Theory of Justice

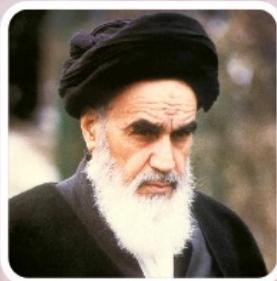# Theory of Justice

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The present collection unfolds in three chapters drawn up in view of the necessity and fundamental standing of justice, the quality of its dispensation in society and individual and the presentation of an epitome of the viewpoints on the subject.

The first chapter presents a study of the viewpoints on the theory of justice in ancient times, the orient and modern west. The second chapter dissects the different dimensions of the concept of ʹidalah (justice) in Islam in view of its noble source, the Holy Qurʹan. The third chapter attempts to expound on the viewpoints of one of the greatest and most striking contemporary thinkers and political leaders of the world of Islam, Imam Khomeini (r), providing an overview of the issue of ʹidalah within the frame of a special theory.

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Preface

Since antiquity, the question of ʹidalah and equity has been manʹs most fundamental concerns and most his important ideal on the planet earth. ʹIdalah has been among the issues each and every high-minded individual has given careful attention to. Discussions about ʹidalah and equity, its nature and quality as well as the procedure for its materialization and enforcement in human societies and within manʹs soul have always been regarded as primary needs in manʹs life. Moreover, the tendency to ʹidalah and ʹidalah seeking are not merely a demand and a need sought by man; they are, in fact, an aspect of manʹs natural and rational predispositions without which his humanity cannot find meaning.

ʹIdalah is a virtue on which an improvement in manʹs life and human societies is dependent. This virtue engenders perseverance and temperance in man as an individual and steadfastness, equality, moderation and freedom in human societies as well.

The absence of *'idalah* in society leads to discrimination, oppression, corruption and deficiency of public concord, consequently transforming a healthy society into one resting on inequality, injustice and incoherence.

By looking into the sacred scriptures and history of Divine religions, we come to realize that prophets (peace be upon them) had been delegated to dispense *'idalah* and equity in society. Their mission was aimed at helping people rise up for *'idalah* and equity. Therefore, one of the noblest goals of divine religions had been the dispensation of equity and *'idalah* in the human society and in man's self– succeeding the prophets, the Immaculate Imams (A) and reformers have endeavored to materialize this significant concept.

A survey of the history of political thought since time immemorial up to the present day is expressive of the fact that the optimal ideals and genuine aspirations of the world's great thinkers and philosophers have been to explicate *'idalah* and dispense it in human society. Hence, it can be admitted that equity and *'idalah* is a principle that injects life and meaning to human society. It is like water that invigorates the tree of man's existence (individual) and his collective existence (society) keeping them alive, stable and verdant. Without *'idalah* they wither and lose freshness and life. As such, every vigilant and liberal thinker has been, one way or another, in quest of the attainment of the real meaning and concept of *'idalah* and its materialization in society. From the theoretical aspect, the subject of *'idalah* has been treated as an important question in political thought, in general, and political philosophy, in particular, in the Islamic, oriental and occidental world.

Many of the prominent ancient philosophers, particularly the Greek philosophers, defined *'idalah* as putting things in their proper natural place and station. Consequently, just and natural properties were looked upon by most of them as synonymous and equal. Moreover, they thought of this natural position and status as being desirable and ideal.

In contemporary Western liberalistic thought, *'idalah* denotes retaining and preserving the individual's fundamental rights, assuming a descriptive aspect, resulting in a type of utilitarian mentality. In this attitude, therefore, one may perhaps take a just and humanistic attribute as synonymous with each other. In a socialist thought and attitude, the concept of social *'idalah* (justice) is maintained as fundamental pillars and principles, yet socialists propound distributive *'idalah* as '*idalah* in the distribution of products, resources and outputs. In more precise terms, the question of *'idalah* in this mentality assumes a purely economic aspect and is settled simply by rational economy.

'Idalah in this perspective is inclined towards the just and equal distribution of wealth. This notion of *'idalah* is inspired by need and countenances the negation of private ownership in absolute terms. The Socialist outlook eclipses and immolates the freedom of human beings and fails to materialize and dispense social *'idalah* in practice.

In the world of Islam and the sphere of Islamic thought and civilization too, different theories and

viewpoints have been put forward on the question of *'idalah* and its implications. Shi'ah and Sunni schools, *Ahl al–Hadith* (traditionalists)[1] *mafovedeh*[2] and *qadarites*[3] have presented varying viewpoints. Generally speaking, in Islamic thinking, 'idalah has been maintained as the foundation and fundamental axis of all social affairs. In contrast to other religions as well as Greek philosophers, who had given a personal, individual and, at times, natural tint and dedicated their energy to individual salvation and deliverance, Islam has devoted most of its attempts to the provision of social and human *'idalah*, the public salvation and deliverance of human beings.

Of course, all religions and most of the philosophers eventually seek the individual's salvation, deliverance and happiness. However, in Islam and Islamic theosophy, individual salvation and happiness actualize in society in light of the realization of virtue, particularly *'idalah* and equity. Generally speaking, from the Islamic viewpoint, man will become happy when he dedicates himself to the service of public interests by dispensing *'idalah* and equity in society.

The present collection unfold s before the esteemed reader in three chapters drawn up in view of the necessity and fundamental standing of *'idalah* , the quality of its dispensation in society and individual and the presentation of an epitome of the viewpoints on the subject. The first chapter presents a compendious study of the viewpoints propounded on the theory of *'idalah* in ancient times, the orient and modern west.

The second chapter dissects the different dimensions of the concept of *'idalah* in Islam in view of its noble source, the Holy Qur'an. The third chapter attempts to expound on the viewpoints of one of the greatest and most striking contemporary thinkers and political leaders of the world of Islam, Hadrat Imam Khomeini (r), providing an overview of the issue of *'idalah* with in the frame of a special theory.

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[1.] A title given to a group of 'ulama (religious scholars) in the early centuries of Islam. This group adopted a method or their own for the collection of ahadith (plural of hadith meaning narration) and attached special significance to the teaching of the ahadith and acting accordingly. Despite the diversity of methods for the collection of hadith, this group subscribed to the fact that in treating religious sciences, narrative sources such as ahadith and works served as their main source of research.
[2.] The followers of tafvidth contend that God has devolved man's actions upon him and given him full freedom or action as against mojbere (people of jabr or fatalism) who maintain that man has no freedom in his actions.
[3.] An Islamic sect contending that man is free in his actions and that God has granted man free choice to act. They believe that God has no role in the causes of actions and introduction of incentives in man. This sect developed at the time of the Bani Umayyad and paved the ground for the emergence of Mutazelites.

Chapter 1: A General Look into the Theory of ʹidalah (Justice) in Ancient Times and Modern West

First Discourse: Concepts and Theories of ʹidalah in the Orient

Development of attitude to ʹidalah in history and man's primitive civilizations

Some researchers believe that the birth of rational and deductive approach to subjects and phenomena originate from ancient Greece.[1] Naturally, the birth and emergence of political philosophy became perceptible at a specific time after the fall of the monarchical dynasty. Consequently, the product of Greek civilization and its evolution is traceable to the 5th and 6th centuries B.C.[2] However, despite this conviction, civilization is the product of man's rational outlook. And rational and deductive outlook and attempt to discover the Truth is a human affair associated with his life on the planet earth and thus not privileged by a certain group, race or tribe. This type of outlook has not emerged at a given time or location on the earth either, but is rather a human process, formation of which has been gradually actualized.

The question of *ʹidalah* is, on the one hand , an issue the understanding and implementing of which man, as an intelligent and truth-seeking being and at the same time free and autonomous, has constantly been in pursuit of while on the other hand, his human nature from within his self-pushes him towards *ʹidalah* and *ʹidalah*-seeking. He has always detested and abhorred oppression and injustice, and loved *ʹidalah* like a beloved would.

For this reason, the subject of *ʹidalah* is in the depth of man's rational outlook and in the heart of the nature of *ʹidalah*-seeking and instinct of philanthropy, altruism, seeking order and even the instinct of self-love (egoism) in man who has hated the feeling of inequality and injustice or oppression against himself or others.

And his inequality with others and the prevalence of discrimination between him and other fellow human beings has been intolerable to him. And this is a human subject in the sense that for all human beings enjoying a healthy nature and sound intellect is perceived in more or less equal form.

Therefore, in the same way that the approach to the subject of *ʹidalah* and the tendency and attempt to realize it has been a human and public drive, in man's primary civilizations attention and invitation to *ʹidalah* in all its different dimensions and the struggle to materialize it in cities and societies are among the affairs that have engaged the attention of thinkers and informed individuals. Based on the extant

literature in clay tablets dating back to 3000 BC, Orokajina who was in command in Lagash,3 issued commandments in which signs of the instances of *'idalah* were found. For instance in one of them the following commandment stipulated:

"The chief priest is not hereinafter entitled to enter the garden of the poor mother and pick wood therein or collect taxes on its fruits."4

Also in Orangor Law Book,5 the first book of laws in known history, we read:

"I laid the foundation of *'idalah* for the good based on the competent and just laws of Shemesh."6

Around 18th century BC, Hammurabi7 carved one of the greatest collections of law on a tablet with the aim of establishing social *'idalah* in Babel community, still extant today, and in which there are laws commenting on the methods of attaining *'idalah*.8 In the preamble to the Hammurabi Code we read:

"So that I can dispense and ensure *'idalah* on the land and eradicate evil and inequity, lest the strong would colonize the weak."9

'Idalah in Zoroastrianism and ancient Iran

In Zoroastrianism, the question of *'idalah* and its realization in the land is propounded, perhaps for the first time, in the frame of an integrated theory regarding past history. Based on this religion , Ahura Mazda is the One God, Creator of the world of existence and its Sustainer, and is absolutely *'adil* (just) and Righteous. *'Idalah* is both His Attributes and His Action. Ahura Mazda is just in the essence of creation and has created the world based on *'idalah*. He is just in both the administration of the world and in sending Zoroaster10 and revealing His injunctions and instructions, in the next world and in rewarding the deeds of men. Above all, Ahura's *'idalah* is the origin of the *'idalah* pleaded by His servants. Therefore, His *'idalah* (justice) is regarded as a pattern for Zoroastrian servants.

The Gats or Gahans, which are, in one version, the most authentic and intact religious text of Zoroastrianism, attaches noticeable significance to the issue of *'idalah* and uprightness. The law of Ashah11 – as the path leading to the Truth or the law of uprightness and *'idalah* and the abstract of Zoroastrianism and will of Ahura Mazda12–for implementation of *'idalah* on the land states:

"Ashah is a manifestation of Ahura's *'idalah*. Ahura Mazda has granted people free will to select his path in consultation with wisdom and conscience and has warned that every thought, word and deed is liable to reward or punishment in accordance with the law of Ashah."13

There are few paragraphs in Gutian in which no hint has been made of Ashah.14

In the rivalry between good and evil, the forces of good seek to give reality to *'idalah* and righteousness and the earthly world is the arena of the struggle between right and wrong, *'idalah* and the absence of *'idalah*, good and evil. The term Arta,15 which some people have taken as Ashah, is expressive of

existence of moderation and perseverance or movement in the course of the temperance in individual and social life and has been regarded as equivalent to *ʿidalah*, uprightness, order, truthfulness and virtue:

In the viewpoint of Iranians, righteousness, Arta,[16] whose meaning is closer to *ʿidalah* than to the true word, has been defined as harmony with moral and social order, and oppression and lie as breaking and disturbing this religion.[17]

Cornford in his valuable book entitled "From Religion to Philosophy", has defined Arta or Arshah in the following words: "The principle of a sublime orderly life and maintaining *ʿidalah* as a prerequisite for its attainment, because creation and attainment to *ʿidalah* is the ultimate goal of the evolution of the world."[18]

Also in this school of thought, the materialization of *ʿidalah* by the chosen servants of Ahura Mazda, who enjoy Divine Light, is accomplished and they attempt to give reality to *ʿidalah* by correcting the affairs and placing everything under the laws of Ashah and on this basis the value and superiority of the servants of Ahura Mazda depend on their plea for *ʿidalah*, generosity and righteousness:

The Farrokh Fereydun was not an angel
Nor did he wear goatskin and ambergris
He obtained goodness by *ʿidalah* and generosity
Mete *ʿidalah* and be generous, then you are Fereydun.[19]

Also in the tablets of ancient Iran, particularly in the Achaemenian[20] era, *ʿidalah* was defined as putting everything in its proper place. The realization of truth and righteousness has been raised time and again. For instance, in one of the inscriptions of Darius the First, we read:

"It was by the will of Ahura Mazda that I subdued all. One man beat the other. It was by the will of Ahura Mazda that I decreed that no one should hit the other. Everyone should take his own place. They are scared of my law. The powerful cannot oppress the weak and vanquish him."[21]

In this writing putting everyone in his own place and the fact that no one can domineer and tyrannize the other signifies the realization of *ʿidalah*; the duty of the king is to give expression to *ʿidalah* and order and provide security under the shadow of *ʿidalah*.

ʿIdalah in Judaism and Christianity

The question of *ʿidalah* and its realization has been given the special attention in Judaism and Christianity. Since these religions have been founded on monotheism they cannot fail to view *ʿidalah* as the axis of their religion. Therefore, in these religions *ʿidalah* is regarded as the most important attributes of the exalted God. And He is the God of *ʿidalah*.[22] On this basis, any unjust relations triggering poverty and wretchedness of man is in conflict with His will as the Creator of the good. The Old and the New Testament conspicuously hint at the conquest of injustice and tyranny. God is just and His *ʿidalah* serves

as a point of departure for man and for reflection on *'idalah* in society and its realization.

Considering the viewpoint of the sacred book, which regard man as the image of God,[23] man has been obliged to be actively engaged in the administration of the world and this active participation should be based on God's *'idalah*.

Moreover, in this outlook, breaking the yoke and bonds of oppression, liberating the slaves, helping the poor, clothing the naked ones and . . . are all maintained as instances of *'idalah* in society. In the Torah, the Book of Jacob, the prophet, we read:

"Nay, the fasting I like is the fasting that I desire: to break the bonds of the unjust, rend the yokes, liberate the slaves, break all yokes, distribute bread among the hungry people, provide shelter to the homeless poor people.[24]

On the Resurrection Day, God will also treat with *'idalah* and people will realize *'idalah* in that world. Therefore, people will experience *'idalah* on the Day of Resurrection and the homeless attain their rights.[25] In the Bible, too, stress has been laid on *'idalah*. For example:

"And my judgment is just because I do not seek my will."[26]

On the other hand, setting forth canonical laws in the Holy Scripture comply with the efforts to the dispense *'idalah* so as to preclude disregard for *'idalah* and the poverty of the weak and low–income strata of people by presenting social and criminal laws. On this basis, the injunctions and canonical laws of the Holy Book aimed at utilizing 'idalah and the truth. The Psalms of David[27] also reiterated God's *'idalah*, human *'idalah* and its necessity. For instance; in the fourth hymn we read:

"O, God of *'idalah*! When I call you, respond to my prayer."[28] Or,

"O, God! I am for *'idalah* and the perfection within me. Grant me *'idalah*, eradicate the wickedness of the evil–doers and perpetuate the just one, because the searcher of hearts and veins is the just God."[29]

In the eyes of Saint Augustine, absolute *'idalah* –that is, *'idalah* conforming to the generality of order – applies first and foremost to the celestial macrocosmic system. However, this *'idalah* in its limited scope may also apply to society and the limited terrestrial order in case when society and the temporal order are in conformity with that order and the celestial macrocosmic society:

"Real *'idalah* of every government depends on its conformity with a universal and global system.[30]

And Augustine's City of God's society seeks no objective except the realization of two main and great human aspirations, that is, *'idalah* and peace. Of course, in his words and works, he considered *'idalah* in conformity with order, an order, which every society had within it for its survival and, in fact, that which brought moderation to that society and system.

From the perspective of Thomas Aquinas, too, unjust relations are in conflict with God's will and individuals obey Him without an intermediary and receive His commands through natural or divine laws. Therefore:

"Man's duty for obeying the mundane commandments is as far as the limit the spirit of *'idalah* requires such obedience."31

'Idalah in ancient China and India

In Far Eastern civilizations, such as China and India, in Confucianism and Buddhism and others there is glaring evidence of attention paid to *'idalah*. Here, we will first treat in passing *'idalah* in ancient China's political thought and then touch on the subject in ancient Indian political thought.

Confucius, the greatest thinker of ancient China defines government as righteousness and *'idalah* as its utilization.

"To govern signifies doing everything correctly. If the prince undertakes the guidance of people out of righteousness and uprightness, no one will dare not to be righteous. If you govern out of right and *'idalah*, what need remains for killing and beating?"32

In this expression governing is synonymous with *'idalah*; that is, the putting of everything properly to its place and as they should be. Moreover, Chinese philosophy is a pragmatic and humanistic philosophy and is less concerned with discovering the true nature of objects.33 The fundamental concepts of Confucian thought, that is, Jen34 meaning humanity and the man's heart, and Li35 meaning normal or regular and improvement of names are also in line with the realization of *'idalah* and the life based on it. These concepts aim at attaining the great harmony or Ta Tung,36 which signifies a period of history when order and *'idalah* are established, which Confucius calls the age of great harmony.

From his perspective, the government has a heavy responsibility for attaining this harmony and lending order to people's affairs so that *'idalah* will find expression.

The main duty of government is to organize the affairs of the country and the nation in a way as to fulfill his duty from top to bottom in conformity with his standing and status in society so that the king is the king, the servant the servant, the father the father, the son the son, and no one transgresses his limit.37

In Indian thought, too, reliance on behavior and the creation of harmony between belief and behavior is raised in a way that knowledge and action mingle genuinely.38 Moreover, Darma, in the tradition of ancient India, is indicative of the world's ethical order and conveys the concept of *'idalah* and virtue and ritual within whose frameworks Indians should live.

