



UNIVERSITI PUTRA MALAYSIA

AYATOLLAH KHOMEINI'S THOUGHT ON ISLAMIC GOVERNMENT

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By

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To The Sprite of God: Ayatollah Khomeini



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of the requirement for the degree of Doctor of Philosophy

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Ayatollah Khomeini Islamic government theory appeared in contrary with almost all governmental theories in the history of Shi'a school of thought. His insist over necessity of establishment of Islamic government, the role he recognized for the jurists as administrators of Islamic country, the dimension of power he portrayed for the jurists, made his theory more unique and controversial. During a half of century from writing of his first political book in 1943 till his death in 1989 in the position of supreme leader of Islamic Republic of Iran, he gradually formed, developed, revised and formulated his Governance of the Jurist theory. Therefore, the first objective of the study is to understand the theoretical framework of Ayatollah Khomeini's governmental thought and how this framework affected his theorizing. The second objective aims to identifying the main structure of the theory and mutual interactions between different elements of it. To do this, research goes beyond available literature on Ayatollah Khomeini; to not only present his theory, but to reveal its underlying structure. The researcher by using Meta-theorizing as a means of attaining a deeper understanding of theory (Mu) and dealing with two dimensions of internal-social and



internal- intellectual factors focused on revealing the role of social and historical events and elements as well as intellectual factors in formulating of his thought.

The findings revealed that Ayatollah Khomeini approached the subject of Islamic government from an interdisciplinary approach: philosophical mystical, jurisprudential and political approaches. It was philosophy and mystic that convinced him manifestation of perfect human beings as caliphs of God in the earth is possible. Jurisprudence brought him to the conclusion that implementation of divine ordinance (Shari'a) make ground to educate, reform and manifest of perfect human being, paving the way for temporal and spiritual salvation. By politics he believes that existence of none or anti Islamic government and unjust political order are the main impediments to implementation of Shari'a and divine ordinance. All these convinced him that establishment of Islamic government under guidance of Guardian of Jurist is necessity.

The research revealed that he by invoking to both transmitting and intellectual reasons tried to justify his belief about divine right of the jurist in administration of Islamic country and at the same time believed to dual structure of legitimacy (divine – popular) in defining the role of people in administration of the country.

The internal-social factors as his background (family, religion and education) and his intellectual pursuits (activities and intellectual connections), leaved an undeniable effect on his thought and formulated the social and political structure of his thought. Moreover, the internal-intellectual factors as the dominant paradigms and schools

both classic and contemporary in study of Islamic government affected and formulated the intellectual or the cognitive structure of his thought.

In conclusion, Ayatollah Khomeini's Islamic government theory which formed, developed and formulated in the course of time, mainly is result of influential social, political and intellectual factors that he was affected by in his life time. Catching to underlying structures of theory as well as the foundations of thought, could be possible only by undertaking holistic and comprehensive study of both theory and theorist.

Abstrak tesis yang dikemukakan kepada Senat Universiti Putra Malaysia
sebagai memenuhi keperluan untuk ijazah Doctor of Philosophy

PEMIKIRAN AYATOLLAH KHOMEINI TERHADAP KERAJAAN ISLAM

Oleh

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Teori kerajaan Islam Ayatollah Khomeini adalah bercanggah dengan kebanyakan teori kerajaan lampau di dalam sejarah Sekolah Pemikiran Shi'a. Desakan beliau terhadap kepentingan penubuhan kerajaan Islam, pengiktirafan ulamak sebagai pentadbir negara Islam, bidang kuasa yang diilhamkan oleh beliau untuk ulamak perundangan telah membuatkan teori beliau sangat unik dan kontroversi. Selama separuh abad daripada tarikh beliau mula menulis buku berkisarkan politik pada tanggal 1943 sehingga tarikh kewafatan beliau pada tahun 1989 sebagai pemerintah terulung Republik Islam Iran, beliau secara beransur-ansur telah menubuhkan, membangunkan dan menyemak bidang kuasa beliau terhadap Objektif Urus Tadbir Ulamak. Oleh itu, objektif pertama dalam kajian ini adalah untuk memahami secara teori rangka kerja pemikiran kerajaan beliau dan bagaimana rangka kerja ini mempengaruhi beliau dalam membuat teori. Teori kedua dalam kajian ini ialah untuk mengenal pasti struktur utama teori tersebut dan kaitan yang sama dalam hubungan dengan elemen-elemen lain dalam teori berasingan. Dalam usaha meneruskan kajian ini, kajian dilakukan menjangkau artikel-artikel sedia ada mengenai beliau, yang

bukan sahaja untuk menerangkan teori beliau tetapi untuk mendedahkan struktur teori tersebut dengan lebih mendalam.

