

The Institution Of Wilayat Al-Faqih: Roots Of Its Legitimacy According To The Shi'i Imami Doctrine

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This text gives an overview of the institution of Wilayat al-Faqih. Its aim is to show the source of its legitimacy and authority, the type and limit of authority, and the difference between Marja'iyyah and Wilayat al-Faqih, as a continuation of the office of Imamate.

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The Institution Of Wilayat Al-Faqih: Roots Of Its Legitimacy According To The Shi'i Imami Doctrine

Abbas Ali Shameli

Abstracts

In this paper, I have tried to have a quick look at the roots of legitimacy of the institution of *Wilayat al-Faqih*. The very source of legitimacy and authority, type and limit of authority and the difference between *marja'iyyah* and *Wilayat al-Faqih* are the most important aspects in this paper. One very important aspect of divine positions such as prophet-hood and Imamate is to distinguish between legitimacy and the right to rule and the issue of actual authority which might be exercised in a particular society. My main discussion in this paper is to show the roots of legitimacy of *waliy al-faqih* authority as a continuation of the office of Imamate. However, social acceptance and real authority among the people is something which totally requires people's agreement and cooperation.

The first step in our discussion is to clarify the real meaning of *wilayat* and *faqih*. Next, we need to seek the real foundations which indicate the correlation between the two terms. When we talk about legitimacy, we are seeking to justify the authority of an authorized *faqih* who takes the position of leadership. What is the reason for ruling over others? Why should people obey an Islamic ruler? Accepting the main idea of *faqih's* governance, the scope and the way to establish it has been discussed among Shi'i scholars. Nonetheless, the theory came to be practiced in the Islamic Republic of Iran by

Imam Khumayni's efforts. He not only reconstructed the doctrine in his various writings, but also exercised it through the last phase of his life. Iran has experienced this doctrine along more than three decades to show the Imami nature of Islamic socio-political thought.

Key Terms: Legitimacy, authority, *Wilayat al-Faqih*, *marja'iyyah*, Islamic leadership.

Introduction

Based on an Imami point of view, the earth will not be empty even for a moment of God's proof (*Hujjat Allah*) who holds the office of human guidance (Calmard 1991, p. 549.) After the greater occultation of the Twelfth Imam a question has been raised. While the infallible Imam is hidden, who performs his tasks and takes care of the *Shari'ah*? If the *Shari'ah* is to have its effective role, who possesses the authority to interpret, apply and take care of it in society? Needless to say, in a religious society in which the majority of the citizens believe in *Shari'ah* as a divine law which forms all aspects of life, all these questions have to be answered.

The issue will be more controversial if we consider the institute of *Wilayat al-Faqih* not as a subsystem among other social subsystems but the one which incorporates socio-political systems. According to an Imami idea, all functions of the Imam have to be undertaken by the institute of *Wilayat al-Faqih*. In the history of Shi'i thought there have been various opinions regarding the functions which can be performed by a *faqih* in the absence of the infallible Imam. After the establishment of the Safavid empire, a wave of conflicts arose between the state and the institution of *Ulama'* due to the extension of the authority which can be held while the Imam is hidden. In modern times also, the tension has continued to be experienced between those who believe in a democratic type of political authority and those who insist on the doctrine of *Wilayat al-Faqih* as the best possible alternative in the period of the absence of the infallible Imam.

In this paper, I have tried to have a quick look at the roots of legitimacy of the institution of *Wilayat al-Faqih*. The very source of legitimacy and authority, type and limit of authority and the difference between *marjaiyya* and *Wilayat al-Faqih* are the most important aspects in this paper.

Foundations Of Shi'i Political Thought

Despite other terms such as *Marja al-taqlid*, *mujtahid al-mutlaq*, *mujtahid al-alam* or *naib al-Imam*, *waliyy al-faqih* is a term which implies, in addition to what is included in previous terms, a type of political authority. This implication relates this institution, on the one hand, to temporal authority, as a state or government, and on the other hand to the people, the subjects of authority.