"Anyone talking about Darma has spoken the exact truth."39

In the Buddhist perspective, the middle way (the eight steps)40 or the way to a relief from suffering would

not also be accomplished minus internal journey [towards God], although it relies on an inner purity. Therefore, in the second step, that is, righteousness and uprightness in thought, correct thought has three dimensions:

1– Thought free from pleasure and carnal desire, 2– thought free from ill will, 3– thought free from tyranny, which pave the ground for realization of *ꞌidalah*.

Moreover, the fifth step signifies correct life, and living based on *ꞌidalah*. In other words, one should avoid a lifestyle associated with the harassment of others and should cease doing those acts and activities detrimental to others.[41]

Generally speaking, the path to perfection in Buddhism is knowledge and *ꞌidalah*. By knowledge, it means understanding the self, instincts, bonds and needs. *ꞌIdalah* in this perspective means that we should build our life on a moral basis so that accordingly, we can attain perfection through moderation and a middle way.

By and large, *ꞌidalah* in eastern mentality has been raised in two dimensions of monotheistic religions (Zoroastrianism, Judaism and Christianity) and human schools of thought and philosophies (such as Confucianism and Buddhism). The latter predominantly treat the significance of *ꞌidalah* and its standing in practical life and methods of its implementation. The former view *ꞌidalah* as a fundamental principle, without which life has no meaning; and other human laws are erected on its basis. The One God is the embodiment of general and real *ꞌidalah* and His *ꞌidalah* is a point of departure and the real pattern for the realization of human *ꞌidalah*.

Second Discourse: ꞌIdalah in Western Thought (up to Renaissance):

ꞌIdalah in the political thought of ancient Greece (from Pythagoras to Aristotle):

Pythagoras

In the thought of Pythagoras who was under the influence of eastern thinkers particularly Zoroaster,[42] *ꞌidalah* means considering the competencies of individuals in observing the rights of individuals in accordance with their natural talents. Individuals acquire status on the basis of these talents.

Pythagoras maintained different ranks for his students according to their natural talents. He put the most esoteric of his wisdoms at the disposal of those who were competent to perceive them.[43] On the one hand, considering that Pythagoras viewed number as a noble principle, he postulated that *ꞌidalah* emerged out of equal components and defined it as preserving the equality of the components. This equality actualized by abstaining from extremism, establishing proportion, balance or harmony among the parts. Since they maintained a descriptive state for *ꞌidalah* and compensation or equality and found

them in numbers, they also argued that *'idalah* was the first square number.[44] The government is just as long as the equality of its components exists and *'idalah* signifies preserving such equality.[45]

Socrates

From the viewpoint of Socrates, life signifies a desired perfection in self-control, *'idalah*, courage and independence, which are attainable through knowledge and wisdom.[46] He considers *'idalah* a type of inner balance and harmony and subordination of the person's entire existence to an equal will free from duality. For this reason, his greatest activity in life consisted of a combat against any factor triggering disharmony in man's self and soul.

He considers just and useful action to be one and the same. He has excommunicated and accursed one who has for the first time drawn distinction between just and useful action.[47]

Therefore, from his perspective, the value of everything lies in its utility and the usefulness of everything lies in it being just; being religious is a method of thinking accompanied by just action.[48]

Plato

Plato, the student of Socrates, considers the basic goal of *Republic*[49] to be the delineation of the concept of *'idalah* and the way to attain it.[50] Of course, in discussing *'idalah*, he employs Dikaiosune's term[51] which apparently includes[52] a wider implication of *'idalah*. From his point of view, *'idalah* is a desired ideal, which only those trained in the lap of philosophy and wisdom can accomplish, and therefore is of the most beautiful type:

"I said *'idalah* is of the most beautiful kind; that is, it is in the realm of wants that are desirable for the seekers of happiness both due to its own sake and on account of the results obtained thereof."[53]

Based on Plato's viewpoint, *'idalah* is a kind of harmony and balance in affairs, in the sense that if in a society each of the individuals is simply engaged in a special activity in conformity to his/her natural qualification and talent and avoids intervention in the affairs of other individuals, *'idalah* will be established in that society.

Every single individual in cities should exclusively have one job, for which one is naturally endowed with special talent ... we mentioned that we have repeatedly argued and heard that engaging with one's own job and averting interference in the work of others is the same as *'idalah*.[54]

Plato's attitude to 'idalah is the product of considering man's individual existence as a multi-dimensional structure, each of which commands a special function. Based on his viewpoint, 'idalah develops in individual's existence when he considers the soul to be composed of three constituents, reckoning that each constituent performs its own special function and that all the three constituents are in harmony with one another under the command of intellect. On this basis *'idalah* (in individual's existence) implies health of spirit and cruelty or disharmony among the constituents its ailment. From Plato's perspective,

'idalah also signifies disposition of individuals within the community and society and is based on a type of a logical work division in conformity to individuals' temperaments. Therefore, he considers *'idalah* as granting everyone's right to himself/herself.55 In his opinion, 'idalah signifies that every one of the individuals in society is gratified with56 the position57 he holds in a community, accepts it and fulfills the relevant duties thoroughly.

He writes: We have said time and again that being engaged with one's own job and avoiding interference in the work of others is the same as *'idalah*.58

On this basis, the government in society deserves to be composed of special members of that society, that is, the luminaries. *'Idalah* utilizes when this group governs the society.

Aristotle

Aristotle, a student of Plato, also considers man's real happiness to lie in virtue, and virtue is also manifested in *'idalah* in its highest form. He first reviews the meaning of the term *'idalah*59 and sets forth two meanings as such: 1) legal affair [*'idalah*] and 2) equity and equality. [*Qist* in Persian/Arabic language]. He points out that in Modern Greek language it has been taken as being dovetailed with righteousness. In treating the subject of virtue, he turns to the concept of a middle way, and considers the foundation of *'idalah* in everything to lie in the observation of moderation:

"It is understood that the best form of life is that which is based on moderation and on a limit everyone can observe."60

In this way, Aristotle makes it clear in his survey that a just action is a middle way between committing tyranny and undergoing oppression. It is, therefore, a kind of moderation. For this reason, it is the greatest of virtues: "as such it often appears that *'idalah* is the greatest of virtues." *'Idalah* contains all virtues.61

'Idalah is an absolutely perfect piety, because acting according to it implies acting according to virtue in its entirety.62

It is therefore observed that, while being a middle way, *'idalah* is not of the same weight as other virtues; it is, in fact, an inner habit and disposition to which action is subordinated.

In fact, from the viewpoint of Aristotle *'idalah* is equality among equal individuals. Moreover, in his perspective political *'idalah* is superior, because it is an *'idalah* propounded between free and equal elements in life with the aim of accomplishing self–sufficiency.63 In his view, goodness in politics is also doing *'idalah* and that is the highest form of goodness:

"The end to all learning and arts is goodness and the end to political learning which more is elevated than all other learning is the highest goodness. In politics, goodness is nothing but dispensing *'idalah*, on which the interest of all depends."64

Moreover, as it was mentioned earlier, the mental and inner aspect of *'idalah* is also of importance to him.[65] On this basis, a just individual enjoys the highest of virtues and can take control of the leadership of society and lead it to real happiness. Thus, he writes:

"The just is one who innovates or safeguards the prosperity of a political society in full or in part."[66]

Post–Aristotelian concept of 'idalah

In post–Aristotelian period in the occident, the Stoic philosophers[67] regarded the idea of balance with virtue and man's honorable life in the universal community, and put forth the concept of life in conformity with nature and natural law. Later Stoic philosophers, however, viewed nature from a more man–oriented perspective and accordingly paid greater heed to disposition and human nature. In the outlook of the Stoic philosophers, only virtue, which is a mental state of intellect, is synonymous with goodness in its full sense. They apparently considered virtue or goodness in the sense of conformity and compatibility with nature and on this basis assessed moral things, as: 1– Things compatible with nature that can be accorded relative value, 2– Things incompatible with nature or worthless, 3– Things that are neither valuable nor worthless.

Basic virtues consist of moral insights, courage, perseverance and *'idalah*, but they are either upheld altogether or crumble down altogether. They are then linked to each other and therefore man is either disposed to virtue or entirely lacking in virtue.

Another dimension of their thought is the theory of cosmopolitanism. From this angle, every human being is naturally a social being, life in society is a rational thing and intellect is a common nature shared by all human beings. Hence, there is only one law and one land for all human beings. Zeno observes:

"All people are the citizens of Zeus's utopia (The City of gods) and should be constantly under one rule and common law, similar to sheep protected, guided and led by a shepherd."[68]

On this basis, they argued that "All human beings are equal"[69] and that "even enemies have a right to kindness, love, forgiveness and pardon."[70]

'Idalah as viewed by Roman thinkers

Among Roman thinkers Polibios regarded sympathy with others and philanthropy as a mental basis of social relations and therefore insisted people's group interests.

After him, Sisron accepting the Stoic beliefs raised the question of natural law as the universal constitution. From his viewpoint and other Roman lawyers, *'idalah* has a legal implication. From his perspective, *'idalah* means acting according to nature or natural law. If all the rules of governments and actions of rulers and other individuals in society were constituted on such legal foundations, *'idalah* would find reality. He observes:

"In fact, there is a rightful law and that is the sound reason that conforms to nature, applies to people and is immutable and eternal, and governs people at all times"[71]

In such a perspective, sound reason and natural law constitute the basis of law that conforms to and is compatible with nature. And natural law and apprehension of sound reason is equal to all. On the relationship of law with natural law, he maintain s that *'idalah* is the same as natural law and its realization; if natural law is invalidated, *'idalah* will cease to be :

'Idalah consists of natural law and natural law is equal everywhere, unalterable, eternal and binding for all people and all governments. For all laws to be just, they should conform to natural law. Man's sound reason is the criteria for the coordination of laws with natural law. God has ordained natural law."[72]

In Seneca's view, a later Roman Stoic philosopher, the subject of *'idalah* is also worthy of study by relying on two fundamental issues: attention to nature and natural law, and necessity of performing good to others. Hence, he mentions:

"Live for others if you want others to live for you."[73]

He insists that "nature orders me to be useful to others whether they are slave or free men, liberal or illiberal; wherever there is a man, there is room for goodness."[74]

This legal perspective of *'idalah* and its dependency on natural law governed the thought of distinguished men of Christianity, particularly Church abbots throughout the Middle Ages.

Third Discourse: 'Idalah in modern Western political thought

Considering the vastness of the subject dealing with "idalah in this era, particularly in the 20th century, a discussion about *'idalah* in the new political thought of the West will be taken up from several axes in brief.

Early outlooks

Impacts of the Middle Ages

The onset of the Renaissance in Europe and its continuation was the product and natural result of its previous period: the Middle Ages. In the Middle Ages, despite the pressure resulting from the church domination over societies along with the crusades, one of the important issues was the acquaintance of the West with Islamic learning and philosophy.[75] The acquaintance of the West, particularly in the middle of the 12th century and early 13th century concurrent with the emergence of universities there, with thoughts and ideas of Muslim thinkers such as Abu Nasr Farabi, Ibn Sina and others in the formation of the thought of theologians at the turn of the Middle Ages and inception of Renaissance such as Albert the Great, Thomas Augustine, Rogers, Bacon and others is quite obvious.

By and large, one can realize that some of the Christian and nonChristian experts in recent times influenced by the views of Muslim theologians and thinkers and Islamic culture, as opposed to the idea of the church, introduced *'idalah* as one of the most important social concepts which entered the Renaissance period from the Middle Ages. Previously, Augustine had announced: "where there is no *'idalah*, there will be no government either.[76] In later years, this principle gradually mingled with the question of law in the course of the Middle Ages and was even incorporated into it. In the 15th century, also Nicolas Kasa had raised that wherever laws were not superior, no civil society would exist. Also, the principle of equality and equality of human beings entered the age of Renaissance as of this century.

Humanist revolution and the question of ʾidalah

The Humanist movement, although a cultural one in principle, was dedicated to the study of humanistic cultures (concerning the world of human beings) or more humane literature or literi humaniurius,[77] and because the human being was the focal point of discussion of this school of thought, it heeded human issues including *'idalah*.

Among the humanists, Erasmus was a prominent personality. He wrote the book "In Praise of Idiocy" to investigate and criticize the chaotic situation of his time[78] and articulated on the oppression, injustice and corruption of the heads of the church. In his other satire, in talks! Between Pope Julius II and St Peter, he exposed the chaotic situation and injustices of Christian clergymen and the Popes. For example; in his satire, he quoted St Peter as saying:

"O! You abject creature, fraud, usury and deceit have made you Pope ... nevertheless, such a tyrannical monster who is the embodiment of injustice and inequity, is revered and idolized only because of bearing the title of Pope; good people should also abound in the world."[79]

Renaissance and the question of ʾidalah

Among the thinkers of the world of politics, Niccola Machiavelli is regarded as the noted representative of the Renaissance movement and among the innovators of political thought. The political and social situation at the time of Machiavelli was such that he preferred order and power to *'idalah*. Accordingly, in addition to the separation of the spiritual and political realms and ethics and politics, he rejected the theory of natural law and divine law. He sought to theorize on a special type of political ethics, which came to be known as Machiavellianism.

He thought out the way to rescue the society of Italy in those days lay in the realization of such an ethics, because true political ethics in society did not exist.[80] In a sense, in his thought the only solution possible was the unity of Italy that was possible only under the leadership of a ruler who acted selflessly and resolutely to champion this cause, not being faltered by any humanitarian, ethical, religious or philanthropic considerations in his tasks.[81]

Hence, Machiavelli opinioned that in such an anarchy, the attainment of power, unity and order trust in

people and attention to *ʿidalah* and love alone could not be of any avail.[82]

Therefore, if the basis of the rule of the king – from people's side – were fear and love, the former was of greater importance, because by fear one could administer the society better and put an end to chaos.[83] In general, Machiavelli held that taming the evil temperaments and animal dispositions in man was accomplished only through the application of a combination of coercion and oppression, deceit and trickery. Accordingly, the application of violence was desirable to accomplish benevolent goals.[84]

Idealists, religious reformers and ʿidalah

At this very time, another group considered the way leading to the improvement of society and the realization of *ʿidalah* to be within the framework of a presentation of an ideal plan or expression of a kind of an ideal but an illusory society as observed in works such as Thomas More's "Utopia" and Campanella's "The City of the Sun". Writing these works is a kind of response to the existing injustice. Utopia was a political society that was socialist in terms of economy and based on pure equality. Some features of this socialist and just society consisted of:

1– Equality of the structure of cities: "The cities of Utopia are similar to each other and constructed based on climatic requirements.[85]

2 – Absence of private ownership and division of labor based on the needs of society.

3 – Common and equal life based on love and affection.

In Thomas More's perspective, *ʿidalah* means the equality of human beings in affairs, services and, generally speaking, a life in a Utopian, where *ʿidalah* is based on the equality of human beings.

The movement to dismantle religion was launched with the aim of correcting religion and in reaction to the demeanor of the leaders of the church and the feudalists. This movement was originally initiated by William Akami and Padora in the late Middle Ages, but two of its prominent proponents were Luther and Calhoun. Luther's thought on *ʿidalah* can be summed up as follows:

1– The true church is a congregation of believers; Popes are not an intermediary between God and people.

2 – Negation of the wealth of the church and sale of salvation certificates and such practices.

3 – Challenging the supremacy of the Pope.

On the other hand, by offering theories such as two kings[86] and rejecting rebellion against the ruler and considering disobedience to his command as a sin and applying violence in treating dissidents, Luther did not utilized *ʿidalah*; he rather contributed to the promotion of oppression. Moreover, Luther's outlook ultimately led to the formation of the pillars of capitalism and accumulation of wealth, opening the way for

the expansion of capitalistic principles in the West. Despite his dogmatic perspective of the Christian type, John Calhoun[87] stressed the distinction between a non–religious and religious government as Luther's, and reflecting on methods of civil *'idalah* in expressing the duties of a non–religious government, he wrote:

"Regulate life through methods meritorious to and essential to human society, to specify the methods of civil *'idalah*, keep our promises firm and establish general peace and calm.[88]

Also, as an Evangelist protestant,[89] he recognized only one absolute lawmaker in the universe, whose name was God.[90] From his perspective, the church undertook its role in society by the teaching knowledge of God, by attempting to impart spiritual education in the implementation of *'idalah* and administration of civil relations in society.[91]

In spite of this, Calhoun's dogmatic outlook, the stress he laid on people's obedience to ruler – as Luther did, and his belief in God–chosen people, his pessimism towards human essence and negation of an uprising vis-a-vis the ruler–excluding disobedience in cases when the ruler gave order against God's commandment – there remained no room for his outlook to set forth the question of *'idalah* theoretically and practically. On this basis he said:

"Colonialism facilitated the merciless colonization by the capitalist."[92]

Of course, in later years a tendency to *'idalah* was somewhat raised in this school of thought. For instance; John Knox invalidated the negation of resistance against the ruler:

'However, it is disbelief to say that God has ordered obedience to kings who issue orders to perpetrate evil and corruption."[93]

Naturalist laws

In the early years of the new age other inclinations such as the attention to natural laws and Divine laws were also propounded. Although such thinkers heeded power and social order, they were heedless of issues pertaining to *'idalah*. One of the important discussions of this era was the theory of the Divine rights of kings raised predominantly by lawyers and statesmen of France and Britain. This group often preferred the interests of their own society to public interests. Among these one can cite Jean Beden and Bossuet.