Penyelidik telah menggunakan ‘Meta-theorizing’ sebagai salah satu alat untuk mendapatkan kefahaman mendalam tentang teori (Mu), dan perhubungan dua dimensi dengan faktor sosial dalaman dan faktor intelektual dalaman yang memfokuskan pendedahan terhadap fungsi sosial dan peristiwa bersejarah, dan juga faktor-faktor intelektual yang membentuk cara pemikiran beliau.

Dapatan daripada kajian ini menunjukkan beliau telah melakukan pendekatan terhadap subjek kerajaan Islam daripada gabungan pelbagai disiplin, falsafah-mistikal, kaedah jurispruden dan pendekatan politik. Pendekatan politik dan mistik yang akhirnya meyakinkan beliau tentang manifestasi manusia sebagai khalifah Allah yang syumul di muka bumi sebagai sesuatu yang tidak mustahil. Aspek jurispruden telah membawa beliau kepada satu kesimpulan bahawa pelaksanaan hukum Shari’a akan membentuk asas kepada pendidikan, perubahan dan manifestasi manusia yang syumul, lantas membuka agenda baru untuk hal duniawi dan usaha membersihkan rohani. Dari segi politik, beliau percaya dengan wujudnya kerajaan tanpa berteraskan Islam akan menyebabkan kepada politik yang tidak adil yang seterusnya menjadi penghalang kepada undang-undang Shari’a dan undang-undang Allah. Semua faktor ini akhirnya meyakinkan beliau akan kepentingan penubuhan kerajaan Islam di bawah bimbingan ulamak dan pakar perundangan Islam.

Kajian juga menunjukkan usaha beliau menyebarkan kaedah intelektual dan juga cuba untuk memberikan justifikasi kepercayaan beliau tentang hak-hak ulamak dan

pakar perundangan Islam dalam pentadbiran negara Islam, dan pada waktu yang sama percaya dengan struktur dwi-kesahan (kuasa arash) dalam mendefinisikan fungsi manusia pada peringkat pentadbiran kerajaan.

Faktor sosial dalaman seperti latar belakang beliau (keluarga, agama dan pendidikan) dan juga langkah intelektual beliau (kaitan aktiviti intelektual), telah meninggalkan kesan yang jelas terhadap corak pemikiran beliau dan telah merumuskan struktur sosial dan politik pemikiran beliau. Selain daripada itu, faktor intelektual dalaman bertindak sebagai paradigma dominan, dan juga sebagai faktor utama dalam sekolah pengajian kerajaan Islam, baik secara kontemporari atau pun klasik; telah mempengaruhi dan merungkap corak intelektual dan struktur kognitif pemikiran beliau.

Sebagai kesimpulan, teori kerajaan Islam Ayatollah Khomeini yang dibentuk, dibangunkan dan dirumuskan dalam sejarah adalah disebabkan pengaruh sosial, politik dan faktor intelektual yang banyak mempengaruhi beliau sepanjang hidup. Merungkap kembali struktur dalaman teori tersebut dan juga asas kepada pembentukan pemikiran ini, perkara ini adalah mustahil hanya dengan langkah kajian yang holistik dan komprehensif dilakukan terhadap kedua-dua aspek kajian dan teori.

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This thesis submitted to the Senate of Universiti Putra Malaysia and has been accepted as fulfillment of the requirement for the degree of Doctor of Philosophy.
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I hereby declare that the thesis is based on my original work except for quotations and citations which have been duly acknowledged. I also declare that it has not been previously or concurrently submitted for any other degree at UPM or other institutions.

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CHAPTER ONE

INTRODUCTION

1.1. Opening Statement

This chapter set out the theoretical background of the subject of Islamic government in Shi'a political jurisprudence and discusses the research problem, research question, objectives, and methodology.