Unlike secular societies in which the political authority is separated from religious institutions, Muslims generally and Imamis in particular, consider Islam as a whole system which incorporates various subsystems dealing with all facets of life. Elaborating this ideological cornerstone, we have to give the

foundations of Islamic political thought.

1. God's sovereignty: since Allah is the creator of the universe, he is the owner of the whole creation and has the right to rule over his creatures. Several verses in the Qur'an bear this foundation. In Qur'an, we see:

"There is no sovereignty but for Allah." (12:40, 12:67 and 6:57).

According to this principle, the legitimacy of all powers and authorities should derive from Allah. This may be the reason that the Qur'an emphatically says:

"Say: O Allah, Master of the Kingdom! Thou givest the sovereignty to whomsoever Thou pleasest and takest away the sovereignty from whomsoever Thou pleasest." (Qur'an, 3: 26).

2. Human Freedom: according to the Islamic point of view human beings comprehensively are free from any obligation or forceful authority imposed by other human beings. Basically no one has authority upon others unless what God designated (Naraqj, 1985, p. 185.) The first Imam, ʿAli b. Abi Talib, says: "...do not surrender to the others, while God has created you a free creature." (Nahj, letters, 31) If the basic principle is one's freedom, every sovereign needs legitimate authorization.

3. Comprehensiveness of *Shari'ah*: apart from its particular world view which opens a new gate through which human eyes can observe the existential link between the whole universe and the Creator and a system of values based on this world-view, Islam is a system of interrelated rules regarding worldly and spiritual, social and individual facets of human life. Nothing according to this principle can be out religion. All events in human life have a given law, whether particularly or under a more general law, in the *Shari'ah*. This is supported by Qur'an, which says:

"We have revealed the Book to you explaining clearly everything." (16: 89).

Considering the above-mentioned foundations, it will be a fair conclusion to say that all aspects of human life including the political authority should be dealt with in the domain of religion. Nevertheless, it is the duty of the Islamists to develop a political subsystem depending on the totality of *Shari'ah*. If, ultimately all sovereignty derives from Allah, how can we demonstrate the jurist's legitimate authority in order that he may be able to lead the society in all its aspects?

The Hierarchy Of Political Authority

Speaking about legitimate guardianship of *faqih*, one has to re-consider the hierarchical structure of all legitimate authorities in Islam. God as the Creator and the owner of existence sends his great prophets with the authority of absolute guardianship. This authority was sealed in the last prophet, the Prophet Muhammad. Based on an Islamic world-view, God's sovereignty is more authoritative even than what every person bears upon himself. This superiority is vertically given to the great prophets. Based on this

foundation, we may have a better understanding of what is expressed in Qur'an:

“The prophet has a greater claim on the faithful than they have on themselves.” (33:6).

By this principle, Islam differs from a democratic political system. No one, even the person him/herself, has a greater claim upon him/herself than God.

Prophethood incorporates two different positions. As well as guidance and divine instructions, leadership and sainthood is what prophets such as Ibrahim, Moses, Jesus and Muhammad were divinely possessed of. The second position is considered the hidden aspect of prophethood and higher in rank. Acquiring that position, according to the Qur'an, requires passing successfully some divine examinations. This is stated in Qur'an, which clearly says:

“And when his Lord tried Ibrahim with certain words, and he fulfilled them, He said: I will make you an Imam of human beings.” (2: 124).

Accordingly, the office of Imamate was given to some prophets who were able to pass God's tests (divine examination). This is why the young and untested prophets who are not considered as perfect human beings lacked the position of Imamate and sainthood. (Mutahhari 1980, p. 114–15).

After the Prophet Muhammad there was the problem of succession. Who could undertake the Prophet's responsibility in socio-political affairs? Shi'i and Sunni schools departed from one another on this very crucial point. Shi'i Imamis believe that it is impossible for the Prophet to be negligent regarding the future of his *umma* when he was so concerned for the little city of Madina when he was leaving it for a short trip. The twelve infallible Imams, according to the Imami Shi'is, were declared as the true successors by the Prophet on various occasions. As Hilli¹ states, it is a necessary grace, *lutf*, from God to appoint Imams by virtue of their being the most perfect among the people to lead the Muslim community (Hilli 1972, p. 70, 76). This grace is manifested in the Qur'an when God reveals:

“O you who have faith! Obey Allah and obey the Apostle and those vested with authority among you. And if you dispute concerning anything, refer it to Allah and the Apostle, if you have faith in Allah and the Last Day. That is better and more favorable in outcome” (Qur'an,4: 59).