In discussing the end of a conclusive and dominant government, Beden refers to rational and intellectual virtue and relative welfare of all people. From his perspective, natural laws are clear and cogent and only the king should observe them. The king should already have reached an agreement with his subjects on them, because if some of the very general principles such as truth, sincerity and *'idalah* were not unanimously agreed upon, enormous differences would emerge in the opinion of the public, who would inquire how these principles should be enforced in inherent and objective choices of [men's] behavior."[94]

At the same time he argued that in the evaluation of whether a king was a just or a tyrant one was not to judge on the basis of the intense treatment[95] he applied. In Beden's viewpoint the oppressor was one who obtained sovereignty forcibly, not through election, inheritance, drawing lots, an *'idalah*–seeking war or God's appointment and revelation .[96] Therefore:

"The Law does not permit an individual or all people to launch efforts to take the life or position of the ruler by way of force or *'idalah*."[97]

However, in spite of this, Beden differentiates fully between a just king and a tyrant ruler. Bossuet also maintained that no government could remain in power minus religion, even a false religion and that social *'idalah* has been constituted on the basis of religion and therefore not compatible with despotism. From his viewpoint God was just and did not allow any power to be entirely despotic or disregard the natural, Divine or human law.[98] Therefore, although he favored absolute rule for kings, he propounded that:

"If the king is opposed to religious injunctions, he should obey God, not men of God."[99]

In contrast to the inclination to public laws, anti–king ideas emerged more or less in this period of time. Among the works of this period, Moroni's book entitled *Defense of Freedom Against Oppressors* enjoys great significance. He considers the foundation of the formation of sovereignty for dispensation of *'idalah* chronologically to be after the golden age of human being. He writes:

"Since then it became necessary that a kind of sovereignty should be created for the settlement of differences and establishment of *'idalah*, that is, preventing the affluent from suppressing the poor.[100]

In his opinion, this work was accomplished by two contracts: the first one between God, the king and the people for creation of a rightful religion and the second between the king and the people for the creation of a nonreligious government on the basis of which people were committed to obey the king sincerely while he also governed justly.

Outlooks of the Age of Enlightenment and the 19th century

'Idalah in Hobbesian tradition

1) 'Idalah in the political thought of Hobbes

Hobbes considers man as an intrinsically evil being and holds a pessimistic and tragic view of him. From his perspective, in the natural state, everyone is his own arbiter ... and this difference gives rise to conflict and war.[101] Also, due to rarity of resources and greed oriented efforts of human beings to access them a war of each against all will break out and man's life becomes lonely, wretched, evil, ferocious and short–lived. Therefore, all seek a single judge and accept his views regarding the threats posed to them in cases of doubtful and contentious cases.[102]

Hobbes, by relying on the concept of natural law, which is expressive of the motto "Do not do unto others what you do not desire others do unto you" and which is comprehensible even to the least witted individuals[103] and inspired man's instinctive desire for survival, raised the issue of (social) contracts by recourse to which everyone fulfills his natural right, i.e. his self–preservation, by fulfilling his pledges without posing any threat to others. This is Hobbes's concept of *'idalah*: it implies that *·'idalah* lies in people's (acquired) habits in the execution of contracts and agreements [they enter into in the society] and their loyalty to such. In more precise terms, *'idalah* connotes loyalty to one's pledge and covenant provided that others do the same.

In this outlook, *'idalah* is not a criterion independent of man's will; it is rather an affair to be agreed upon. In fact, what Hobbes heeds more than anything else is the security of the citizens and not the provision of *'idalah* for them. Therefore, to provide for security, the ruler should enjoy absolute authorities in all fields. On this basis, neither the act of the ruler can annul the individual's promise nor can one accuse the ruler of tyranny.

2) 'Idalah in the political thought of John Locke

'Idalah in the political thought of John Locke[104]

The most significant issue about *'idalah* from Locke's viewpoint is that he considers natural law to mean the protection of life and property and freedom of human beings, summing them up in ownership, and constituting this right on the basis of natural laws. He argues that as a result of man's vocation public natural properties become private. Moreover, the entry of human beings into a civil or political society is to protect properties they have obtained in a natural situation. From Locke's viewpoint, the natural right to ownership is correlated with the fundamental right of protecting the self,[105] because it has not originated from a contract.

However, this natural right has limits and boundaries and should not apply to objects that others have already obtained. Also the law of nature regarding ownership oversees the prevention of extravagance and excess. Man, who acquires properties by working should think exclusively not to spoil anything uselessly. His duty is not to think of others. Everyone thinks of himself and God thinks of all.[106]

Therefore, we understand that individualistic utilitarianism resulting from wealth without trespassing accumulated wealth and what others have obtained accumulated constitute the foundation of Locke's viewpoint, utilitarianism and liberalism. That is why Schtrauss indeed rightfully propounds:

"Locke's teaching of ownership is directly comprehensible although it is today regarded as a classic teaching of the "spirit of capitalism " or teaching concerned with the main goal of establishing a government.[107]

From the viewpoint of Montesquieu, natural law – in the sense of necessary relations and direct effects and results of the nature of beings[108] – reigns over all of them including man. Regarding man, this state of affairs creates a criterion for *'idalah* that precedes human positive law because from his viewpoint in natural formulation – as compared to civil formulation *'idalah* and just relationship have existed. In his words:

"If we argue that possibility for prevalence of *'idalah* has been absent remote from the commands of positive law, it is like saying that prior to drawing a circle, all its radii were not equal."[109]

Therefore, from Montesquieu's viewpoint, natural laws are just, and as man forget God and himself, he might also forget his fellow human beings. Hence, the political legislators remind him of this fact. Thus, positive laws conform to natural laws as comprehended by man's intellect.[110]

Generally speaking, the proportion of the laws to internal relations of the society and its needs as well as its constituents is the basis of the justness of laws.

In fact, in Montesquieu's view, although *'idalah* is not an affair to agree upon, as reflected by Hobbes and Locke, it is dispositional and originating from man's natural propensities. Since man's natural tendencies differ in different societies, hence *'idalah* in every society differs from that in another society. He also has regard for the principle of moderation in the formulation of laws. In his view, the political good always stands between two extremities.[111]

'Idalah in Hume's tradition

1) 'Idalah in Hume's political philosophy

Hume stressed the principle of interest and sanctioned the usefulness of the individual and others. Therefore, from his perspective, whatever results in the good of the society directly causes our gratification.[112] Since *'idalah* is a public affair, therefore:

"Public usefulness is the sole source of *'idalah* and contemplation over the useful results of this virtue is the sole foundation of its distinction."[113]

Although man's interest pushes him towards the society, in order to establish and regulate the individual's rights, there is a need for a consensus the contract must be concluded by all members of the society – to give stability to possession of external properties, causing everyone to obtain whatever he can under the aegis of his luck and efforts.[114] It is this very general feeling of common interest from which conceptions of *'idalah* and oppression arise. Therefore, from his viewpoint, *'idalah* is founded on the basis of personal interest or feeling of usefulness:

"Hence, personal interest is the main incentive for establishment of *'idalah*, but sympathy or public

interests is the source of moral acceptance along which comes virtue.[115]

Hence, Hume regards *'idalah* an artificial virtue contrived by man, emanating from his training and contracts and as the result of common law. Of course, he does not consider the artificial nature of *'idalah* to mean recalcitrance, yet he does not contend it to be separate from human situation and states. In fact, he does not believe in something by the name of eternal law of *'idalah* or its truth in the sense of its separation from human situation. Rather, from his viewpoint, *'idalah* is an affair devised by man. Therefore, the goodness of *'idalah* is founded not on conceptions but on discipline.[116] From his view point, government is also man's innovation and the most important interest it brings to man is the establishment of *'idalah*:

This creature during his advancement begins to lay the foundation of a political society so as to dispense *'idalah*; therefore, you should view the vast government machinery that seeks nothing but to attain an end, which is dispensing *'idalah*.[117]

2) 'Idalah in the viewpoint of Smith and utilitarianism

Adam Smith accepts the term empathy intended by Hume and takes it as meaning sympathy. From his viewpoint:

"We do not approve of any feature of the mind as virtuous except what is useful and smooth for the state of the person himself or that of others."[118]

Of course, from Smith's perspective, the feeling of acceptance precedes usefulness and is a habit. Therefore, obedience arises from habit and habit gradually emerges from people's gathering in order to preserve and sustain generations. The constancy of habit also depends on the stages of the society's development, which it has undergone. It was at the second stage that ownership of domesticated animals had emerged and government created accordingly for the establishment of *'idalah* and social order.

On this basis, he considers commercial society to be the most superb stage of historical evolution because in a commercial society *'idalah* and moral judgment are regarded as honored values.

By and large, *'idalah* in his view is the product of economic growth and the creation of greater benefit in society and, consequently, subject to traditions and customs of every society. This type of outlook is conservative. From Smith's perspective an unseen hand in the market and economic process acts in a manner that social *'idalah* (justice) would materialize in the society.

The most important advocates of this tradition were utilitarianists such as Jeremy Bentham and his followers, particularly, John Smith Mill from whose viewpoint, too, feelings play a determining role in human's goals. And accordingly, people desire pleasure and abstain from pain and suffering. Therefore, the principle of usefulness for them constitutes the foundation of political thought and criteria for *'idalah* in

the society.

Idalah (justice) as seen by Rousseau and Kant

1) 'Idalah in Rousseau's political thought

Jean Jacques Rousseau observed the corrupt and degenerated society of the Age of Enlightenment. From his perspective, this perversion is rooted in inequality and injustice pervading this supposedly civilized society, because it encourages its citizens to suppress their natural human desires and tendencies and replace them with false and artificial social behaviors. At the same time, the society encourages extreme inequality among the citizens.[119]

Hence, a major crisis characterizing the society in the Enlightenment Era in the west is the question of injustice and human inequality and this inequality conflicts with natural and physical equality. In his book, he writes under the heading "A Discourse on the Origin of Inequality:

"Moral inequalities authorized by positive laws conflict with natural rights wherever they are inconsistent with physical and natural inequality. This contradiction resolutely teaches us what we should think about regarding the type of inequality ruling over civilized societies."[120]

Moreover, in his vision man is not intrinsically evil and cruel but rather human beings have been naturally created simple savages and not mischievous creatures; and as a result they defend themselves against the evils wreaked by others but do not seek to commit oppression against others."[121]

Accordingly, human beings have been created inherently equal and free, and no one is superior to the other in terms of creation. Of course, small natural inequalities prevail, which are essential to sustain life, but the existing social organizations gradually keep such inequalities remote from freedom and equality more by aggrandizing them and transforming them to social ones. Amid all this, the institution of private ownership is calculated as the most important factor responsible for natural inequality.

Rousseau's attention to politics as the most important factor determining man's direction in society while regarding human conscience as its basis leads him to a special conception of a social contract in which man can build up a new society. In a civil society he beard mind, human beings are transformed into new moral beings possessing a single will called public will which,

"Only heeds common interest while public will takes into consideration private interests and comprises only a collection of personal wills. However, if you eliminate from this collection the minuses and pluses that neutralize each other, what remains is the public will."[122]

Public will is the product of faith, love and upbringing[123] and finds reality when all observe each other the way they see themselves and what they desire for themselves they desire for others. Based on public will, Rousseau's just society will be created, wherein no citizen becomes so rich as to bring others to his service and no citizen becomes so poor as to be compelled to sell himself.[124]

In this outlook, *'idalah* transgresses the limits of nature and usefulness and becomes a moral and human affair.

2) 'Idalah in Kant's political philosophy

Kant regarded ethics as the basis of politics and expressed concepts such as freedom and *'idalah* within the framework of moral perspective. From his viewpoint, man's effort for the development of his character, which is his main objective in life, has two aspects: I – to combat against forces of nature in order to conquer them, 2 – to struggle against his self to follow the law of intellect. Kant considered Rousseau's public moral will as the cornerstone of his thought and began interpreting it in a way that was binding on all. From his perspective, there were two rights: intrinsic rights that people enjoyed naturally and independent of any approved law, and acquired right, which was obtained only through the law's approval. From among these rights, the only right that is legitimate and whose natural right of external freedom plays this role can create a legitimate basis for acceptance of the legal rule of a government. Therefore:

1– People enjoy an intrinsic right to external freedom, 2– the only legitimate limitation for the right to external freedom of the rights of others corresponds to freedom, 3 – the prerequisite for the general realization of this right to external freedom is the prerequisite of *'idalah*, 4 –*'idalah* necessitates a prescription to use coercion, if need arises, for backing the conditions of *'idalah*.[125] This right provides the basis of the concept of *'idalah* for Kant. In defining *'idalah*, he writes: "The totality of conditions under which an individual's will can unify with the will of other individuals in accordance with the general law of freedom."[126]

Hence, in his view; *'idalah* necessitates that individual human beings act in full conformity with public will.

Based on such a definition, *'idalah* is a prerequisite to the unity of the individual's will with the will of other individuals and the practical realization of public will is based on a general law of freedom, oppression or injustice will consist of any condition causing an individual's will to unite with another individual's will in accordance with a general law of freedom.[127] That is why, the use of force to confront such a situation is considered as the prerequisite of *'idalah* and its application in support of the intrinsic right compared to external freedom is a necessary condition for *'idalah*. Of course, the application of force for the realization of *'idalah* should also be just. Kant constitutes his political philosophy based on such an outlook of *'idalah*. The government in his view should be based on *'idalah* and under the laws of *'idalah*. He writes: The government[128] consists of the unity of a multitude of people under the laws of *'idalah*, that is the conception of a government the way it should conform to the pure principles of 'idalah.[129]

3) 'Idalah in the eye of Hegel

Impressed by Kant, Hegel stressed man's freedom as his fundamental purpose but considered it to lie in following idea. From his viewpoint:

"Complete freedom, which is man's goal, is acquired when all human beings know and understand the idea and harmonize with it and, consequently, live accordingly."130

In such conditions *'idalah* finds meaning. Therefore, in his outlook *'idalah* signifies coordination of the status quo with idea. On this basis, he places the individual at the service of the government and in his opinion the existence of the individual finds meaning as a citizen and in connection with the government.

'Idalah in Socialism

In reaction to the liberalistic outlook, particularly in the economic dimension, socialism took shape gradually, constituting the basis of his attitude to collectivism and "common stress laid on the transformation of a capitalistic industrial society to an egalitarian system131 in which a collective welfare for all changes into a real principle132 This school considers the existence of a powerful and centralized organization as the best means to prevent transgressions and injustice in society.133 The goal of almost all socialists is the dissolution of private ownership and the establishment of public ownership in its lieu. All of them have unity of view regarding principles but differ in ways to attain them. Socialists are divided into two groups: the idealists and the Marxists, as inspired by the views of Marx. Idealist socialists such as Sismondi, Saint Simon, Proudhen, Fourier, Louis Plan, Pierre Louraux, Blanquee and Robert Owen sought a change of the social organization for the establishment of *'idalah* and equality.134

From Sismondi's perspective, the aim of economy should be the welfare of the society. "An equilibrium will not be created between productions and needs necessarily and automatically."135 Rather the normal situation of production and needs creates a system of free exchange and liberalism, and this state of affairs necessitates "the intervention of the government in order to improve the social situation and change the undesirable current of economy."136

Saint Simon also stressed the value of work and called for the equality of individuals at birth "in which case everyone with equal opportunities and provisions would undertake efforts and according to one's endeavor and talent would benefit the society's resources."137

On the same basis in his view "the rule of human beings will be replaced by management of objects."138 And therefore, he basically rejects feudalism's idea of ownership as the absolute right on which society and government are based. In his view, ownership is a kind of exploitation of man by man.139

The founder of scientific socialism was Karl Marx, who by innovating the concept of self–alienation140 and relying on historical materialism and dialectic materialism, embarked on an economic interpretation of society and history and propounded that the history of all past societies was the history of their class struggles141 and social classes were the product of the economic relationship of his age.142 In this way by considering the five phases of historical transformation, based on the dialectic principles [of thesis – antithesis and synthesis], he brought up the idea that society would eventually reach its final stage, communism, or secondary socialism, based on self conscious equalitarianism.

The Communist society in the eye of Marx is a classless society and the product of the crisis that breaks out in capitalism, and human societies reach the communism stage by passing through the transitional stage of socialism, which is a classless society without a government and wherein private ownership and division of labor dissolve. "Therefore, the establishment of a communist society is not feasible without the abolition of labor division and collective work."143

In this stage the fundamental criteria of socialistic distribution – pay according to work done – will be elevated to the superior stage of communism – everyone according to his need. He writes:

"The society can write on its flag: From everyone according to his capability to everyone according to his need."144

In this way social *'idalah* finds reality in the society.

By and large, the ideas of the thinkers of the 18th and 19th centuries in the West regarding *'idalah* consist of:

A) Utilitarianist liberalism, which observes *'idalah* actualized in usefulness and public interests and as a result regards it as an artificial virtue that is entirely dependent on usefulness and feeling and is based on customs.

B) Moral liberalism, which defines 'idalah in moral context and in full conformity of the individual's with the public will.

C) Idealist socialism that sees *'idalah* in economic equality and social welfare and regards capitalism as the origin of injustice and inequality.

D) Scientific socialism (Marx and Marxists) that present *'idalah* with an economic outlook and livelihood and within the framework of the principle of "from everyone according to his capability and to everyone according to his need."

'Idalah in the political thoughts of the 20th century

A) Liberalism

Liberalism as the ideology of capitalism has attempted at economic progress based on individualism. Classical liberalism has in mind the inclusive structure and rule of law so that within it individuals can take a step towards the realization of their individual interests. Naturally, the government and law are not for the intervention in man's specific activities and measures but rather the existence of law is for the creation of a situation in which human beings can manifest their preferences. *'idalah* is not concerned with the results of the preferred things. Poverty, social inequality and unemployment are not subject matters of *'idalah* per se.145

Therefore, *'idalah* is a concept at the service of private ownership, individual avarice and utilitarianism, which has been occasionally called converted *'idalah* and at times placed opposite to distributive *'idalah* which is concerned with the subject of improvement of the situation of society and its welfare. This definition comes at a time when liberalists usually view the issue of *'idalah* and social jus tice with equality and in confrontation with freedom. As such, in the 20th century rightist 1iberalists such as Fredrich Hayek, Robert Nozik and Friedman consider equality and *'idalah* to be inconsistent with freedom and talking about social justice in society comprising free individuals to be triggering the emergence of a superior power and depriving human beings of freedom.[146]

In contrast, leftist liberalists such as Dewey and Laski did not believe in contradiction between freedom and social justice. For this reason, Dewey, for example; considered the main condition for the realization of democracy to be in the observance of equality of all individuals.[147] And thus, from his viewpoint a free market economy does not conform to democracy. Here the viewpoint of some prominent thinkers are briefly touched on:

Ernest Barker

He believed that democracy could be guaranteed only by a law that was the manifestation of the right and *'idalah*, and this unique single law was the gauge by which to assess the correctness of laws and regulations among nations. From his viewpoint, the law of *'idalah* was tantamount to labor law and was the product of people's thought but not people of one particular age and time ... product of the human mind throughout the course of history.[148] In Barker's look, the law of *'idalah* was the product of society and thus all social groups were morally duty bound to be effective in the general process of human evolution and advancement of the law of *'idalah*.