1.2. The Background

Since the time of the Holy Prophet's demise, the most controversial issue in Islamic community was dispute over general characters and qualifications of his successors and mode of succession of power. Another polemical issue was acceptable or desirable model of government based on the Quran, Holy Prophet Sayings and traditions. Islamic philosophers, scholars and jurists had a great contribution on this issue that resulted in formation of different and in some case, contradictory theories. It was a general believe that after Prophet's demise, Islamic society experienced a true model of government only for thirty years and after that it changed to a monarchy system. Islamic scholars with different theological, juridical, philosophical and political perspective, attempted to portray a desirable or acceptable model of government in the Islamic world. Their attempts were concentrated on finding response to three logic questions: 1- Who should govern? 2- How should be



governed? And 3- What are the mutual rights and duties of people and power holders? Thinkers and jurists of Sunni school of thought believed that Holy Prophet did not appointed any successor for himself and the right of people for selecting Islamic Community rulers after his demise is recognized for the people. Despite consensus among this group of ulama in above mentioned issue, the deep controversy appeared about the method of electing or appointing of Imam or caliph, his qualifications, method of appointing successor, method of grabbing power, duties of caliphs and mutual rights and duties of people and caliphs. The result was formation of different sects such as Kharijis, Zaydis, Murjiis, Qadaries and Mutazila in Islamic community in early centuries of Islam. Muslim jurists such as Al-Baqillani (d. 1013), Al- Baghdadi (d. 1037), Al. Mawardi (d. 1058), Al- Juwayni (d. 1085), Al Qazzali (d. 1111), Ibn- Taymiyya (d. 1328) played a unique role in the polemic and tried to find the best replies according to the interpretation of Quran, tradition and sayings of Holy Prophet and time circumstances. They focused mostly on the qualifications of the Caliph and his duties. They viewed the issue from different perspective: juridical, ethics, philosophy and politics. Despite primary developments of political thought among Muslim thinkers till medieval age, because of some internal and external factors in the Islamic world, political thought and political philosophy in recent centuries gradually experienced a kind of stagnation, without a noticeable progress and innovation. In the middle of 19th century the shadow of political development in western countries and familiarity of Muslim thinkers with new political terms such as justice, separation of power, freedom, law and right of people in determine their political destiny, new political theories were



presented by Muslim scholars. All these theories despite some fundamental differences had consensus over necessity of a deep reform and establishment of a new political order in Islamic countries. They tried to portray new forms of government according to the need of respective societies. The researcher will deal with the issue more elaborately in chapter 2 and 3.

The process of formation and formulation of political thought among Shi'a scholars and thinkers had fundamental differences with other Muslim sects. Their believe in two principles of imamate and occultation of infallible Imam and the postulation that leader of Islamic community as successor of Holy Prophet must be infallible, caused undeniable result in the process of formation and development of Shi'a political thought. Denouncing each kind of efforts or uprising to form and establish an Islamic government in occultation era, resulted in lowest amount of deliberation in the issue of political thought among Shi'a jurists till the last century. They mostly concentrated their endeavor to deliberate and develop personal jurisprudence. We must add to this reason unfavorable political and social condition prevailing over Islamic countries in the past and the dominance of the tyrannical ruling that made it impossible to touch upon such discussion.

Why did Shi'a scholars and jurists have the lowest amount of participation in issue of political thought in the Islamic world? The first reason is that Shi'a as a minority in Sunni dominated Islamic society did not have chance and neither interest to take part in political affairs. Based on Shi'a believes, after death of Imam Ali, all governments



in Islamic societies were unjust, illegitimate and tyrannical. Hence, they strongly tried to avoid each kind of collaboration with them, except in some particular cases. The second reason is that Islamic societies in most part of its history experienced a kind of authoritarianism, culminating in weakness and stagnation in process of political and intellectual development, especially in part of political thought in Islamic world. So Shi'a jurists felt no need to deliberate and discuss issues relevant to state and government. Until 19th century, seem a kind of idealism and ignorance of social and political realities was dominated among Shi'a jurist. Until the last century, Shi'a scholars never dealt with political affairs as an independent subject. They dealt with political issues on some limited judicial discussions like "enjoin good and prohibition evil", administration of judgment, Islamic punishment, trade and so on. There was no independent debate about guardianship and government in Shi'a jurisprudence. For Shi'a scholars the main question about government was who must govern, not how it must be governed.

