imam were to appoint someone to the guardianship of a minor, to the governorship of a province, or to some other post. In cases like these, it is not reasonable that there would be a difference between the Prophet and the imams, on the one hand, and the just faqih, on the other.

For example, one of the concerns that the faqih must attend to is the application of the penal provisions of Islam. Can there be any distinction in this respect between the Most Noble Messenger, the imam, and the faqih? Will the faqih inflict fewer lashes because his rank is lower? Now the penalty for the fornicator is one hundred lashes. If the Prophet

applies the penalty, is he to inflict one hundred, and the faqih fifty? The ruler supervises the executive power and has the duty of implementing God's laws; it makes no difference if he is the Most Noble Messenger, the Commander of the Faithful, or the representative or judge he appointed to Basra or Kufa, or a faqih in the present age.

Another of the concerns of the Most Noble Messenger and the Commander of the Faithful was the levying of taxes—khums, zakat, jizya, and kharaj on taxable lands. Now when the Prophet levied zakat, how much did he levy? One-tenth in one place and one-twentieth elsewhere? And how did the Commander of the Faithful proceed when he became ruler? And what now, if one of us becomes the foremost faqih of the age and is able to enforce his authority? In these matters, can there be any difference in the authority of the Most Noble Messenger, that of 'Ali, and that of the faqih? God Almighty appointed the Prophet in authority over all the Muslims; as long as he was alive, his authority extended over even 'Ali. Afterward, the imam had authority over all the Muslims, even his own successor as imam; his commands relating to government were valid for everyone, and he could appoint and dismiss judges and governors.

The authority that the Prophet and the imam had in establishing a government, executing laws, and administering affairs exists also for the faqih. But the fuqaha do not have absolute authority in the sense of having authority over all other fuqaha of their own time, being able to appoint or dismiss them. There is no hierarchy ranking one faqih higher than another or endowing one with more authority than another.

Now that this much has been demonstrated, it is necessary that the fuqaha proceed, collectively or individually, to establish a government in order to implement the laws of Islam and protect its territory. If this task falls within the capabilities of a single person, he has personally incumbent upon him the duty to fulfill it; otherwise, it is a duty that devolves upon the fuqaha as a whole. Even if it is impossible to fulfill the task, the authority vested in the fuqaha is not voided, because it has been vested in them by God. If they can, they must collect taxes, such as zakat, khums, and kharaj, spend them for the welfare of the Muslims, and also enact the penalties of the law. The fact that we are presently unable to establish a complete and comprehensive form of government does not mean that we should sit idle. Instead, we should perform, to whatever extent we can, the tasks that are needed by the Muslims and that pertain to the functions an Islamic government must assume.

Chapter 7

MUHAMMAD BAQIR AL-SADR

1934–1980

MUHAMMAD BAQIR AL-SADR was among the most prominent symbols of Shi'i resistance to the Saddam Hussein regime, at whose hands he was executed in 1980. He was a major proponent of the view that Islam has a coherent body of teachings governing all aspects of economic life, that these teachings are distinct from other economic systems, and that putting them into effect is among the crucial markers of an Islamic state. Like his contemporary Ayatollah Khomeini, but unlike many other Shi'i religious scholars of his time, Sadr also argued that the Shi'i 'ulama ought to provide active political leadership to the community in facing the challenges confronting it and, indeed, that an Islamic state was best led by none other than the most learned of the jurists.

Sadr was born in Kazimiyya, in Iraq, in 1934. His was a family of religious scholars and, like them, he received all his education in Najaf. With its many madrasas, collectively known, like those of Qom in Iran, as al-Hawza al-'ilmiyya (the enclave of learning), Najaf is a major center of advanced Shi'i religious learning. It is also the burial place of 'Ali ibn Abi Talib (d. 661), the cousin and son-in-law of the Prophet Muhammad, whom the Shi'a consider to be the first of their divinely guided imams. The study of Islamic law has long been at the center of madrasa learning in both Shi'i and Sunni Islam, and it is in terms of a scholar's legal acumen, his ability to arrive at legal rulings in his own right (ijtihad), that one's standing is typically determined in the Shi'i scholarly hierarchy. The twentieth century witnessed several efforts, in both Iraq and Iran, to reform educational practices in the Hawza (cf. Zaman 2007a, 242–52). Sadr was educated at an institution representing such efforts toward introducing its students to modern, Western sciences alongside the traditionally Islamic ones. During much of his career, Sadr, too, sought to make Shi'i learning responsive to what he took to be the demands of his contemporary age. Despite considerable misgivings about his critique of the Hawza and his political involvements, his scholarly standing came to be well recognized within the Hawza establishment; and by the time of his death, he was among the most authoritative of the Shi'i religious scholars.

In Najaf in the 1950s and the 1960s, no challenge seemed more grave than that represented by the appeal of Marxism to young Muslims, in Iraq and elsewhere and, indeed, in the Hawza itself. In two early works—*Falsafatuna* (Our Philosophy [first published in 1959]) and *Iqtisaduna*