Friedrich August von Hayek

In Hayek 's look, *'idalah* is maintained as subheading of the vast subject of ethics and just behavior consists of conduct in conformity to or compatible with general behavioral rules endorsed by tradition which, in turn, is rooted in the culture and values of the society, and civilization has come into existence under the shadow of tradition. In his perspective, tradition also stands somewhere between instinct and intellect.[149] And custom and rules consist of imitated behaviors[150] which have a historical and logical precedence, and the human intellect is the product of culture and tradition, not its origin.

On this basis, from his perspective, ownership is the necessary condition for *'idalah* and the existing order in society is not a rational plan but rather a spontaneous order and therefore not pre-designed. On this basis, the market process is neither just nor unjust. Only man's deeds can be called just or unjust but the existing inequalities in the market system are inevitable and even useful.

His view of distributive *'idalah* is based, firstly, on the removal of needs and observance of competencies that are unfounded and impractical and constituted mental criteria and unprincipled and selectively arbitrary acts. Secondly, this idea disturbs the conformity between services and reward, which is the sole

guarantee of economic competency. Moreover, the government cannot access the necessary information for improvement and correction of market processes. Therefore, the concept of social *'idalah* should be deleted from the political dictionary of the society.[151]

John Rawls[152]

Putting it within the framework of Kantian tradition, Rawls looked at *'idalah* as tantamount to impartiality and by accepting the theory of contract and concepts such as the primary situation, veil of ignorance, fairness and principle of *'idalah* argued that *'idalah* was the feature of social organizations and systems or a situation in which principles of 'idalah were selected. In this perspective, man created *'idalah* and its principles and man had to find a way for the attainment of the principles of *'idalah*.[153] For the realization of this affair, he first explained the primary situation as hypothetical and the ideal situation in which all were aware of their own characteristics and sought to meet their own needs. The principles emerging from this situation "characterize conditions according to which no one is disposed to see his interests to be restricted in view of the existence of the interests of the rival unless the interest of others is proportionally confined."[154]

In such a situation cooperation among them becomes possible and since individuals are more or less equal in terms of capability, consequently, no one can defeat others in an ordinary situation. Of course, he has transferred the conditions of *'idalah* in his book "Theories on *'idalah*" to contractual situation and related them to the impartial selection of principles of *'idalah*. Therefore, the principles of *'idalah* emerge from a situation in which a fair selection has been made. These conditions require a veil of ignorance on the basis of which no one knows his standing in the society, class status or social position or status and is unaware of how much his share of the love and affection ... the parties to the contract are not aware of what their concept of the good is and what their specific psychological liking is.[155]

In the veil of ignorance, there exists a kind of mutual impartiality,[156] which is agreed upon. Hence, in his view *'idalah* is that which free and equal persons agree upon:[157] In this theory individuals in a society cannot really be equal. Thus:

"*'idalah*, in principle, consists of the elimination of unjustified privileges and creation of real equilibrium among man's conflicting wants in the construction of a social organization."[158]

On this basis, the principles of 'idalah consist of:

a) Every member of a social institution or under its influence has an equal right compared to the most expensive freedom that is compatible to all.

b) Inequalities are unjustifiable unless this expectation that the inequalities will culminate in the interest of all is rational and provided that the positions and posts to which the inequalities are affiliated or

through which it can be obtained are at the disposal of all.159

By raising the primary situation and acquisition of these principles therein, Rawls depicts a picture of western liberal–democratic society and, in fact, underscores the end–oriented and moral concept of *'idalah* within the framework of liberalistic theory for these two principles are maintained as primary ethical principles of democracy. The first principle stresses the greatest equal freedom and the second one justifies and regulates social inequalities so as to favor the most deprived individuals.

This concept of *'idalah* comprises three constituents: freedom, equality and unequal reward. According to Rawls's words, public participation in understanding *'idalah* is tantamount to fairness that constitutes the foundation of liberal democracy.160 In fact, in this perspective, the existence of inequality and class are real things, but this inequality should, firstly, be in favor of the deprived strata as much as possible and, secondly, this inequality is plausible for the administration of society. Therefore, private capitalism and the freedom of the labor market and utilitarianism continue to be in force and inequality in incomes and benefits of the different classes will become just and plausible in case of being in conformity with the second principle. However, such just inequality aggravates the situation of the poor.

Rawls's views have many loopholes. One can cite an instance such as basing things on mutual agreement, relativism, epistemology, moral pluralism and placing honored and weak beliefs as one, etc.161

Robert Noziek

By negating the theory of *'idalah* based on fairness and the latest distributive situation, Noziek takes up the idea of *'idalah* based on merits under the title of distributive *'idalah*. He also claims, as does Rawls, that he is among the followers of Kant and has accepted Kant's theory that *'idalah* is the end and not the means.162 Hence, governments should be committed and obliged to related moral bounds of the issue. On this basis, the minimum government is the most inclusive justifiable government. Any government that is more inclusive tramples upon the rights of people.163 Such a government is the best means for the attainment of distributive *'idalah*. By examining the issue of *'idalah* in properties, he arrives at competency and raises that "the complete principle of distributive *'idalah* simply argues that distribution is just when all have a share in properties and based on that distribution become the owners."164

Therefore, the principle of *'idalah* in the transfer of properties through legitimate ways becomes distinct by passing through one distribution to another distribution. On just possession, he heeds the mingling of personal work with the interests of ownership and argues that collecting tax from incomes originating from work is not different from toiling others and is unjust.165

B) Critiques

Shortcomings of the theories raised in the realm of liberalism triggered diverse critical theories developed by socialists predominantly comprising Frankfortiha, Walzer and conservatives such as

Eckchatt, Schtrauss and traditionalist philosophers such as Macintyre as well as thinkers such as Michael Sandel and Peter Burger. Here we will treat the viewpoints of some of them:

1 – Alsedric Mack Intayer

He emerged as one of the prominent critiques of modernism in the face of queries such as historicism, relativism and liberalism and by relying on the moral philosophy of ethics, he raised the necessity of *'idalah* as being tantamount to virtue. In discussing the philosophy of ethics, he declared the superiority of the virtue–oriented ethics of Aristotle to the end–oriented school of utilitarianists and that of Kant's duty–oriented theory. [166]

From his perspective, ethics in the west had lost its meaning and transformed into a cover for the attainment and preservation of power and had nothing to do with the good and truth. Moreover, from his viewpoint man was able to understand and judge the viewpoints of the rival. Thus, he rejected the views of relativists to the effect that rationality was not applicable in the special sense, and also the view of perspectivists, [167] who say that the pivotal beliefs of a tradition should not be taken as right or wrong and, therefore, believed in the existence of the concept of fixed truth in contrast to relativism.

By relying on a fixed concept of *'idalah*, he says:

"A utopia that lacks the practical empathy on the concept of *'idalah* necessarily lacks the foundations essential for a political utopia as well." [168]

MacIntyre, by reviewing the viewpoint of Rawls and Noziek, heeded the issue of competency and virtue and propounded that both views were unable to introduce any moral or social link among individuals. [169] Then by construction of *'idalah* and virtue and merit he said:

"The new orderly policy including liberalism, conservativism, radicalism or socialism should be thoroughly rejected and denied as of the time it is really obliged to committed to tradition of virtues." [170]

2 – Michael Walzer

From his viewpoint, the way to reach the hidden ideals of liberalism and socialism extends the span of practical life. Therefore, freedom, equality and social solidarity are correlative. By looking at radical pluralism, he believes in free enterprise and free ideas and views, and accordingly considers socialism to be realizable in the bedrock of liberalism. From his viewpoint liberalism is the world of walls and every wall creates freedom. [171]

Walzer considers the first and most significant condition for equality in society to be separation and independence of the various realms of social life from each other. From his viewpoint:

"This prevents one realm from dominating the other and does not allow individuals to use the rights and special privileges they have accomplished in one realm in other realms." [172]

On this basis, he suggests that simple equality, equal division of wealth and existing resources among citizens does not resolve the problem of injustice in society,173 unless spheres are separated from each other and there is a giant wall between them. From Walzer's perspective, social possibilities should be divided among people: 1 – laissez–faire, 2 – needs and 3 – competency. The three should be in harmony with one another, because none of them can cover singly the entire realm and each of them is linked to various factors and issues. Therefore, in the totality of each sphere, special combination of these three principles constitutes the practical foundation for the realization of equality. In his discussion, he touches on issues such as the hardship of the work and specialized nature of some work and considers simple equality to be inconsistent with *'idalah*. Moreover, he considers the foundation of *'idalah* to lie in full membership in the society and considers it the fundamental rights of every individual. This right has a universal credibility and every human community should recognize it. There is no exception and condition in this case.174

Beyond this right, Walzer believes, there is no objective and universal foundation for distributive *'idalah* and the only point of departure here is the method of performance or the pragmatism of human beings and their viewpoints. Therefore, distributive *'idalah* in every society has its own form and it is where Walzer considers the views of Rawls and Hobber Maus, who maintain a general and rational foundation for *'idalah* to be incorrect.175

3 – Paul Elmer Moore

This American conservative critic by stressing duality of man's disposition and distinction between natural and spiritual law of man propounds that the modern world has been affected by naturalism, pragmatism and the will tilted towards power. In such a situation return to the lost principles is a necessity.

He maintains the concept of social justice as a recourse based on which radical groups want to take power. In contrast, he defines *'idalah* as correct distribution and granting the right of every one to oneself. In explaining *'idalah*, he writes: "*'idalah* is the inner state of spirit that concentrates on virtue in guidance and rule of will."176

Therefore, his understanding of *'idalah* is that of Plato and considers it to be tantamount to virtue. However, in his view, modern social *'idalah* is only distribution of power, privileges and ownership that does not have any absolute criteria and rule and that is based on (random) selection. And the legislator that seeks to implement it should finally judge between private privileges and public interests according to his liking, thus resulting in the emergence of unjust situation.

The viewpoints and opinions presented in the west and other civilizations treated in this book can be classified under four major categories: a) naturalist viewpoints, b) sentimentalist viewpoints, c) rationalist viewpoints, d) canonical viewpoints. The most important issue in these viewpoints, besides the determination of the nature of *'idalah*, is its primary foundation, which is either agreement or contract or

remote from human agreement, is rooted in the world of existence or emanating from revelation.

Many of these viewpoints, by relying on rational and common principles, relativity, and agreement and moral plurality, have not presented a correct and reliable basis for ʿidalah. Some others have also fallen into the trap of material nature and the rights emanating thereof define ʿidalah in the context of naturalism and pure utilitarianism. However, others consider the basis and concept of ʿidalah to lie in the Shariʿah (Islamic law). Some others have noted the foundation of ʿidalah with rational solution.

1. "Throughout history nothing is more wonderful nor its justification more difficult than the sudden emergence of civilization in Greece ... "

2. For instance, M. Finley considers politics as innovations of the Greeks: M. Finley, L ʾinvention de la politique, Paris: Flammarion, 1983, p. 85.

3. One of the cities of Sumer.

4. Will Durant, op.cit. , v.1, p.146.

5. 3 Orangor was the king of the city of Oro or Orkaldanian around 2450 lunar calendar.

6. 4 Cambridge Ancient History (CAH), Cambridge University Press, v. 1, p. 427.

7. The sixth king of the first Babylonian dynasty. This Collection of the laws and edicts of the Babylonian king , Hammurabi, and the earliest legal code known in its entirety, engraved on a block of black basalt unearthed by a team of French archaeologists at Susa, Iraq, formerly ancient Elam, in 190l had been restored and is now in the Louvre in Paris.

8. This tablet consists of 82 laws or codes among which the codes of defending property, land ownership, trade, society, family, sex trade, agricultural worker, hired workers, women's rights are worthy of note: Refer to "Hammurabi", Encyclopedia Britannica, v. 8, p. 599 as well as G.R. Driver and Tohn C. Miles, The Babylonian Law, Oxford: Clarendon Press, 1955, p. 8.

9. Ibid. p.8.

10. A Prophet of ancient Iran, said to have lived in Azarbaijan. Other scholars believe he lived in Rey. The north–east of Iran is predominantly cited as his place of residence. Scholars believe he lived sometime between 1750 and 1500 B.C. or between 1400 and 1200 B.C., although Iranian tradition places him as having lived about 570 BC.

11. Ashah.

12. Regarding Ashah, refer to Mehr Lexicon, a New Perspective into an Ancient Religion, Zoroastrianism, Tehran, Jami Publishing House, 2nd Edition , pp. 60–65.

13. Ibid p.61

14. For instance, refer to Avesta, the most ancient Iranian songs, account and research work of Jalil Dustkhah, Tehran: Morvarid Publishing House, 2nd Edition, v.1, 1374, p.8, Avesta, Gahan (Gatha), Ahunudgah, Yesneh Hat 28, Paragraph Four.

15. Arta/Rta

16. Arsta/Arta

17. Fathullah Mujtabaʾi, The Beautiful City of Plato and Ideal Monarchy in Ancient Iran, Tehran: Ancient Iran Cultural Association Publishing House, 1352 Shamsi, pp. 30–31.

18. F.M. Cornford, From Religion to Philosophy, Atlantic Kighlands, N.J: Humanities Press, reprint, 1980, p. 176.

19. Ferdowsiʾs Book of Kings, Ibid. v. l, p. 57, verses 528, 532, and 533.

20. A ruling dynasty of Persia from about 55 BC to 330 BC after the Medes. The Founder of the dynasty, Cyrus, the Great, conquered the territory of Medes. The last king of the dynasty was Darius III, who was killed by Alexander of Macedonia in 321 BC.

21. Merry Bois, History of Zoroastrianism, translated by Homayun Sanʾati Zadeh, Tehran: Tus Publishing House, 1375, p. 172, quoted from the 20th Inscriptions, Column 4, paragraphs 31 through 341. Also for information about the content of The Persepolis Inscription refer to Ralfaq Tarmen Sharp, Commandments of Achamenide Kings, and [Shiraz]: Central Council of Celebrations of 25 centuries of the foundation of the monarchy in Iran, 1316 solar

calendar, pp.67–70.

22. Thomas Aquinas, Summa Theological, II, LIV, VI, 5.

23. Torah, the Holy Scripture (The Old Testament), Genesis, 1/27.

24. Ibid. Prophet Jacob, Jes, 58/5–8. 5–8/58.

25. Jes, 11/4. (Prophet Jacob, 4/11).

26. The New Testament; that is, the Holy Bible, Gideon's International Association, p. 152, John: 29/15; The Holy Bible, London, Hodder and Stoughton,4th Impression; 1979, John 5/30 (p.211).

27. The book of the Old Testament, a collection of hymns known as the psalms or Psalter attributed to King David. A partial classification of the Psalms include hymns of praise acclaiming God, a section describes recital of songs in repentance, others for the glorification of good, and finally hymns on canon and prayer for sinners.

28. The Psalms of David, Tehran: Iran Holy Scripture Association Publishing House, Bita, Psalm 4, Paragraph 1, Zabor is also called the book of Psalms.

29. Ibid. Psalm 7, Paragraphs 9 and 10.

30. Michael B. Foster et al, Gods of Political Thought, Translated by Jawad Shaykh al–Islami and ... Tehran: Amir Kabir Publishing House, 2nd Edition, v. 1 , 1982, Part 2, p. 349.

31. Summa Theologica, II, LV, VI.

32. Confucius, Discourses, Translated by: Kazim Zadeh Iranshahr, Tehran: Scientific and Cultural Publishing House, sixth edition, 1996, p. 97.

33. Chu Jai and Vinberg Jai, History of Philosophy in Ancient China, Translated by A. Pasha'i, Tehran: Maziyar Publishing House, 1975, p. 25, one of the famous six books of Confucius is dedicated to ethics and behaviors and rituals of life or living so that man, borrowing from the words of Confucius, can establish a firm base in his life. The title of this book is Li Ching or the Book of Rituals. Of course, works such as the Great Learning or Lum Yu and Doctrine of the Mean are also devoted to the administration of individual's life and the society.

34. Jen

35. Li

36. Ta Tung

37. Confucius, Discourses, Ibid. p.146–145.

38. Dariush Shaigan, Religions and Philosophical Schools of India, Tehran Amir Kabir, 2nd Ed, v. 1, 1377, p.8.

39. Darma

40. Or the eight supreme ways – ariya–atthangika–magga, also called Zammeh. Refer to A Pasha'i, Buddha, Tehran: Firuzeh Publishing House, 6th, Ed., 1998, pp. 28–34.

41. Ibid,. and refer to Nianeh Ti Loka, The Words of Buddha, Translated by A. Pashaei, Tehran: Asian Documents Center Publishing House, 1978, and p. 91.

42. Among many thinkers and researchers this question has been raised and accepted that Pythagoras was the disciple of Zoroaster and that he was under strong influence of Zoroaster and Parsian. In the meantime, one can cite Aristotle, Hipolitos, Kelmentaskendrani, Plutarch, Aplios, Sisron, Forforius and ... For example; Plutarch writes: "and Zaratas, the teacher of Pythagoras, calls "dayda" [infinity] the mother or number and "one" the father of number." Refer to Deblioki. C. Guthrie, History of Greek Philosophy, (3) Pythagoras and Pythagoreans.