The third case undoubtedly must be something in cohesion with the two previous ones. So, it cannot refer to the secular authorities who govern states without faith and religion.

It seems to be necessary to touch briefly upon those characteristics which distinguish the Imamate from the secular sovereignty. Besides its socio-political aspect, the Imamate is a divine position which necessitates some other extraordinary factors. Since it requires inclusive God-given knowledge and infallibility which both can only be recognizable by God, the Imamate like the prophethood depends on divine designation. (Mesbah 1988, pp. 175–79).

One very important aspect of divine positions such as prophet-hood and Imamate is to distinguish

between legitimacy and the right to rule and the issue of actual authority which might be exercised in a particular society. My main discussion in this paper is to show the roots of legitimacy of *waliy al-faqih* authority as a continuation of the office of Imamate. However, social acceptance and real authority among the people is something which totally requires people's agreement and cooperation. Except for the last five years of 'Ali b. Abi Talib's Imamate which was ended by his martyrdom at the hands of the Kharijites (40 A.H./ 660 A.D.), the history of Islamic civilization lacks any example of divine authority of any other infallible Imam. Muslim communities were always ruled by secular forces and powers. All twelve Imams were virtually rejected by the people and finally were poisoned or martyred.

Therefore, their greater emphasis was on intellectual and moral and spiritual training of people. This situation continued until the era of the twelfth Imam. His early period of Imamate was associated with his Minor occultation (*al-ghayba al-sughra*) (260–329 A.H./ 873–940) within which the people could be in contact with the Imam through four exclusive deputies who were appointed by the Imam himself as mediators between him and the Muslim community. They were:

1. Abu 'Amr 'Uthman b. Said al-'Amri (d. about 265/886)
2. Abu Jafar Muhammad b. 'Uthman b. Said al-'Amri (d. 305/917)
3. Abu al-Qasim al-Husayn b. al-Ruh Nawbakhti (d. 326/937)
4. Abu al-Hasan 'Ali b. Muhammad al-Samuri (d. 329–940)

After sixty-nine years, the major occultation (*al-ghayba al-kubra*) began, during which there was no official visit to the Imam. Nevertheless, he has been alive, living unknown among people until the time when the world will be so full of corruption and oppression that people will be ready to accept a just social order and surrender to God's commands. Then he will reappear and establish a global just sovereignty to accomplish God's will (Ha'iri 1985, 78):

“And We desired to show favor to those who were belittled in the land, and to make them imams, and to make them the heirs.” (Qur'an, 28:5).

The Role Of Fuqaha' During The Major Occultation

Unlike the Sunni school of thought which has focused mainly on the consensus of the Muslim community and a specific type of *ijtihad* (based on *qiyas* and *istihsan*) to solve the problems regarding the leadership and interpretation of Islamic law, Imamis held the idea of Imamate down to the twelfth Imam. One important point has always been misunderstood. Most scholars, particularly Westerners, assumed that the idea of *ijtihad* in Shi'i tradition, unlike Sunni Islam, developed by the end of the minor occultation. Criticizing Charles Adams for his assumption that *ijtihad* began among Imamis much later than among Sunnis because of the presence of infallible Imam and his availability, Mutahhari argues that even besides infallible Imams, Shi'i scholars were not only engaged in, but were encouraged by the Imams to

do *ijtihad*. This is firstly because there were only Medinan citizens and people who lived in close areas who had access to the Imam of the time. The rest of Imamis who lived farther needed Imam's representatives.