Establishment of Safavid Shi'a dynasty in 16th century in Iran resulted in the expansion of jurist's social power, and the first signs of change appeared in their attitudes toward politics. Muhaqiq Karaki (d.1533) prominent figure of Safavid era is the first Shi'a jurist that rudimentary signs of formation a political thought about government appeared in his work. According to him, the scope of jurist guardianship is beyond religious affairs and they have guardianship and authority in all instances where the Prophet and Imams are authorized and assigned as guardian. The first jurist that elaborately dealt with the issue of the Jurist Governance (velayate faqih)

and made it an independent topic in juridical book was Mulla Ahmad Naraqī (d.1832), an accomplished scholar during Qajar dynasty. He dealt with this subject in his book, *Awaid al Ayyam* more detailed than the others. He asserted that administration of people's worldly affairs is the jurist's duty. His remark could be addressed as the first stress about jurist political guardianship.

Constitutional Revolution in 1905, resulted in entering new political concepts like freedom, justice, human right, supervisory, tyranny, separation of power, vote and so on to the political literature of the country and made a huge intellectual debate among political thinkers and activists. To response new situation and new questions, Shi'a jurists were divided into two main groups; the first group included of jurists with traditional approach and emphasis over illegitimacy and illegality of all kinds of governments in occultation era and believes to limit cleric's responsibility for administration of legal and religious affairs. But in contrary a second group also formed by revisionist clerics that believed in jurist universal guardianship. Ayatollah Naeini's (d.1936) thoughts and works as a prominent clergy during constitutional revolution is regarded as a turning point and eye-catching progress in the evolution of new discourse. He was the first Shi'a jurist who called for confining tyrannical government power. According to him, in occultation era of infallible Imam, due to the need of people, society and country, existence of government to protect order and enforcement of justice in the society is necessary and therefore acceptable. The main criteria in assessment of this government legitimacy or illegitimacy is accommodation of their practice based ordinances of Qur'an, religious teaching,

justice and respect to people's rights in monitoring and accounting government power and function.

Ayatollah Khomeini's political thought and manner was in contrast with Ayatollah Naeini's political approach. According to Ayatollah Khomeini, only legitimate and acceptable form of government in occultation era is government of the jurist as deputyship of the Shi'a last Imam. He stressed that the scope of jurist authority is beyond religious affairs and they enjoy absolute political authority and guardianship. Nowadays, the scope and depth of his thoughts impacts not only in Shi'a political thought, but it is visible in entire Islamic world. One of the main factors that contributed in rising political Islam and Islamic resurgent movement are his revolutionary ideas. Today most part of his governmental - political thoughts are in inner circle of debate about relation between religion, politics and democracy in Shi'a and Islamic world. According to him, governance of the jurist is foundation of political order and main pillar of political system in occultation era. Islam needs government for enforcement of a great part of its precepts. Therefore, establishment of Islamic government and making its ground, such as objection to injustice and struggle versus tyranny governments are jurist's obligation and supporting jurist in this way is Muslims religious duty (Khomeini, 2005: 78).

What can be labeled as the most important distinction of his political theory is the scope of power he portrayed for jurists. He is the first Shi'a jurist that used the term "Islamic government" in a juridical book (Khomeini, 1988: 490) and emphasized

that Shi'a jurists are authorized and assigned in all stances where Prophet and Imams had been authorized and assigned as guardians except in cases, where it has been excluded due to religiously legal requirement (Khomeini, 1988: 472 - 483). This part of his theory and his remarks about the scope of Prophet and Imam's guardianship caused juridical debate in Shi'a religious seminaries. He also came out with a new interpretation of enjoin good and prohibition evil. He asserted enjoin good and prohibition evil for protection and enforcement of Islamic precepts and decrees which are necessary and obligatory, even in terms it leads to injuring enjoiner. He asserted the existence of tyrannical and non Islamic government is the worst kind of evil. The quiet of clergies and people, if it leads to consolidation of their powers, is forbidden (Khomeini, 1988: 482). According to him not only administration of Islamic government is the right and duty of jurists but also making social and political ground ready to achieve this goal, is their religious and rational duty (Khomeini, 1988: 482).