43. Ibid. p. 89, quoted from Yamblikhos, Biography of Pythagoras, pp. 81 and 87 and other places.

44. Ibid., pp. 267–268

45. 'Abdur–Rahman 'Alam, History of the West's Political Thought, v. 1, From Beginning to End of Middle Centuries, Tehran: Office of International and Political Studies, 1999, p. 31.

46. Theodor Gampress, Greek Thinker, Translated by Muhammad–Hasan Lutfi, Tehran: Kharazmi Publishing House Company, 1998, v. 2, pp. 4 and 6.

47. Ibid., p.56

48. Ibid., p.618

49. Refer to Plato, Republic, Translated by Fu'ad Ruhani, Tehran: Scientific and Cultural Publishing House Company, 5th Ed., 1988. It is said that the subtitle of the book deals with 'idalah. Its title in Greek language is Politeia meaning the entire

citizens, civil rights, political activity, government and political system. Refer to Karl Borman, Plato, Translated by Muhammad–Hasan Lutfi, Tehran: Tarh–e Now Publishing House, 1998, p. 176 as well as p.46. In any case, the theme of the book is ʾidalah. The Republic, Plato's major political work is concerned with the question of state, form of state and justice and therefore with the questions "what is a just state?" and "who is a just individual?"

50. See Julia Annas, An introduction to Plato's Republic, Reprinted, Oxford: Clarendon Press, 1982, pp. 10–14.

51. Dikaiosune

52. ʾidalah

53. Plato, Republic, ibid., p. 92.

54. Ibid., p. 236.

55. Abdur–Rahman ʾAlim, op. cit., p. 86.

56. Position

57. Refer to Ali–Akbar, Journey into Contemporary Political Thoughts, Tehran, Cultural Services Institute and Alast Publishing House, 1993, p. 27

58. Plato, Republic, p.236

59. Dixaios

60. ʾAbdur–Rahman ʾAlam, Ibid., p.134

61. From a poet of sixth century B.C.

62. Aristotle, Ethics of Nicomachus, Translated by Rida Khorramshahi, Tehran: 1364, p.126

63. David Ross, Aristotle, Translated by Mahdi Qawam, Safari, Tehran: Fikr–e Ruz Publishing House, 1995,p. 324.

64. Aristotle, Policies, Translated by Hamid Inayat, Tehran: Islamic Revolution Teaching Publishing House, 1994, p. 132.

65. David Ross, Ibid. p. 324.

66. Aristotle, op. cit., p.125.

67. A school of philosophy founded in ancient Greece. The Stoic school was established in Athens about 300 BC by Zeno of Citium in Cyprus. Zeno, who derived much of his philosophy from Crates of Thebes, opened his school at a colonnade known as the Stoa Poikile ("painted porch"). The Stoics, like the Epicureans; emphasized ethics as the main field of knowledge, but they also developed theories of logic and natural science to support their ethical doctrines. The four cardinal Virtues of the Stoic philosophy are wisdom, courage, justice, and temperance, a classification derived from the teachings of Plato.

68. John Bairn, Stoic Philosophy, Translated by ʾAbu'l–Qasim Purhusayni, Tehran: Simorgh Books, 1976 Shamsi, pp. 158–164.

69. ʾAbdur–Rahman ʾAlam, Ibid. p. 173.

70. Fredrick Kapelston, Ibid. v. 1, p. 459.

71. George H. Sabine, A History of Political Theory, 3rd Edition, New York: Holf, Rinehart and Winston Inc., 1961, p. 132.

72. ʾAbdur–Rahman ʾAlam, ibid, p. 197.

73. Frederick Kapelston ,Ibid. v. 1, p. 494.

74. Ibid. p. 495, quoting Seneca, On Happy Life, 3/24.

75. Karim Mojtahidi, Philosophy in Middle Ages, and Anthology of Articles, Tehran: Amir Kabir Publishing House – 1998, pp. 183–224.

76. Abdur–Rahman ʾAlam, ibid. p. 329.

77. Will Durant, History of Civilization, v. 5, Renaissance, Translated by Safdar Taqizadeh and Abutalib Saremi, ibid, p. 88.

78. Refer to Desidrios Arasmos, In Praise of Idiocy, Translated by Hasan Safdari, Tehran: Farzanegan Research and Publishing House, 1998 Solar Calendar, pp. 30–54.

79. Will Durant, Ibid. v. 6, Religious Revival, p. 340.

80. George Sabine, A History of Political Theory, 3rd Edition, New York: Holt and Co., pp. 337–338.

81. ʾAbdur–Rahman ʾAlam, History of Western Political Philosophy. v. 2, (New Age and 19th century), Tehran: Office of International and Political Studies, 1999, p. 23.

82. Refer to Niccolo Machiavelli, The Prince, translated by Dariyush 'Ashuri, Tehran: Parvaz Book, 1996 Solar·Calendar, pp. 123–124; 'Abdur–Rahman 'Alam, ibid. p.42.

83. Machiavelli, ibid. p. 123.

84. Refer to Niccolo Machiavelli, Discourses, translated by Muhammad Hasan Lutfi, Tehran: Kharazmi Publishing House, 1999, first book, Chapter 9, pp. 65–67.

85. 5 Thomas More, city of wish, rendered into Farsi by Husayn Saleki, Tehran, 'Arif Publishing House, 2nd Edition, p. 102.

86. Refer to ·Abdur–Rahman 'Alam, ibid. pp. 84–85.

87. He believed in a destiny predetermined by God for human beings and differences in destinies, holding that God would deliver some and damn others, but that God's work was just and there was no injustice in his damnation. That is, whatever God did was just. (A tendency corresponding to that held by Ash'ari and traditionists among Muslims.)

88. Ibid, p. 95.

89. Christians who believe that deliverance is the result of faith in Christ, not good deeds.

90. Brian Radhad, Political Thought from Plato to Nateaux, Translated by Murteda Kafi and

Akbar Afsari, Tehran: Agah Publishing House, 1995, p .151.

91. Ibid, p. 153

92. 'Abdur–Rahman 'Alam, Ibid. p. 100.

93. George Sabine, Ibid. v. 2, pp. 32–34.

94. Michael Foster et al, Ibid. v. 2, part 1, p. 70.

95. Refer to Jean Beden, Six Books on Republics, Book Two, Chapter Two.

96. Ibid. Chapter Two

97. Ibid.

98. This attitude is also in the realm of Christian theology and corresponds to that of the Ash'ari in the world if Islam.

99. 'Abdur–Rahman 'Alam, Ibid. p. 169. At the same time he raises that open disbelief and even harassment and torture does not exempt citizens from obeying the ruler and citizens are not allowed to raise objection to the wrath of the kings. They can only reprimand him respectfully or pray for change in his rules without complaining or revolting. Jean Jacques Chevalier, Great Political Works, and translated by Leyla Sazgar, Tehran: Nashr Daneshgahi Publishing House. 1995, p. 87.

100. 'Abdur–Rahman 'Alam, Ibid. v. 2, p. 119.

101. Thomas Hobbes. The Elements of Law, Natural and Political, Ed. by Ferdinand Tonnies, 2nd Ed. By M.M. Goldsmith, London, l969, v. II, p. 8.

102. Richard Tocque, Hobbes, Translated by Husayn Bashiriyeh, Tehran: Tarh–e Now Publishing House, 1998 Solar Calendar, p. 101; Thomas Hobbes, Leithan, Ed. C.B. McPherson, Hamondsworth: 1968, p. 199.

103. 'Abdur–Rahman 'Alam, ibid. p. 244.

104. Richard Tocque, Ibid. p. 104.

105. Leo Schtrauss, Ibid. p. 249.

106. Ibid. p. 251, quoting John Locke, Treatises, 11, SS.30–69.

107. Leo Schtrauss, Ibid. p. 258.

108. Montesquieu, Spirit of Laws, Translated and Written by 'Ali–Akbar Mu'tadi, with Introduction

by Rida Shafaq–Zadeh, Tehran: Amir Kabir Publishing House, 6th Ed., 1971, p. 83.

109. Jean Jacque Chevalier, Ibid p. 115.

110. Abdur–Rahman Alam, Ibid. v. 2, p. 310.

111. Jean Jacque Chevalier, Ibid. p. 113

112. Fredrick Kapelston, History of Philosophy, and British Philosophy from Hobbes to Hume, Translated by Amir Jalaluddin 'Alam, Tehran: Scientific and Cultural Publishing House and Soroush Publisher, v. 5, 1997, pp. 346–347.

113. Ibid. p. 351.

114. David Hume, A Treatise of Human Nature, Ed. by L.A. Selby Bigge, Oxford: 1951, p. 489.

115. Ibid. pp. 499–500 .

116. Ibid. p. 496.

117.

118. Ibid. p. 373.

119. Tomas Springs, Ibid. p. 168.

120. Jean Jacques Rousseau, A Discourse on the Origin of Inequality, New York: 1950, pp. 221–222.

121. Ibid. p. 227.

122. Jean Jacques Rousseau, Social Contract, Translated by Manuchehr Kiya, Tehran: Ganjinch Publishing House, 1974, p. 34, Homo, Social Contract, Translated by Ghulam Husayn Zirak Zadeh, Tehran:Adib Publishing House, 1990, pp. 64–65.

123. In this regard, refer to Social Contract, Translated by Manuchehr ·Kiya, pp. 18–40 and other stands; also Jean Jacques Rousseau, Emille, Translated by Ghulam Husayn Zirak Zadeh, Tehran: Chehre Joint Stock Company Publishing House Company, 1980, pp. 171–242; Thoughts of Solitude, Translated by Mahmud Purshalchi, Tehran: Parastu Books, 3rd Ed., 1971.

124. J.J. Rousseau, Social Contract, New York; 1952, p. 50.

125. Roger Scruten, Kant, and Translated by ʿAli Paya, Tehran: Tarh–e Now Publishing House, 1997, p. 187.

126. E. Kant, The Metaphysical Elements of ʿIdalah, Tr. J. Iadd, New York; 1965, pp. 43–44.

127. Roger Scruten, Ibid. p. 181.

128. Civitas.

129. E. Kant, The Metaphysical Elements of ʿidalah, p. 44.

130. Abdur–Rahman ʿAlam, Ibid. p.437

131. Egalitarian system.

132. Iain Mclean (Ed., by), The Concise Oxford Dictionary of Politics, Oxford; Oxford University Press, 1996, p. 459.

133. Baqir Qadiri ʿAsli, A Journey to Economic Thought, Tehran: Tehran University Publishing House, 1983, p. 114.

134. Ibid. p. 123.

135. Ibid. p. 124.

136. In this respect refer to Ibid. pp. 126–128.

137. Ibid. p. 130.

138. ʿE. H. Karr, Survey of Vanguards of Socialism from a Historical Perspective , Translated by Yahya Shams, Tehran: Amir Kabir, 1983, p. 29.

139. Baqir Qadiri Asli, Ibid. p. 131; regarding socialist ideas also refer to Ibid. pp. 128–140 and E. H. Karr, Ibid.

140. Refer to Andre Pieter, Marx mid Marxism, Tehran: Tehran University Publishing House, 6th Edition, 1979, p. 31.

141. Ibid. p. 35.

142. F. Engels, Anti–Duhring, Moscow: 1959, p. 57.

143. Andre Pieter, Ibid. pp. 96–97.

144. Ibid. p. 97, quoting Marx, Criticism of the Gota program.

145. Ibid. p. 67.

146. Husayn Bashiriyeh, History of Political Thoughts in the 20th Century, (2), Liberalism and Conservatism, Tehran: Ney Publishing House, 2000, p. 25.

147. Ibid. p. 37.

148. Ibid. p. 48.

149. Musa Ghay–Nezhad, Ethics in the Eye of Hayek, Ibid. p. 427.

150. Ibid. p. 429.

151. Friedrich August von Hayek, The Mirage of Social ʿIdalah (law, legislation and liberty v. II) London: 1976, p. 99.

152. John Rawls, "idalah as Fairness". Philosophical Review, No. 67, 1958, pp. 171–172. John Rawls, born in 1921, was the most important contemporary political philosophers who strove under the influence of Kant's tradition and the issue of contract, to examine the theory or ʿidalah. Before the final formulation or his ideas on ʿidalah, he wrote articles in his book entitled Theory of ʿidalah (1971) which brought him fame. Some of these articles consist of ʿidalah as Fairness, Meaning of ʿidalah, Distributive ʿidalah, Freedom of Law and Concept of ʿidalah. Philosophers and thinkers such as Noziek, Brian Barry, and McIntyre have profusely criticized Rawls' thought.

153. 'Idalah as Fairness.

154. Husayn Bashiriyyah, History of Political Thoughts of 20th Century (2), Ibid. pp. 117–118.

155. John Rawls, A Theory of 'Idalah, Cambridge: Mass, 1971, p. 12

156. Michael Ich Lestaf, Political Philosophers of the 20th century, translated by Khashayar Dayhimi, Tehran: Kuchak Publishing House, 1378, p. 372.

157. Ibid. p. 374.

158. John Rawls, 'Idalah and Fairness and Rational Decision–Making, translated by Mustafa Malekiyan, review, Ibid. p. 82.

159. Ibid. John Rawls, Distributive 'Idalah, Philosophy, Politics and Society (3rd ser) Edited by P. Laslett and W. Runciman, Oxford: 1963, p. 61.

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Chapter 2: Concepts and Theories of ʹAdl in Islam

Part One: ʹAdl in the Holy Qurʹan

● Survey of Qurʹanic verses on *ʹadl* and *qist*

● Survey of the Qurʹanic concept of *ʹadl* and *qist*

● Further study of *'adl* in the Qur'an

Introduction

In the Qur'anic perspective, *'adl* enjoys an intrinsic value. Health and security in all matters are attached to *'adl*. In this Revealed Book *'adl* is perceived as a fundamental and essential principle on which the truth of existence has been constructed, according to which the working of the universe is fulfilled and based on which pronouncement of Revealed Books and religious laws are accomplished. From the Qur'anic viewpoint, *'adl* is both the essence and source of existence and existence has come into being on the basis of and in accordance with it.[1] Also, the loftiest goal of the world, man and religions is to attain '*'adl* and actualize it in the society and within man's soul.[2] For this reason, God has emphatically ordered all human beings, particularly the people of faith, to be upholders of *'adl* and *qist*.[3]

In the Qur'anic viewpoint and thought, *'adl* is not merely an abstract concept; it is rather a real notion rooted in existence and in man's primordial nature. It is, therefore, a real and essential, and not a conventional, conception, because commanding a merely abstract and conventional order in general, all–encompassing and perpetual and in all dimensions of individual and collective existence would be meaningless and devoid of value. However, God has stressed unceasing struggle for *'adl* and its realization in the whole gamut of human life. "Surely, Allah enjoins *'adl* and kindness."[4] Among God's attributes one is that He loves the equitable: "Surely, Allah loves the equitable."[5]

The Qur'an is itself the book of *'adl* and *qist*. It is, on the one hand, founded on *'adl* and, on the other, for the materialization of '*adl* and *qist* in human society. In general, *'adl* is the extrinsic and intrinsic aspect of the Qur'an. As put by Imam Khomeini "One dimension of the Qur'an aims to eliminate oppression among human beings and introduce social *'adl* among mankind. If we, those who consider themselves to be followers of the Qur'an and the world Muslims strive to expand this dimension of the Qur'an – the dimension relating to the dispensation of Islamic *'adl* – in the world, then it will become a world acquiring the Qur'an's external appearance ."[6]

From the viewpoint of the Qur'an, 'adl is one of the Attributes of God and has different dimensions such as *'adl* in the creation of creatures, endowing them with talents, enabling creatures to accomplish their perfection based on their natural dispositions, management and administration of the world of existence, legislation and enunciation of the laws required by the individual and society; *'adl* in the afterlife is, attending to, measuring and evaluating man's deeds on a scale. Divine *'adl* is an Attribute of God. While being real, perfect and absolute, it is one of the principles of creation. Accordingly, it is calculated as one of the fundamental principles in the life of the individual and society. This is the meaning of belief in divine '*'adl*.

Belief in God's *'adl* signifies belief in *'adl* anywhere and anytime; that is, seeking *'adl* not only in philosophy but also in sociology.[7]

On the other hand, the Qur'an views *'adl* as a human and social quality rooted in human primordial

nature, which means that in man's nature and creation is ingrained a tendency towards *'adl* and *'adl*–seeking and an aversion for oppression, tyranny, in injustice and discrimination. This is a fact warranted by man in his inner nature even though preoccupation with superficial fools and worldly matters keep him in ignorance. The Qur'an does not recall man to something beyond his human existence, intellect and nature. If Qur'an calls man to *'adl*, it is *'adl* that inheres in him.

First Discourse

Study of Qur'anic Verses on 'Adl and Qist

The Holy Qur'an uses two important terms of *'adl* and *qist* to explain the notion of *'adl*. The term *'adl* and its derivatives and the term qist and its derivatives have been applied in the Qur'an respectively on 28 and 25 occasions. The term *'adl* denotes different meanings in the Qur'an as follows:

1– Ransom, retribution, equal or equivalent to something. In this part one can refer to verses 48 and 123 of *Surah* (chapter) *Baqarah* as well as verse 70 of *Surah An'am* and verse 95 of *Surah Al–Ma'ideh*. The first two verses stress judgment on the Day of Resurrection based on the performance of the soul and refusing to call someone to account for someone else and non–acceptance of *'adl* and retribution. The third verse touches on the absence of *'adl* and retribution on Judgment Day against those whom the worldly life has deceived and who have taken religion as a plaything. The fourth verse raises *'adl* as retribution and equivalent of expiation and religiously prohibited seasonal expiation. (P. 108 and 109).