The problem was radically important if the Imam was under the control of the state or was imprisoned. Secondly, we have traditions which reflect Imam's encouragement to some of their followers to practice *ijtihad*. Moreover, plenty of traditions which were issued from Imams seemed occasionally to have a contradiction or at least needed interpretation through the process of *ijtihad*. This was as the Imams themselves stated that their only task was to give principles and foundations but the details, interpretation and explanations is the job of scholars and those who enjoyed the qualification of *ijtihad* (Muthhari, 1348, 352–54.)² Accordingly, we have to be aware that it was the issue of *Wilayat al-Faqih* which was exercised after the major occultation. This reality indicates that the *faqih's* sovereignty is always vertical and beneath that which is attributed to the infallible Imam.

A crucial situation started by the end of the minor occultation when there was no access to the infallible Imam. Since there was no specific appointee to perform the task of intermediary and Shiites were not aware of the precise time of the Imam's reappearance, early years of major occultation were a time of confusion among people. This ambiguity occurred despite a great deal of traditions which foretell the conditions of Imam's advent. Most of the Shi'i *fuqaha'* were anticipating Imam's advent within a few years or even a couple of months. Therefore, they did not collect religious taxes, *khums* and *zakat* (Islamic taxes) any more, and those who did, did not spend them on religious and public affairs; rather they stored them in safe places to surrender them to the Imam in an expectation of his rapid reappearance.

After a few years Shi'i scholars realized that the advent of the Imam was not to be as soon as was expected. At this stage they were faced with the necessity of performing *ijtihad* within the realm of what they had inherited from the prophet and Imams, namely, the Qur'an and *Sunna* (tradition). By founding his new methodology of *ijtihad* and formulating it in his *al-Tadhkira bi-Usul al-Fiqh*, Shaykh Mufid (d. 416/1025) prove to be a pioneer.³ His ideas were elaborated on by Sayyid al-Murtada (d. 439/1048, Sayyid Radi and Shaykh Tusi (d. 468/1075). (Amid Zanjani 1989, p. 32).

Yet the realm of *fuqaha's* activity and the scope of their responsibility were considerably limited. They did not enter the field of politics perhaps because most of them hoped that their Imam would soon reappear and there would be no need for them to deal with or even think about this domain.

Later, great jurists such as Shaykh Tusi and Sallar (d. 481/1088) developed the idea of a conditional authority for *faqih* regarding the issues like *al-Amr bi'l-Maruf wa'l-Nahi* *ʿan al-Munkar*. (Hilli 1923, p. 339) Importantly, one should notice that the Shiites were always a minority under a great pressure, and the promulgation of any kind of political authority for the *faqih* had to take into account the objective limitation.

Wilayat Al-Faqih And Roots Of Its Legitimacy

The first step in our discussion is to clarify the real meaning of *wilayat* and *faqih*. Next, we need to seek the real foundations which indicate the correlation between the two terms. When we talk about legitimacy, we are seeking to justify the authority of an authorized *faqih* who takes the position of leadership. What is the reason for ruling over others? Why should people obey an Islamic ruler? Needless to say, all these kinds of questions are put forward in an Islamic society.

In an Islamic society legitimate authority is linked with people's acceptance of obedience. Here, we encounter the idea of allegiance (*bay'at*).⁴ That is to say, people agree to obey and follow their leader's orientation. In the whole discussion, one should carefully distinguish between the source of legitimacy and the source of authority. According to the Islamic point of view, legitimacy comes from Allah. However, actualization of that legitimate position needs people's participation. (Darabkulahi, 1986, p. 62) Important to note is that although people have a vital role in actualizing the legitimate authority, there is a big difference between allegiance of Muslims to their leaders and what exists in democratic communities as voting. The latter means agreement of people to give authority to social leaders to manage the society while the former implies acceptance of Muslims to obey the authority that has previously been given by God. (Darabkulahi, p. 23).