Since presenting his theory, several other parallel political theories have been presented by Shi'a clergies in Iran, Iraq and Lebanon. Theories of Jurist General Guardianship, theory of "Council of Marjas General Guardianship", theory of "Authority of People with Supervisory of Jurists", theory of "Selected Islamic Government" and theory of "Selected Jurist Guardianship" are among (Kadivar, 2001: 80 & 97 & 127 & 141 & 159). These theories despite having different approaches over the scope of jurists' guardianship, quality of people and government mutual relation and foundations of legitimacy in Islamic government system have all



consensus over necessity for establishment of Islamic government as a fundamental principle, which is a focal point of Ayatollah Khomeini's theory. He played a unique role in development of political thought in Islamic world in the 20th century. His theory enjoys such a depth, coherence and comprehensiveness that could not be addressed in the other jurist's theories before him. He directed all his efforts to resolve the cultural, social and political problem of Islamic society within the framework of Islamic government. Compared with other Muslim thinkers in recent decades, the main concepts and definitions of Ayatollah's approach to Islamic government as well as its structure and functions still needs to be examined and understood. He developed his approach to Islamic government by presenting a viable recipe to cope with social and political backwardness in Islamic society and believed that salvation of people in this world and hereafter could be guaranteed only by establishment of Islamic government and enforcement of religious precepts.

During half of century, from writing his ever first political book, *Kashf al Asrar* (the revealing of secrets) in 1943 till his death in 1989, Ayatollah Khomeini gradually developed and expressed his political ideas in form of books, letters, statements, speeches, interviews, seminary courses, governmental orders, legal verdicts (fatwa), etc. At this long time, his theory gradually developed and revised with social and political changes in Iran and other Islamic countries, his exile to Turkey and Iraq, the years of struggle against Shah, formation and triumph of Islamic Revolution, establishment of Islamic Republic in Iran and taking office as the leader of the country, and specially in the time that he was confronted with challenges and



difficulties of administration of the country. Therefore, an in-depth and comprehensive grasp of the theory is also dependent to focus on this process of formation, evolution and amendment which had been made in his thought as well as different factors that influenced the formulation and development of his approach to the Islamic Government theory. Without focusing on different social, political and intellectual factors that influenced formulation and development of his political - juridical thought, researchers are not able to grasp, portray and address different aspects of his Islamic government theory. The result of researches that tried to examine the theory without caring this reality, especially about concepts such as structure of power, legitimacy, mutual rights and duties of people and government in an Islamic government system have appeared partial, contradictory and unreliable. However, little heed, if any, has been given to the fundamental theoretical framework and underlying structure of Ayatollah's approach in Islamic government.

1.3. Statement of the Problem

Ayatollah Khomeini formed and developed his thought in a way that was in contrary with the thought of most of his predecessors. His Islamic government theory showed significant differences with the main lines of those groups of the Shi'a jurists that deliberated in the issue of Governance of the jurists (velayate faqih) before him. He believed to the exclusive right of the ulama in political administration of the Islamic countries and was the first jurist to call for the establishment of Islamic government and made it, a must for both ulama and individuals (Khomeini, 2005). He also



portrayed an absolute dimension of authority and guardianship for the jurist as the leader of Islamic community which goes beyond political and administrative sphere and in some case includes the private sphere of citizen life. Ayatollah Khomeini in his juridical and political works, spelt out that only governance of the jurist is legitimate and acceptable form of government in the occultation era.

He developed his governmental theory during half of a century from writing of his ever first political book, *Kashf al Asrar* till presenting Islamic government theory in *Islamic Government* book in 1970 and then formulated it according to time circumstance and his experiences in years of the revolution and leading of the country till his death in 1989. In the course of time he made some significant changes in the theory and developed and formulated it according to his political and social experiences, time circumstances as well as influence of some intellectual factors and personalities. These changes made the understanding of his theory for researchers more difficult and in some issues such as foundation of legitimacy and mutual right of people and leadership in Islamic government system, absolutely controversial. Some researchers (Kadivar, 2001 & Barzouni, 1998) by analyzing of Ayatollah's political and juridical works come to this conclusion that he had belief to divine legitimacy of velayate faqih system and deny any role for people in the process of legitimizing Islamic government. In contrary, some other researchers (Bejnurdi, 1998 & Eskandarian, 1998) by deliberation in Ayatollah's thought have challenged the validity of the first group conclusion and strongly alleged that he considered an