2 – *'adl* in the sense of behavior which has been enjoined. In this part:
a) Verse 90 of *Surah An–Nahl* heeds the command of God to *'adl* and benevolence as well insurgency.

b) Verse 76 of the above *Surah* gives order for *'adl* and acting accordingly which is the very "straight path" and the man possessing this quality is preferred to the individual lacking in this quality (who is dumb and impotent and a burden on others).

c) Verse 15 of, *Surah ash–Shura* calls the prophet's mission[8] to aim at the realization of *'adl* among mankind.

d) Verses 3 and 129 of *Surah An–Nisa'* treats observance of *'adl* in family life and among wives.

e) Verse 8 of *Surah al–Ma'ideh* underscores observance of *'adl* even in case of enmity and considers it to be closer to piety.

f) Verse 152 of *Surah al–An'am* recommends just words and deeds regardless of whether they in one's favor or loss or those of relations as well as loyalty to them.

3 – As a basis and foundation of behavior and judgments as well as quality and even exclusive to man.
a) Verse 82 of *Surah Baqarah* advises on *'adl* in writing and signing a document.

b) Verse 58 of *Surah an-Nisa'* commands observance of ''adl by the government, in judgment and in jurisdiction among people.

c) Verse 9 of *Surah Hujurat* recommend s efforts for establishing peace based on 'adl.

d) Verse 95 of *Surah al-Ma'ideh* speaks about the necessity of jurisdiction of the possessors of ''adl in matters.

e) Verse 106 of the above *Surah* talks about the necessity of owners in will and witness.

4 – Existential, philosophical, command and general 'adl in two aspects:
a) Creation of the world of existence is based on 'adl.

b) 'adl and moderation in human existence (verses 7 and 8 of *Surah Infitar* and 115 of *al-An'am*).

Summing up the verses on qist

In general, the survey of the verses on *qist* guided us on five main meanings of the term.

1– *Qist* as basis and foundation of existence that embodies divinity of the Creator; that is, His essential eternity or self-existence is manifest in rising to establish 'adl or *qist*. Therefore, *qist* is the basis of creation and token of the fact that the Creator is living and eternal.[9] As put by Ayatullah Taliqani:[10]

Qist means placing everything in its own place and station and calling on those with talents and rewarding them gifts in proportion; rising up for *qist* is a manifestation of the quality of self-existence and eternity ... His Oneness, and essential life and eternity is manifest in rising up for *qist*, integrating and granting life and perfection to all big and small and visible and invisible ingredients, setting up each within its own limit, in harmony with, preservation of and assistance each other. Whatever they possess from this force, radiance, essential properties and gravity interact with each other on the scale of qist and truth. Human life takes form by rising up for *qist* and endures, perfects and encompasses dignity and wisdom.[11]

2– *Qist* as a basis and foundation of society and its affairs:[12] Here, perhaps it can be said that *qist* has an abstract sense with real and objective basis and foundation in the world. As the first sense stresses, validity and abstraction of the rules of *qist* are based on reality that coordinates the society with the world. The validity of *qist* in this sense is like that of the human society in the world of existence and composes human beings whose validity is based on reality.

From these two meanings it is understood that *qist* is a criterion in the world of society and human beings.

And, through intuitive and instinctive thought universal unity and *qist* are understood and establish *qist* for the harmony of society or the world.[13] As an example one can cite an uprising on the basis of *qist* in

the sense that people stage an uprising and revolution on the basis of *qist* or people may rise and revolt for the realization of *qist*. *Surah al-Hadid*, verse 25 reads: "Surely We sent Our messengers with clear proofs, and revealed to them the Book and the Balance, that mankind may observe the right measure." Here, an uprising and a revolution have been maintained as legitimate and competent, stressing its realization based on *qist*. Another inference can be made from this verse. An uprising for *qist* signifies an uprising for the dispensation of qist. In this case, *qist* is a goal and an uprising is staged to achieve it.

Also *Surah An-Nisa*, verse 135 reads: "O you who believe! Be you staunch in *'idalat*, witnesses for Allah, even though it be against yourselves or (your) parents or (your) kindred, whether (the case be of) a rich man or a poor man, for Allah is nearer to both (than you are)." In this verse, too, an uprising based on qist or for setting up *qist* has been underscored. The verse can also be expressive of the fact that an uprising for martyrdom for the sake of God should be accomplished on the basis of *qist* and in martyrdom one should not digress from the criterion of *qist*. Verse 127 of *Surah AnNisa'* reads: "And that you should deal towards orphans with equity."

3 – *Qist* in the sense of action that is realizable and that can find expression: therefore, it is recommended and people should rise and revolt for it, as it is among the principles of the mission of prophets and their important goals and duties. Here, also considering the literal meaning of *qist*, it can be said that *qist* is a share that everyone has in the circle of his existence inside the society. Perhaps it can be said that an equitable society is a society in which everyone can obtain his real share from every aspect. In verses dealing with this subject, God calls for the realization of qist and its implementation in the form of a command or order. Here, also, *qist* is either taken as a public order and perpetual matter enjoined by God or it is meant that God commands except on the basis of *qist*. It has been put forth as one of the features of superior and competent human beings, and opposition to them and their murder is like opposition to divine prophets and their murder. Therefore, enjoining qist, which by itself, is a meritorious act and opposition to enjoiner means opposition to the divine prophets and therefore opposition to God, who is the embodiment of real *qist* and the equitable.

4 – *Qist* as a quality that belongs to the individual and to the society and its affairs and society:
In this sense also the equitable is the one who observes the real rights and share of oneself and everyone, and deals with all on the basis of *'adl*, and is the distributor of existing blessings based on one's right. In contrast to this is the *qasit* meaning one who spoils the rights of others, oneself and God, deflecting from qist. Verses 282 of *Surah Baqarah* and verse 5 of *Surah Ahzab* read as follows: "O you who believe! When you contract a debt for a fixed term, record it in writing; and let a scribe write it down between you with fairness." And "Call them after their true fathers; that is more equitable in the sight of Allah."

5 – *Qist* is the ultimate and fundamental goal of the creation of the world, as noted in *Surah al-Hadid* verse 25: "Surely We sent Our messengers with clear proofs, and revealed with them the Book and the Balance, that mankind may observe the right measure." *Surah an-Nisa* verse 135 there is an allusion to

qist where it reads: "O, you who believe! Be you staunch in *'idalat*." The term *Qawam* here is the hyperbolic form and expressive of the necessity of duration and perfection in rising for the realization of *qist*. To put it differently:

"Obviously, by permanent and all-out uprising for *'adl* is not meant physical standing, climbing or dismounting. Every individual and society that respects *'adl* is in a state of uprising and every true uprising with a logical purpose for the dispensation of *'adl* is the same as *'adl*. Reflection on *'adl* is a type of uprising for *'adl*, as thinking about life is a supreme manifestation of *'adl*. For this reason, the Holy Qur'an does not say *Qaem*, rather it says *Qawam*, which is the hyperbolic form of its concept. *Qist* and *'adl* refer to the necessity of duration of the uprising and their all-out nature, not being temporary and unilateral.14

Second Discourse: A Survey of the Concept of 'adl and qist, in the Qur'an

1- A Survey of the Concept of 'adl and qist

The special terms of a school of thought or a comprehensive human system construct a special order of categories and notions that are occasionally maintained as part of the language totality of that school, enabling one to understand the theoretical and intellectual foundations of that school. In such a method, naturally, the tendency towards the text finds a special standing and significance. To elaborate, the meanings of phrases and terms are determined in a view of the text in which they have been used. It should not, of course, go unsaid that in addition to the tendency towards the text, the adoption of two other methods is also fundamental and essential: one, explaining the meaning of the terms in the totality of the language applied by that school or order.

To put it differently, the lexical and etymological discourse on the terms and the meaning of the terms in a view of the social, cultural and historical circumstances and introducing phrases in which the terms are applied. Anyhow, what counts is that for understanding the intellectual and philosophical foundations of a school, one should first and foremost inquire about the language of that school, and language comprises a set of terms each of which are expressive of a special perspective of that school regarding the world or interpreting the world on its basis.

To put it differently, each of our terms is expressive of a special aspect and angle from which we look at the world. What we call a "concept" is nothing but a manifestation of this mental aspect and angle. In other words, a concept is a more or less lasting and fixed state of that aspect and angle. Etymology or denotation is the analytical survey of such aspects and stands having been crystallized in terms of language.15

In fact, for understanding the notion of a school, one should first treat its etymology of the terms. Perhaps the concept of interpretation of the Qur'an by the Qur'an is expressive of such a purpose. Although here the relationship of language with reality should also be considered and this subject has

been fully regarded in the verses of the Qur'an, whether we consider realities as existential matters or social and cultural ones. That is why, except by understanding each term in the totality of a language system, the concept of the term cannot be clear, as it should. Therefore, as put by Isutsu:

"By analytical survey of the major and principal terms (religious–ethical) of language, the researcher may gradually attain the understanding of the fundamental structure of the system that all of the events involving moral judgment go through its sieve prior to developing into an attainable form for members of that language community."[16]

'*Adl* has been defined in manifold meanings such as *dad* (pleading for *'idalat*), *kismat* (destiny), share, fairness, moderation, balance, merit, equality, right, righteousness, temperance, middle way, *qist* (Name of the Names of God), *qist*, impartiality, etc.[17] For example; in Al–Monjad the following meanings have been given: pleading for *'adl*, provider of *'adl*, just, equal, peer, righteousness, evenness, *qist*, judgment and fairness.[18] The author of Lisan al–Arab also writes in this respect: "*'adl* is what human beings maintain to be perseverance and righteousness. *'Adl* is the opposite word for tyranny."[19] At times, the term has been defined as pleading for *'adl*, *qist*, fairness, adjustment, appraisal, resistance of disposition contrasted with oppression, fairness,[20] evenness, judgment, opposite to oppressor, just, fair, straight disposition, straightforward, correct, fair[21] and equitable.

Qist has also been defined as *'adl*, pleading for *'adl*, qist, judgment, just, righteous, fair, *'adl*–seeker, quantity, measurement, measure, scale, portion,[22] share.[23]

By reviewing the terms it is understood that sometimes *qist* and *'adl* have been applied as meaning against oppression. For example; in verses 47 and 48 of the Qur'an, *Surah Yasin* the phrase "*qaza bainahom belqist*" has been brought up against "*la yazlamoon qist*." It means that judgment by qist is equivalent to not being subject to oppression. Since God is the dispenser of qist, therefore, His will is maintained as a criterion for dispensing *qist* in human society. "Whoso judgeth not by that which Allah hath revealed: such are wrong doers."[24]

Also in contrast to *'adl* and *qist* which have been occasionally used synonymously (*Surah an–Nisa*, verses 3, 128 and 129), the term "*meil*" has been used to mean going beyond the limit, immoderation, intemperance. Generally speaking, and based on what was stated in chapter one, in the Holy Qur'an, *'adl* has an ontological and philosophical meaning, a sense of measurement of existence, attribute of essence and action of the Truth, in anthropological terms as *'adl* and resistance, lasting disposition and in social and political terms as criteria and measure of affairs and in all cases as perseverance, straight path and moderation. On this basis, perhaps the general concept of *'adl* can be explained as straight forwardness, resistance and straight path. Some exegetists have interpreted path and straight path as *'adl*.

Therefore, *'adl* signifies moving on the straight path and commensurate with nature and real structure of existence and man. For this reason, in this outlook, '*adl* also means equality, negation of discrimination,

respecting merits and granting every rightful person what he/she deserves and also meaning "respect for merits diffused in existence and not withholding correct diffusion" and "placing everything in its right place."25

2 – A Comparative Study of ʹadl and qist in the Qurʹan:

Qist is sometimes defined as synonymous to 'adl and sometimes as its opposite, also meaning share and portion. It is said that *ʹqistasʹ* which means "measure and scale" has been derived from *qist* which means *ʹadl*. Moreover, among the other beautiful names of God is being equitable, which has been explained as synonymous with being just. *Qist* is among the roots that, like *ʹadl*, are a characteristic of man, society and things.

Many researchers and interpreters have not maintained any difference between these two terms and consider them as synonymous. For instance, Imam Khomeini writes:

"*Al–Qist*, the vowel sound coming below the letter Q signifies *ʹadl* and its placement after *ʹadl* is therefore an interpretive preference."26

ʹAllamah Tabatabaʹi27 has the following comment to make in this respect:

"Qist means *ʹadl*, and rising up for *qist* signifies acting just and preserving *ʹadl*. Therefore, by "*Qavamin Bil–Qist*" is meant those who completely rise up for *ʹadl*. The closest factor and the most complete cause for following the truth and protecting its loss is this very quality.28
However, a further study clarifies the differences between these two concepts:

Some scholars consider *qist* to be opposite to oppression and *ʹadl* as opposite to cruelty. Therefore, *qist* signifies that the rights of others should be respected and no aggression be made, while *ʹadl* signifies respect for moderation, balance and equality in all affairs as their circumstances require them to be, also heeding inclinations, awareness, interests, feelings and inner tendencies in addition to behavior. Therefore, perhaps it can be said that *qist* is more concerned with human relationship with other human beings, objects and nature, while *ʹadl* covers also manʹs relationship with himself and with God.

That is why in the Qurʹan *qist* has been applied more in cases of respect for the rights of individual in the society and reward and punishment and establishment of order accordingly. Dr. ʹAli Shariʹati explaining *ʹadl* and *qist* writes:

"*adl* consists of the legal form of social relations among individuals and social groups based on the recognized rights of individual and group, and *qist* consists of the real share of everyone and every group from the entire material and spiritual blessings and social resources in the face of the role they play in society."29

To express the difference between *qist* and *ʹadl*, Shariʹati uses two terms: One is legal right and the other real right. Respect for legal right is *ʹadl* and respect for real right is *qist*.30 Legal right is founded on

agreement and contract while real right is the real share and lot of the individual remote from agreement.

Based on what was stated, even by assuming that *'adl* in this perspective is simply a social·*'adl,* this outlook of 'adl, that is, respecting legal rights, is not so much acceptable. Moreover, *'adl* is an inclusive concept covering existential dimensions and features of existence and man, also serving as factor protecting the individual human being. Moralists have accordingly said: A just person is one whose mental forces of his soul are moderate and none of his instincts overpowers the other forces.[31]

Perhaps some of the verses are oriented towards an outbreak of oppression or the likelihood of its occurrence and the association of *qist* with terms such as measure, weight, balance has created this idea in the minds of some persons that verses dealing with *'adl* rest on state and this state is, more than all else, an inner situation.[32] However, *qist* in its conventional concept is not a state but an outward situation based on written criteria and laws: "Conventional *qist* is outward and its establishment has outward criteria and signs."[33]

This assumption is not acceptable either because *qist* is an objective issue which is that same true and real share of every being in the world and existence, while conventional *qist* or real *qist* in the society is the same as social affair coupled with the truth and real share of individuals and societies. Therefore, real *qist* is the basis of conventional *qist* and both have special criteria and rules. On the other hand, 'adl is not simply an inner state and a worldly habit, but as put by Imam 'Ali ('a),[34] [making sure] that everything is placed in its real place.[35] Therefore, *'adl* constitutes the basis of *qist* and *qist* is the consequence of *'adl* in the life of the individual and society.

2 – Some scholars have defined *'adl* as equality and *qist* as respecting the share and right of every one. 'Adl can be taken as a criterion and standard, but *qist* cannot be regarded as a criterion and rule. Therefore, it may be said that *qist* does not mean *'adl* (is not the same as the meaning of 'adl) but rather setting the share and portion. If the share and portion is rightful, it is an instance of *'adl*; foregoing it is an instance of oppression, and in fact *qist* means maintaining the share and considering the side to be right, and 'adl, its quality.

3 – The study of the issue is of importance also from this dimension that in the realm of realization, *qist* can be placed prior to *'adl* and 'adl as perfection of *qist*. In a *qist*–oriented society, everyone attains his/her rights in conformity with his/her talent or aptitude and efforts. Since people differ in abilities, talents and vocations, in a *qist*–oriented society differences exist. However, *'adl* exists after the elimination of inabilities, backwardness and gap among natural blessings. Therefore, some people have considered an *'adl*–oriented society as being superior to *qist*–oriented society:

'The establishment of *qist* has been the cornerstone of a healthy assembly and is the purpose of all prophets' missions; dispensation of *'adl* is perfection and the completion of the mission[36].

'Adl applies also to inner states, emotions and purification of the soul and the creation of moderation in physical faculties and placing each member and power in its right place, while simultaneously regarding

introduction of temperance and edification of the society. Therefore, in spiritual terms, the realization of *'adl* is owes itself to '*adl* and minus *'adl* it will not be possible to realize *qist*.

3 – Instances of 'adl and qist:

The Qur'an has touched on the numerous and outstanding instances of '*adl* and *qist* or manner of its implementation in human societies. These instances have been propounded in different dimensions of political , social, economic, moral and spiritual life, expressing the significance, necessity and the position of *qist* and '*adl* and the *qist*–oriented and '*adl*–oriented society as seen by the Qur'an. Some of these instances are briefly as follows:

1– The negation of usury as one of the most corrupt form of oppression and economic injustice and an obstacle to '*adl* and *qist* in a human community. In numerous verses of the Qur'an (*Surah Baqarah* verses 275 and 279, *Surah Al–e 'Imran* verse 130, *Surah an–Nisa'* verse 161, *Surah Rum* verse 39, etc.) have strictly negated usury, emphatically forbidding its practice and enumerating its losses. For example; in verses 278 and 279 *Surah Baqarah* considers its practice as synonymous with war against God and the Messenger of God (s).

"O you who believe! Observe your duty to Allah, and give up what remains (due to you) from usury, if you are believers. But if you do (it) not, then you have waged a war against Allah and His messenger. But if you repent, then you shall have your principal; [In this way,] you do not oppress anyone, or be subject to oppression."

2 – A description of religious tax and a fifth of the net income and other financial rights and procedure of distribution and consumption in the cause of God, stressing the term "in the cause of God".

3 – Raising the issue of temperance and moderation in life and in the administration of social and individual affairs. For instance, in Surah Forqan verse 67 the Qur'an reads: "And those who, when they spend, are neither prodigal nor parsimonious, but between these is a just temperance."

4 – Raising the issue of interest free loan or money loaned without interest.