The authority of the *faqih* is like the guardianship of a father upon his children. In the Islamic legal system, fathers have guardianship upon their children whether they perceive it or not and whether they accept it or not. The same is true of governance of the *faqih*. Therefore, people's allegiance does not create any legitimacy for *faqih*'s authority, but gives him the liberty to exercise his divine legitimacy with certainty. (Musavi 1982, p. 579)

One immediate argument is that with the above-mentioned explanation, one can hardly find a reasonable role for the people in an Islamic society. If the legitimacy comes only from God, what will remain for the people who are subject to this authority? A brief look at the Islamic socio-political structure indicates that people preserve the following rights in relation to their leader:

1. Right Of Consultation

when the Prophet himself is divinely ordered to consult with his people, it is necessary for fallible leaders to get help from experts in various aspects of life. This is in accordance with Qur'an which orders:

“And consult with them concerning the affairs.” (Qur'an, 3: 159).

Accordingly, while the final decision remains in the hands of the prophet, he is required to consult with his people. This duty is not restricted to the prophet and should be followed by every Muslim leader.

2. Right Of Allegiance

People have the right to accept the legitimate ruler. If this stage goes normally, the legitimate power can be actualized. Therefore, the establishment of an Islamic government depends on people's participation. The importance of this level will be clear if we consider the tragic history of Imamate. When people neglected the legitimate power of Imams, struggles over unjust power changed the course of Islamic history.

3. Right Of Free Choice

In the case of existing numerous *fuqaha'* who all have the required qualifications, people are free to authorize the one whom they choose. This doctrine indicates that if at any particular time several *fuqaha'* can take power, the popularity of one can affect the situation. (Darabkulahi, 21–23 quotes from Shahid Sadr, *Lam'at fiqhyya*, pp. 25–19).

According to the main terminological source, the word *faqih* comes from *fiqh*, meaning knowledge and understanding. (Ibn Manzur 1988, vol. 4, pp. 1119–20) Its technical meaning, however, is an analytical understanding and inference of the Islamic divine precepts from authentic sources, namely, the Qur'an, *Sunna* (tradition), *Ijma* (consensus of jurists), and intellect (analytical demonstration) (Amid Zanjani 1989, p. 366).

Lexicographers discuss the term *wali* under the Arabic root *w-l-y*. Two Arabic terms, *walaya* and *wilaya*, are derived from that root meaning "friendship, assistance" and "authority, power." In Islamic jurisprudence, *wali* (pl., *wulat*) carries the meaning of guardianship or patronage and is applied to a person who is going to be the administrator, governor and ruler of the Islamic society.

Of the two above terms, *wilaya* is generally preferred to be used in the socio-political domain conveying the meaning of power and authority. *Wilaya* in Islamic legal system is used in various cases including *wilaya al-damm* or "*wilaya* of blood", guardianship or trusteeship of a *wali* regarding brides, orphans, minors and legally incompetent persons. The first case which is entitled the guardianship of marriage "*wilayat al-nikah*", is socially the most important. In this case, the nearest relative of the bride, the *wali*, gives her in marriage in accordance with the contractual agreement with the bridegroom (Landolt, *Walaya*, pp. 317–18).

Beyond all, it is the *wilaya* of the political sphere which, as Imamis believe, begins with God's sovereignty, then that of the prophet and his successors descending from Ali and Fatima, and finally the leadership of jurists. Elaborating on the Shi'i doctrine of *walaya*, Landolt states as follows:

In fact, *walaya*, as adherence to the imams and as recognition of their mission as the true "holders of the (divine) Command" (*uli al-amr*) and the exclusive possessor of the true meaning of the Qur'an and the "knowledge of the hidden" (*ilm al-ghayb*), remains the key to salvation, without which no pious act of obedience to God (*taa*) is truly valid. (Landolt, *Walayah*, p. 319).

The idea of occultation associated with the unknown advent of Imam at the end of time prepared the scene for the *ʿulamas'* authority among Imamis. General vice-regency (*niyabat-i ʿamma*) of the Hidden Imam was a specific position which was proclaimed by the rationalist (*Usuli*) school of clergy against the more traditionalist (*Akhbari*) school and the Sufis.

The first question was due to the source of legitimate authority. Why should people obey *faqih* sovereignty when Imam is hidden? The existence of numerous traditions, deep knowledge about *fiqh* as a whole legal system which is presumed to cover all aspects of human life, vertical correlation between Imamate and *wilaya* of *faqih* are all bases which are relied upon to prove *faqih's* legitimate authority. (Moussavi, 1983, p. 1).

However, the debate was on the domain of this vice-regency. Was a *faqih* able to undertake all of Imam's functions and responsibilities or was his legitimate responsibility limited to a specific area such as interpretation of the *Shari'ah*? Another question concerns the nature of his authority. Is the supposed authority of a *faqih* a kind of *wilaya* (sovereignty) or *wikala* (appointment)? Elaborating on the nature of *faqih's* governance, Imam Khumayni declares that the governance of the *faqih* is a rational and extrinsic (*itibari*) matter; it exists only as a type of appointment, like the appointment of a guardian upon a minor. (Moussavi, 1983, 134 quotes from Algar, pp. 60–65).

This statement shows that *faqih's* authority is a type of *wilaya* like that of a guardian in a broader sense. Naraqī also in his *ʿAwa'id* believes that the authority of *faqih* is like what is bestowed to fathers, grandfathers, husbands and guardians upon children, wives and minors. (Naraqī, 1985, 185)

Unlike what is often asserted, i.e. that politicization of Shi'i *ʿulama'* was one of the consequences of the Safavids coming to power (Landolt, *Walayah*, 320), it was almost at the time of Hasan b. al-Hasan b. al-Mutahhar al-Hilli (d. 739/1338) that the necessity of *ʿulama's* interference with socio-political aspects appeared to be seriously debated. Al-Hilli concluded that *fuqaha's* non-effective role on Islamic social precepts would lead to the rampancy of corruption and public perpetration of religiously prohibited acts (Hilli 1923, p. 339).

We have to, nonetheless, notice that it was during the Safavid empire that some Shi'i *ʿulama'* such as Muhaqqiq al-Karaki (d. 940/1533), Muhaqqiq Ardabili (d. 994/1585) and Muhammad Baqir. Majlisi (d. 1110/1698) had a better chance to implement their political authority. (Ha'iri 1985, p. 80) This new open atmosphere was created thanks to the Safavid polity used to gain popularity through *ʿulama's* support. Apart from Muhaqqiq al-Karaki who was the most influential leader in Shah Tahmasp's era, Ahmad bin Muhammad Naraqī (1184–1242/1770–1830) was the one who reformulated the doctrine of *wilayat al-faqih* in his *ʿAwa'id al-Ayyam*. He states that *faqih* is charged with all the affairs of the (infallible) Imam. (Naraqī, *ʿAwa'id*, 185–88)

After Naraqī's motivating discussion regarding the issue of *Wilayat al-Faqih*, the idea has been dealt with by recent *fuqaha's*. One can hardly list all related writings; however, the following works represent

the significance of the topic among Imami jurists:

1. Husayni Maraghi, Mirfattah (d. 1267/1850) in his *Anawin*
2. Najafi, Muhammad Hasan (d. 1283/1866) in his *Jawahir al-Kalam*
3. Ansari, Shaikh Murtada (d. 1299/1881) in his *Kitab al-Makasib*
4. Lari, Sayyid *Abd al-Husayn* (1262–1402/1848–1981) in his *Qanun al-Mashrutah al-Mashru'ah; Qanun dar Ittihad Dawlat va Millat*
5. *al-Bahr al-Ulum*, Sayyid Muhammad (d. 1339/1920) in his *Bulghat al-Faqih*
6. Na'ini Gharawi, Muhammad Husayn (1277–1355/1860–1936) in his *Tanbih al-Umma wa Tanzih al-Milla*
7. Imam Khumayni, Sayyid Ruh Allah (d. 1410/1989) in his *Kitab al-Bay'at; Hukumat al-Islami*
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Although the necessary condition for entrusting religious and/or political authority to a person is that he be skillful in *fiqh*, one needs other characteristics to bear the position of *wilaya* over the Islamic society.