5 – Laying stress on consultation in political, social and economic affairs of society and enjoyment of others' intellect.

6 – Support for human rights and the rights of the deprived and oppressed people, women, orphans and other weak layers of society as well as the rights of members and organs of man.

7 – Negation of any form of domination seeking and insurgence in the realm of economics, politics and culture.

8 – Negation of arrogance, egotism, selfishness, impetuosity, conceit and undue prejudices.

9 – Negation of luxury, tendency towards the worldly pleasures, extravagance and dissipation.

10 – Support for the rights of animals, plants and environment.

11 – Sympathy for the downtrodden and weak people in the society and helping them.

12 – Trusteeship even regarding disbelievers.

13 – Helping the downtrodden and oppressed people.

14 – Rendering service to people and struggle for their liberation from the domination of others, and oppression of tyrants, and presenting the theory of a liberating jihad.

15 – Negation of any form of discrimination.

16 – *'Adl* in judgment and arbitration.

17 – Above all, observing '*adl* by the government over the society and seeking *'adl* and pleading for *'adl* for the oppressed.

18 – Stressing payment of full rights in contracts and proscription of shortchange, etc. Take the following Qur'anic verses: "Woe to defrauders,"[37] "Woe to every slandering traducer, who has gathered wealth (of this world) and has arranged it."[38] The term *mutaffafin* in the first verse is derived from the root *Taff*; which precisely means shortchange in terms of measure, weight and scale. It is a special technical term for failing to observe *'adl* and *qist* in dealings concerned with weight and measure or scale and the like.

19 – Denunciation of amassing property and wealth: "They who hoard up gold and silver and spend it not in the way of Allah, to them give tidings of a painful doom."[39]

20 – Prohibition of misappropriation of other's belongings unfairly: "And eat not up your property among yourselves in vanity"[40]

21 – Resistance in the course of the right and truth: "So continue then in the right way."[41]

22 – Not appealing to arrogant powers in arbitrations and judgments: "How they would go for judgment (in their disputes) to false deities when they have been ordered to abjure them? Satan would mislead them to stray."[42]

23 – Observing *'adl* in measure and weight and, generally speaking, in transactions: "And diminish not the goods of the people, and do not make mischief in the earth, working corruption."[43]

24 – The question of *lex talionis* and *'adl* in it: "And We prescribed for them therein: The life for the life."[44]

25 – Bearing just testimony based on *qist*.

26 – Observing 'adl in treating the enemy: "And let not hatred of a people incite you not to act equitably; act equitably, that is nearer to piety, and be careful of (your duty to) Allah."45

27 – 'Adl in writing documents and contracts and correspondence: "And let a scribe write it down between you with fairness."46

28 – Banning capital sins, evils, indecent acts such as homicide, larceny, etc.

29 – Prohibiting the devouring of the property of orphans: "Lo! Those who devour the wealth of orphans wrongfully, they do but swallow fire into their bellies, and they will be exposed to burning flame."47

30 – Prohibiting the assisting and abetting the oppressors and tendency towards them: "And incline not toward those who do wrong lest the Fire touch you."48

31 – Breaking one's promise and infraction of what God has commanded people to associate: "And those who break the covenant of Allah after having plighted their word thereto, and who cut asunder what Allah has commanded to be joined, and who work corruption in the earth, theirs shall be the curse, and theirs the Evil Abode."49

32 – Interdicting corruption in the earth: "And those who work corruption in the earth, theirs shall be the curse, and theirs the Evil Abode."50

33 – Forbidding disingenuousness, treason, bribery, *suht*51 etc.: "It is not for any Prophet to deceive (mankind), whoso deceives will bring his deceit with him on the Day of Resurrection. Then every soul will be paid in full what it has earned; and they will not be wronged."52

Third Discourse: A Further Survey of 'adl in the Qur'an

1 – Other Terminology

It should be known that in addition to the two fundamental terms of 'adl and qist there are other phrases and terms in the Qur'an that are either synonymous with the two or with one of them or are expressive of one of the dimensions of 'adl or express description or elucidation of descriptions and explanations of 'adl. Some of these words are also expressive of the instances of 'adl and qist in social life or in the creation and existence. Some others present practical criteria or experimental and objective indicator or research instrument for research or recognition of existence of qist or 'adl in the totality of society or in one of the dimensions of society – such as religion, law, property, contract, government, etc., or one of the qualities of a just and equitable man. Here, since it will not be possible to study the relative pronoun completely, some of these important terms and the concepts derived thereof are alluded. These words and concepts, generally speaking, are the following:

● Perseverance, right way

- *Qawam* and *qiwam*

- Equal, equality, equalization

- Middle

- Measure, weight, balanced

- Measure

- *Qistas*

- *Qasd* (Intention)

Istiqamah, straight path

Lexically, (the word) *istighamat* means resistance in a specific situation stand and endurance in it. Idiomatically, it means resistance and steadfastness on the straight path and rightful divine human nature. For instance; in *Surah Hud*, the Holy Qur'an addresses the Messenger of God (s): "So continue then in the right way as you are commanded."[53]

Steadfastness in affairs based on rights and their norms indicates temperance. Therefore, many interpreters define it as moderation and temperance and *'adl*. Sayyid Qotb in interpreting this verse writes:

"Istiqamah signifies moderation and crossing the right way without drifting to either side. And this requires constant vigilance and alertness and unceasing investigation into the borders of the path and preventing human interactions, which are more or less inclined to deviation."[54]

Some of the jurists have defined *'adl* as resistance in religious law, because in resistance stress is laid on the absence of extremes in a way that no intemperance or dereliction of duties is made in an affair. A straight path is also expressive of the moderate and straight way. Ibn Mandur writes: "*al'Adlu: ma qama fi an-nufus innahu mustaqim wa huwa zidd al jawr.*"[55]

Imam Khomeini considers *'adl* in absolute terms as absolute resistance and invokes verse 56 of *Surah Hud*: "That you worship none, save Allah. Lo! I fear for you the retribution of a painful Day."[56] In his interpretation, this subject has been expressed in the Qur'an in a special manner; that is, the phrase *wa 'staqim kama umirat* is followed by *wa umirat li 'adl-e baynakum*.

Qawam and qiwam

Qawam is one of the words that has been used in the sense of *'adl* and moderation and observing symmetry and resistance in affairs. In expressing the qualities of upright men (servant of God), the Qur'an expresses one of these features in the following words: "And those who, when they spend, are

neither prodigal nor parsimonious, but between these is a just temperance."[57]

In this verse there is talk of the charity payment of the servants of God. This charitable contribution is neither extravagance nor immoderation, but rather standing in a state of moderation and temperance. Hence, straightness is between the two extremes and observance of it in any affair is moderation and 'adl. Of course, *qiwam* (with the vowel sound coming below the letter Q) means instruments and tools of resistance and steadfastness in affairs or means for the realization of '*adl* and temperance:

"This is the notion of a servant of God and a model for Muslim believers. *Wa kana bayna dhalika qawwama*." *Qawam* comes with the vowel sound coming above the letter Q, meaning '*adl* while with the vowel sound coming below the letter Q, the term means an instrument of steadfastness , here meaning '*adl*.[58]

Istiwa and Siwa

These terms derive from the root *siwa* meaning equality, equilibrium and being equal. *Istiwa* in affairs has sometimes been taken as synonymous with justice in the sense that by instituting equality, affairs will come to a state of balance, equilibrium and a type of harmony and some sort of balance emerges among components in a way that everything will be settled in its own place. *Siwa* also means being smooth in terms of conditions, resources, talents and capabilities. In the world of existence, creation is based on *istiwa*, and moderation or justice as it is stated in the Qur'an, "... ·who created and shaped."[59] "The All-Beneficent (God) is firm in power."[60]

Also the terms "*sava al-sabil*" and *seratan sava* mean right way and moderation in the path and observance of temperance in life and can express the same meaning. "So follow me, and I will lead you on a right way."[61]

Vasat

The term "*vasat*" means being away from deviation and being in the path of moderation and temperance and the middle way. *Surah Baqarah* defines Islamic society as "*ummahta vasatan*" or moderate nation.[62] Interpreters in explaining this term predominantly allude to two meanings: 1 – *vasat* (middle) in the sense of just and moderate and straight, 2 – *vasat* in the sense of model and prototype and paradigm for others. This feature, which conveys the competence of the *ummah*, is accomplished in the shadow of '*adl*, moderation and temperance and being away from extremes.

It is by this guidance and development that you save the *ummah* of Islam from deviation and enhances the levels of your intellects so that you will be the others' testimony from that lofty environment and this moderation constantly becomes your path, method and disposition.[63]

Mizan, Vazn and ...

Principally, *mizan* means scale and means of measurement and balance. In other words, it is an

instrument for the settlement of rights among people, in contracts and transactions. Some of the interpreters have taken *mizan* in the Qur'an to mean '*adl*. For instance, the exegetist of "*Munhaj al-Sadiqin*" writes the following below verse 25 of *Surah al-Hadid*:

"And some maintain that by the verse is meant '*adl* that requires civil politics and causes discipline of affairs and fulfillment of duties. Then, he observed: "... and we sent down the iron."[64]

Also when the Qur'an says: "And He rose up the heaven and set the balance" means that in the creation of the existence and structure of the world, observance of moderation and balance has been accomplished and every matter and power and form as much as is required has been employed. Therefore, the verse implies expressing creation based on '*adl* and *qist*. Hence, balance is another meaning of '*adl* and *qist* that prevails both in the creation of the world of existence and its administration and in the social system of human beings and his guidance to the straight path and moderation.

Wazn is derived from balance meaning measuring objects in terms of their mass and weight. In the words of 'Allamah Tabataba'i, this term in the Book of God has been applied for measuring deeds as well in spite of the fact that acts do not have the heaviness or lightness of earthly objects.[65]

On this basis, being *mawzun* also means the existence of moderation in affairs and objects. If we say certain person's speech is *mawzun*, it means that the components of his word are proportional, eloquent and desirable. Therefore, moderation and temperance and resistance and, in general, '*adl* prevail s in it. Hence, the existence of *mouzun*, *vazn* are regarded as features and criterion of '*adl*.

Kayl and makiyal

Kil and *makial* both means measure or instrument for measuring and weighing objects. Hence, they are regarded as instruments of the realization of '*adl* and *qist* in the economic dimension. Their existence and its correct application are analogous to an indicator with which one can talk of the realization of *qist* and '*adl* somewhere.

Qistas

Qistas literally means scale, measure and criteria: that is, an instrument for measuring, but as "*mizan*" has been taken as synonymous with '*adl*, *qistas* has also been defined as '*adl*. *Mufradat-i Raqib* reads: "*Qistas* is the same as "*mizan*" and scale and signifies '*idalah*, as '*idalah* has been defined in terms of "*mizan* ···."[66] In the Holy Qur'an the term has been applied on two occasions and both in the form of "And fill up the measure when you measure, and weigh with the straight balance," and "And weigh with the true balance." It has therefore been said: "Of course, this instruction is not exclusive to weighing salable objects, rather in every work and thought and every word of moderation or balance that shows the correct and right measure should not be lost."[67]

Qasd also in the Qur'an has been defined as the right way, moderation and '*adl*. "Be modest in your walk,"[68] that is, take up a moderate and middle way in your behavior and treatment. In your life style or policy in life you should move in conformity with '*adl* and along straight path.

2 – Zulm in the Qur'an

The concept of *zulm* in the Holy Qur'an has occupied a special place for itself. For this reason, it has been said: "If we say it is one of the most important words of negative value in the Qur'an we have not exaggerated. In fact, we face various derivatives of this root on almost every page of the Qur'an."[69]

The term '*zulm*' by itself has been used in the Qur'an in twenty occasions, but its numerous derivatives have been applied in 316 cases, of which its subject concept such as tyrant, tyrants and the like have come in 135 cases and in 23 cases the term obscurity.[70] In some cases, the Qur'an emphatically forbids *zulm* as an action or an individual and collective disposition and states: "Neither shall you make (the debtor) suffer loss, nor shall you be made to suffer loss."[71] The verse is the most fundamental slogan of Islam regarding '*idalah* in society, obliging Muslims neither to do *zulm* nor abandon themselves to *zulm*. From the perspective of Qur'an, also oppressors will never experience salvation: "The wrongdoers will not be successful."[72]

Zulm has been defined in different forms. For example, it has been written: "*zulm* means tyranny and transgressing the limit. Etymologists and many of the men of letters consider *zulm* to mean placing everything in no other than its special position. From their viewpoint, oppression in religion means transgression from right towards wrong."[73]

Furthermore, some have said that oppression consists of the fact that a person goes beyond his limits and infringes upon or aggresses the rights of others, while oppression in the Qur'anic viewpoint has more extensive and inclusive dimensions encompassing all existing dimensions of existence, man and society. As regards God, it should be said that *zulm* is an utterly negative attribute, and His holy presence is devoid of any *zulm*. "The word changes not before me and I do not the least injustice to My servants."[74] And "Surely Allah does not do '*adl* to the weight of an atom, and if it is a good deed, He multiplies it and gives from Himself a great reward."[75] Accordingly, oppression has no meaning in creation and existence, for they have been set up based on '*adl*. But, in general terms, oppression regarding man, according to Qur'anic verses, is classified in three categories as follows:

1 – Man's oppression to himself. One of the glaring instances of oppression is to oppress to one's existence (soul, body, intellect, nature and in general what belongs to him and is indicative of his self). In this respect the Holy Qur'an says: "But of them are some who wrong themselves."[76]

2 – Oppression against other human beings (individual or collective), which is the same as aggression of rights and one's limits and transgressing the rights of others. "Lo! Those who devour the wealth of

orphans wrongfully."77 Sometimes this type of oppression has been cited as *mazlameh* (plural of *zulm* or oppression).78

3 – Oppression in relation to God which predominantly mean ungratefulness, biting the hand that feeds one, ingratitude and polytheism. For instance, regarding polytheism the Qur'an says: "Surely to associate others with Allah is a mighty wrong."79

Generally speaking, the concepts inferred from the word *zulm* in Qur'anic verses consist of the following:

1 – Transgression from one's limits and rights, 2 – aggression upon the rights of others, 3 – placing everything in a place other than its special standing and deflecting them from their limits, 4 – darkness and gloom in the face of light and illumination, 5 – tyranny and oppression and *'adl*, 6 – transgressing from the right towards the wrong.

All these definitions may be summed up in the sentence "failing to place things in their place and deflecting them from their limits" that is synonymous with '*adl*. To put it briefly, *zulm* means '*adl* and oppression in the sense that man transgresses his limit and gets engaged in an act that he is not entitled to do.80 By and large, *zulm* in the Qur'an has been heeded as an evil or mischief distancing man gradually from the appreciation of the truth and immersing him in deviation and degeneration; also it has been as tantamount to negative and harmful action.

The interpretation of Ibn Fars, who considers its first meaning to be opposed to light and illumination81 or, "darkness", is also expressive of going beyond the limit and framework of things. Therefore, detachment from the truth and light and plunging into wrong is the feature of *zulm*. *Zulm* eventually leads to the destruction of human societies and pushes peoples and civilizations towards the precipice and (of destruction) decadence, as stressed in the Qur'an.82

Also, the Qur'an mentions, in numerous cases, confrontation with oppression, and accepting oppression and doing oppression and confronting or aiding and abetting in oppression. Hence the oppressor has the right to fight with all his power for his freedom from oppression and appealing for '*adl* and dispensing '*adl* and *qist*. His defense and fight in such a cause is fully and completely legitimate and necessary. "And whosoever defends himself against those who do wrong to the people, and are insolent in the earth wrongfully; there awaits them a painful chastisement."83 The Qur'an also cites countless instances and criteria of *zulm*.

It should not go unsaid that although *zulm* is divided into three types (oppression against God, oppression against others and oppression against one's own self), each and every oppression is before all else oppression to one's self, because oppression signifies committing an act or accepting a belief or disposition which man has not the right to have and therefore withdrawal of man from one's limits and going beyond his rights is doing oppression against one's self. Although, at times, this oppression against others is committed or applies to the Creator of the world. On this basis, as suicide is regarded as oppression against one's self, disbelief, ingratitude, sin, aggression and transgression on the rights of

others is also oppression against one's self.

In the Qur'anic perspective, any transgression from the path of truth and human rights and any deflection from the course of divine and human nature is a kind of oppression. Disbelief and polytheism are both oppression. Transgressing divine limits is also considered oppression. Fornication and corruption, discrimination and tyranny and unjustified and unwarranted war or any form of aggression, hegemony and despotism and self–centeredness, abusing the rights of human beings, rejection of pure people, eating up the property of orphans, usury, bribery, debauchery, negligence and ignorance, turning away from the signs of the truth, forgetfulness of the course of truth, making vicious calumnies against God and His verses, negation of truth, ascribing lie to God and His servants, blocking the path of God, crooking the path of truth, disbelief instead of faith, following the arrogant people and distortion of the truth, and all and all are glaring instances and manifestations of oppression and therefore vestiges of injustice.

For example; the Qur'an outright declares that an aggressive and unwarranted war is oppression as it is an unjust war and aims at realization of domination by somebody other than God over man or hegemony of man over man . On this basis, it is obligatory for those who are subject to aggressions and unjust wars to fight to remove the aggressive tyrannical domination of themselves. "Sanction is given to those who fight because they were wronged; surely Allah is able to give victory."[84]

One of the most beautiful statements in Qur'an is that it has ascribed the adjective "oppressive" to a human society separate from the single individuals. Oppression is not attributed to man as an individual but rather to gatherings, groups, religions and laws as well. In the Qur'an the adjective oppressor has been applied in four cases for *qariyah* or *qura*. For instance; in the following verse, the Qur'an says: "How many a city We have destroyed in its evildoing, and now it is fallen down on its turrets! How many a ruined well, a tall palace!"[85]

Therefore, zulm (oppression) has a very extensive and general meaning and includes cases such as spoiling the rights of others or oppression and discrimination in the rights of fellow countrymen as samples or instances of its vast concept. As pointed out, at times it is seen that in the Qur'an *zulm* has been taken as synonymous with disbelief and sometimes with polytheism and at times with bribery or making it.