Since Islamic leadership is indeed an instrument for the interpretation and application of the divine law (*Shari'ah*) or leading and administrating the society in all its aspects based on the *Shari'ah*, some scholars argue that *waliyy al-faqih* should be qualified by three major qualifications:

1. having a profound knowledge of the divine law (*Shari'ah*) in its detailed form;
2. being capable and skillful enough in executing the *Shari'ah*;
3. trying to establish justice and equality of people before the law (Imam Khumayni 1980, p. 466; Tabataba'i 1976, p. 192.)

Conclusion

Based on a Shi'i doctrine, any kind of legitimate authority, *wilaya*, is rooted in God's sovereignty. God's authority emanates vertically in the authority of the prophets, divinely appointed Imams and their deputies during the major occultation. Since the need for an Islamic state to provide justice and

goodness to the Muslim society remains unquestionable even when infallible Imam is hidden, the most qualified *faqih* among the people preserves the right to implement the divine law.

Differentiating between legitimacy and authority, I have tried to show that, according to an Islamic point of view, the former can only derive from God, the Creator and owner of the whole universe. However, people perform their effective role in actualizing *faqih*'s legitimate authority. If religion, in the Shi'i Imami doctrine, is a comprehensive system consisting of various subsystems encompassing all aspects of human life, *faqih*, as an expert in understanding, interpreting and executing religion, is given the authority to lead Islamic society during the Imam's absence. As well as this analytical reasoning, there are numerous traditions which indicate designation of *faqih*'s legitimate authority. This authority has had a back-and-forth story in Imami history.

Accepting the main idea of *faqih*'s governance, the scope and the way to establish it has been discussed among Shi'i scholars. The theory came to be practiced in the Islamic Republic of Iran by Imam Khomeini's efforts. He not only reconstructed the doctrine in his various writings, but also exercised it through the last phase of his life. Iran has experienced this doctrine along more than three decades to show the Imami nature of Islamic socio-political thought.

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[1.](#) Jamal al-Din Hasan ibn Yusuf ibn ʿAli ibn Muthahhar al-Hilli, also known as al-ʿAllamah al-Hilli, born December 15, 1250 CE, died December 18, 1325, was a Twelver Shia theologian and mujtahid. We know of at least one hundred books written by him, some of which are still in the form of manuscripts.

[2.](#) This concept indeed refers to the meaning and a message taken from a narration narrated from Imam Ali Al-Ridha who stated:

“عَلَيْنَا إِقَاءُ الْأُصُولِ إِلَيْكُمْ وَعَلَيْكُمْ التَّفْرُغُ”

It is our duty to provide you with the principles and the outlines, yet you have the duty to go to details and interpretation.

See: Ibn Idris al-Hilli. *Kitab al-Saraer al-Hawi li al-Fatawa wa al-Mustatrafat*. Vol.3. p. 575.

[3.](#) Abu ʿAbdallah Muhammad ibn Muhammad ibn al-Numan al-'Ukbari al-Baghdadi known as al-Shaykh al-Mufid and Ibn al-Muallim for his expertise in philosophical theology (948-1022) was an eminent Twelver Shia theologian.

Al-Shaykh al-Mufid was born on 11th Dhu'l-Qadah, 336 hijri (or 338 A.H. according to Sheikh Tusi) in Ukbara, a small town to the north of Baghdad and later migrated together with his father to Baghdad, where the Shi'ite Buwayhids were ruling. In Shi'ite tradition, he studied with the famed traditionist al-Shaykh al-Saduq Ibn Babawayh al-Qummi. Prominent students of his included Sharif al-Murtaza, al-Shaykh al-Tusi, commonly known as the leader of the Shia and al-Karajaki. His career coincided with that of the famous Mutazili theologian and leader of the Bahshamiyya school, Abd al-Jabbar al-Asadabadi al-Hamadhani and with the disputations and intra-sectarian conflicts in Baghdad. He was thus often attacked and his library and school was destroyed. But he remained a faithful and significant intellectual defender of Twelver Shi'ism and was respected by friends and opponents.

4. The loyalty of a citizen to his or her government, or of a subject to his or her sovereign. Loyalty or devotion to some person, group, cause, or the like.

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