On this basis, we realize that as explained by Baydawi in his interpretation on discussing verses 135 and 136 of Surah An'am of the Qur'an, the term *zulm* has more general and comprehensive meaning than kufr (disbelief) and for this reason '*adl* also has a very extensive concept and comprises any of man's movements and that of the society and existence in the course of man's divine nature the right and his rights. For this reason, it can be said that faith is an instance of '*adl* as disbelief and polytheism are instances of oppression. For example, the Holy Qur'an says: "O my son, do not associate others with Allah; surely to associate others with Allah is a mighty wrong."[86]

Other concepts

In addition to the term *zulm*, there are numerous other words and terms in the Qur'an which have been used in contrast to *'adl* and *qist*. Some of the most important of these words consist of:

1– *Ja'ir* (*jawr*) or tyrant (tyranny), 2 – *baghy* (insurgent), 3 – *batar*, 4 – *'ata*, 5 – *taqa* (insurgence), 6 – *fisq* (debauchery), 7– *i'tida*, *ta'addi* and *'adu*. (aggress), 8 – israf (prodigality), 9 – *ifrat* (overindulgence), 10 – fujur (libertinism), 11 – *jabbar* (tyrant), 12 – *kufr* (disbelief), 13 – *istikbar* (arrogance).

These words are applied sometimes in the face of '*adl* and *qist* and sometimes as instances of oppression and '*adl*. Here, let us study some of these concepts subjects of our discussion:

Ja'ir (jawr)

Jawr is derived from *jara* meaning proximity and is applied in the sense of deviation from the path or turning away from the truth. As put by Raqib Isfahani: "This term came to be applied to all cases of deviation from truth and from it the term *jawr* was coined."87 In the Qur'an the term *ja'ir* has been applied only in one case in the sense of tyrannical, crookedness, deviation and dishonesty, "'*adil men almahjta*."88 As such, it exactly stands against '*adl* and means oppression, aggression from limits and failing to observe the rights of others. "Allah's it is to show the right way; and some do swerve from it."89

In the Hadith (narration) on the "army of intellect and ignorance", Imam Ja'far Sadiq ('a)90 has been quoted as defining the term *jawr* as one of the forces of ignorance and in contrast to '*adl*.91

Baghy

Baqhy has also been applied in the sense of trespassing, aggression and turning away from the truth. It is also said that "*baghye alayhi* " means "he oppressed him, did injustice to him, turned away from the truth, disobeyed and lied. "That is to say, [it means] oppression, tyranny and also jealousy or envy, because envy is also oppression.92

In the Qur'an, *baghye* has been applied in different senses, one of them being aggression and swerving from the course of right and truth. For example, regarding Korah and his oppression against the people of Prophet Moses (peace be upon him), the Holy Qur'an says: "Surely, Korah was of the folk of Moses, but he became insolent to them, for We had given him treasure such that the very keys of them were too heavy a burden for a company of men endowed with strength. When his own folk said to him: Do not exult; surely Allah loves not those that exult."93 In this verse there is talk of insurgence of Korah's94 over the people of Moses,95 thus expressive of his oppression in economic dimension, amassing wealth and failing to apply it favorably and boasting over the people.

Or sometimes *baghye* in the earth has been applied in the sense of oppression or dimensions of oppression, as put by the following verse of the Qur'an: "The way (of blame) is only open against those who do wrong to the people, and are insolent in the earth wrongfully; there awaits them a painful

chastisement."[96]

In another place, the term has been applied along with fornication and indecent act and in contrast to *'adl* and goodness or benevolence. "Surely, Allah enjoins *'adl* and kindness, and giving to kinsfolk, and forbids lewdness and admonition and wickedness."[97]

Batar

The term *batar*, in principle, means intoxication, selfishness, ingratitude and arrogance. It is also applied in the sense of rebellion in blessing and wealth. "And how many a city We have destroyed that was thankless for its means of livelihood!"[98] The verse implies that many of the inhabitants of cities and societies spend their life in lewdness, welfare seeking and luxury and spoiling the rights of others and destroyed the divine blessings and for this reason they were destroyed. The term *batar* here means inebriation from blessings, selfishness and destroying and spoiling riches. Elsewhere, the term has been applied as dispositions of the hypocrites.[99]

'Ata, Tugha, Istikbar and Istiqna

The terms *'ata*, *tugha* and *istikbar* are more or less synonymous and in the sense of conceit and behaving conceitedly, seeking exultation and rioting in the land. The term *ata*, which is followed by the preposition "of", means distancing and turning away from order and command and refractoriness in the face of the truth. Arrogance also bears the same meaning. In fact, there are three fundamental elements in these concepts:

A. Turning away one's face from and in disobedience to truth

B. Refractoriness, conceit, pride and self–conceit

C. Extremity and excessiveness

On this basis, these concepts can express mental states of the arrogant persons and their superficial and behavioral states. Accordingly, some have written:

Perhaps we can say that *'ata* refers to outward and palpable manifestations of conceit in behavior and words, while arrogance alludes to the inner state of conceit.[100]

However, *tugha* and *tughyan* denote excess and extremity in purposes or intentions, self–conceit and disobedience.

Montgomery Watt comments on *tugha* in the following words:

Tugha is ascribed to one who goes his own way without regard for obstacles and moral and religious considerations and limits and does not allow anything to obstruct his way, attaching unlimited and infinite confidence in his power and capabilities.[101]

Therefore, (an arrogant person) is one who pays no heed to any of the limits and any of the rights of human beings and who is an oppressor and a tyrant and has deviated from the path of 'adl. In the language of Sayyid Mahmud Taliqani:

"However, *taghut* is one who deflects from all social limits and rights and tramples upon all of them. He seems to have gone so beyond the torrents of the self and sensual desires that trample upon all limits."102

All these words are indicative of deflection from the path of 'adl and trampling the rights and deviation from the way of a sound human nature and deviation from the straight path. "Then, as for him who rebelled, and chose the life of this world, surely the Hell will be his home."103

Istighna is from the root *ghana* meaning needlessness and complete reliance on one self, resulting in nothing but arrogance and conceit and ignoring the right of others.

Jabbar

Jabbar is derived from the root *jabr*, here meaning domination and enforcement of coercion and oppression. "Force (*jabbarahu*) him to do something.104

This verse is applied to man in the sense of reproach, which is usually defined in the Persian language as oppressive, and a merciless, hard–hearted and unjust killer out of anger and being conceited and oppressor. Therefore, prophets have been remote from this quality. For example, regarding the prophet of Islam (s) the Holy Qur'an says: "We know very well what they say; you are not a tyrant over them."105

Hence, *jabbariyat* means oppression, tyranny, despotism, selfcenteredness, refractoriness, despisement for others, considering oneself superior to others and domineering them, dominating them unjustly based on coercion. From the viewpoint of the Qur'an recalcitrant and domineering people, that is any tyrant, are doomed to failure and loss and destruction. "And they sought help (from their Lord) and every forward potentate was brought to naught."106

By and large, jabbar has been defined thus:

"One who considers himself so great that is needless of others naturally inclines to dominate all his fellow creatures and wants to exercise power over them in utmost self–centeredness and despotism. *Jabbar* is a word applied to describe such a man."107

'Adu, i'tida

The word *'adu*, which occasionally accompanies *baghy* and *i'tida*, more or less means stepping beyond one's limits or transgressing upon the limits and rights of others or, to put it differently, in the sense of oppression, transgression and violation from truth and *'idalah*. In the Qur'an, in many cases the word trespass has been defined as being utterly synonymous with oppression and absence of *'idalah*. For

instance: "And fight in the way of Allah with those who fight with you, but begin not hostilities. Surely Allah does not love those who exceed the limits."108

In this verse, the term "*latatadou*" means not to deflect from the path of *'idalah* and not commit oppression or in another word not to transform a just and human war into an unjust and aggressive one. Also, it can be added that, if the most important cases of oppression is arrogance in the face of truth and breaking the divine limit, then oppression also carries a similar meaning in the Qur'anic perspective.

Israf and ifrat (Prodigality and Extremity)

Israf and ifrat (extravagance and extremes) also mean overindulgence or aggression from *'adl* and moderation. However, the indulgence does not connote aggression against the rights of others. Obviously, every *israf* or *ifrat* carries the connotation of overindulgence followed by a type of extreme way resulting in some kind of transgression upon the rights of others. The Holy Qur'an occasionally takes *israf* to mean excessive use of worldly blessings (eating, drinking, dressing, etc.) that God detests. At other times, the terms are taken as deflection from the path of *'adl* and truth and superseding it by an act oppression, as what the people of Lout did, being maintained as a type of corruption in the land. Therefore, the Qur'an regards prodigal people as those who spread corruption in the land and who fail to correct things. "And obey not the command of the *musrifin* who spread corruption in the land, and reform not."109 On this basis, *israf* here is synonymous with deflection from the path of *'adl* and signifies oppression. In some verses, particularly, *israf* and *ifrat* have been defined as tyranny, going to extreme in negation of truth, transgression of the limits and aggression against rights. "They (Moses and Aaron) said: Our Lord! We fear lest he may hasten with onsolence against us and transgress all bounds."110

Fisq and fujur (debauchery and libertinism)

Fisq (debauchery) can be defined as withdrawal from obedience or divine limits or path of sound human nature and *fujur* (libertinism) as abstaining or distancing from the straight path and *'adl*. Therefore, *fisq* has been taken as failing to obey the command of God while *fujur* has been placed against *taqwa* or piety. Some people have considered *fisq* and *kufr* (disbelief) to be synonymous, while from Qur'anic verses it can be inferred that the meaning of *fisq* is more extensive than that of *kufr*. *Fisq* can be said to be the cause of kufr. "Verily, We have revealed to you clear communications, and none disbelieve in them except the transgressors (alfasiqun)."111

In some verses, hypocrites (*munafiqun*) have been officially called *fasiq* (libertine): "Verily, *munafiqun* (hypocrites) are *al-fasiqun* (iniquitous)." This is expressive of the fact that *fisq* can mean hypocrisy and instability and that whimsicality is characteristic of a *fasiq*, as disloyalty, treason, duality and evilness are other qualities of a *fasiq*.

To sum up, *fisq* has been occasionally used as an antonym of guidance and faith and movement in the path of truth or *'adl*. For this reason, *fisq* also runs counter to *'adl* and is its opposite. The *fasiq* (debauchee) is one who deflects from the course of truth and stands against the pious and benevolent

people.

The words that were dealt with here have been applied as '*adl* and oppression or expressive of one of its dimensions or instances. Consequently, the terms stand in a way against '*adl* and *qist*. The words somehow mean transgression from limit or deflection from truth. Their prevalence in individual and society is indicative of deviation, incorrectness, lack of balance and absence of '*adl*. And any aggression or transgression from correct human path and nature and the limits set by God purport oppression and conflicts with '*adl*. It follows that the Holy Qur'an attaches paramount significance to '*adl* in most extensive and best possible form. This sacred book most elegantly explicates the concept of '*adl* and oppression, presenting different instances, indicators and criteria. As put by Hadrat ('a), "This is the Qur'an that speaks about '*adl*."112 Elsewhere, the Imam says: "Qur 'an provides fresh and pleasant gardens of '*adl* for its aspirants."113

Part two: 'Idalah in the Sunnah ('Idalah in tradition)

- 'Idalah in the thought of the Messenger of God (s)

- 'Idalah in the thought of the Immaculate Imams ('a)

- 'Idalah in the political lifestyle of the Holy Prophet (s) and the Infallible Imams ('a)

First Discourse: 'Idalat (Justice) in the thought of the Messenger of God(s)

1 – The principles of 'idalah in the thoughts of the Messenger of God (s)

The Holy Prophet (s) was divinely appointed as a prophet to rise up in order to crystallize '*adl* and *qist* and implement justice in the society and within the souls of human beings as well as perfect the loftiest moral virtues. He was a selfless man who was annihilated in God. He did not think of anything but the interests of the human society, did not talk but for public interest and did not take a step but for the public good and happiness. "Nor he speaks out of caprice."114

Such a sublime man who sacrificed himself wholeheartedly for the society proclaimed that the aim of his divine mission was to perfect moral virtues in all aspects of individual and social life. He has been sent by God to elevate people from the nadir of contemptibility to the zenith of honor and glory, to liberate them from the bondage of slavery to arrogant powers and to guide them towards worship of the One God.

The Holy Prophet invited man to God, who wants nothing of them but to observe '*adl* and Oneness. Both of the notions are useful for man and not for God or His messenger. God gains no benefit from worship by His servants who suffer no loss as the result of servitude to God. In fact, their good and interests in this world lie in nothing but servitude to the One God as sustainer of the universe. "Those who follow the Apostle, the Prophet, who can neither read nor write, whom they will find described in the Torah and the

Gospel (which are) with them. He will enjoin on them that which is right and forbid them that which is wrong. He will make lawful for them all good things and prohibit for them only the foul; and he will relieve them of their burden and the fetters that they used to bear. Then those who believe in him, and honor him, and help him, and follow the light which is sent down with him, they are the successful."115

Based on this verse, the Prophet of Islam (s) takes several fundamental measures regarding people, all of which comprise the movement of the society towards qist and *'adl* viz., 1 – Enjoining good, 2 – forbidding the evil, 3 – praising what is clean, 4 – damning uncleanliness and unclean elements, 5 – removal of heavy burden of the absence of freedom and will, 6 – breaking the yokes and chains of injustice and oppression.

God assigned the Prophet (s) for *'adl* and *qist* to utilize in the society. "I am commanded to be just among you."116 He has not only been delegated to realize '*adl* but also instructed to stand firm in his mission. "Therefore stand firm (in the straight path) as thou art commanded."117 He treasured the qualifications conducive to the crystallization of '*adl* and *qist*. "'He was erudite; his traditions were based on growth, perfection and blossoming and his words separated the truth from falsehood; and his rule was hoisted upon justice, invested with the most sublime moral values."118 Imam 'Ali (a) in a brief statement described the Holy Prophet in the following words:

"His conduct, behavior and treatment of others were based on justice, moderation and even temperament."119

A. The first principle of *'adl* from the perspective of the Messenger of Allah (s) is equality of human beings in the creation and existence. From his viewpoint, all human beings are in essence equal; no one is superior to or has privilege over others, as he observed in his Hajjat al–Ved'a120 (valedictory pilgrimage to Mecca);

"O people! Your God is One, so is your father. You all descend from Adam and Adam from the earth. No 'Arab is superior to a non–'Arab unless by *taqwa* (piety)."121

In some editions of this sermon, at the beginning of the sermon we read the following: "O, people! In Islam people are equal [in the sight of God]; people are of equal scale [no one is superior to the other]."122

In another expression, we read: "People are equal like a comb's row of teeth [and no one is superior to the other]."123 In the religion of God and in relation with the Creator of the universe; that is, in the realm of truth and path to (spiritual) growth, people are servants, who are equal before God, because all are His creatures and are thus equal in their creation. Hence, borrowing from the Holy Prophet (peace be upon Him). "All are the children of God and no one is separate from God in this respect and are not different from others. "All people are God's family and the most beloved of them for Him is the most useful of them to his family."124

B. The principle of freedom based on the equality of humankind can be taken as the second principle of the principles of ʿadl from the perspective of the Messenger of God. Equal human beings in the view of the Messenger of Islam are equal in terms of intellect and consequently, enjoy equal free will and freedom in determining their fate. Therefore, obeying the Prophet is among the good practices that fulfill their public interest. For instance; in the second Aqaba Covenant,[125] those swearing allegiance to the prophet took the following oath:

"We take nothing as partner to God; we will not commit theft; we will not commit fornication; we will not kill our children; we will abstain from any contrived slander and lie; we will not disobey his command in doing good."[126]

He also expressed in a highly beautiful and pleasant way the freedom of humankind as the freedom from each other's bonds and the equality of them in lordship and mastership of individual human beings as follows: "Each of the children of Adam [every human being] enjoys lordship; man is the master of his wife and children and the woman commander of her house."[127]

C. In the political thought of the Messenger of God (peace be upon Him), the third principle of ʿadl is fraternity and amity of human beings. Believers are brothers–in–faith of each other and this brotherhood encompasses all dimensions of the life of the individual, as he himself took a step for the realization of this brotherhood in *Madina an–Nabi* and pronounced people as brothers in faith by entering into an amity or contract of brotherhood in twos.

He spelled out the philosophy of brotherhood in the following words: "O, People! Verily believers are brothers, and the property of a believing brother is not permissible for the other believer except by satisfaction and consent of the possessor of the property."[128]

In the view of the Messenger of God (s) human beings are equal to each other and must be equal. Above all, every one is the mirror of his brother, as put in the following words: "Every one of you is the mirror of his brother; when you see him in suffering or affliction, you should fend it off from him."[129]

Equality and brotherhood have conditions, indicators and criteria without which they will not find expression. It is these very criteria and indicators that signal the existence of ʿadl and qist in society. For instance; "It is remotely humane and chivalrous to take advantage of your brother."[130]

It is meant that in a society based on equality and brotherhood not everyone can seek his own benefit, assuming that in light of his profit, the interest of others will also be fulfilled. His brotherhood finds expression and society is equal and brotherly when everyone thinks of public interest rather than considering his own personal interests. One should not seek one's own interest in others; rather one should seek to secure public interests.

Assisting each other and creating a society based on cooperation and synergy in all areas constitute the primary conditions for ʿadl to realize in the society. Hence, others in any situation are your brothers in

faith and you are responsible towards them, but should know how to uphold the rights of brotherhood. "Heed (the actions of) your brother' whether he is an oppressor or an oppressed. If he is an oppressor, prevent him from committing oppression and if he is an oppressed, give him a helping hand."[131]

D. The fourth principle can be said to be altruism, social concern and public-spiritedness. The Holy Prophet states: "What you like for yourself, like it for your brother and what you dislike for yourself, dislike it for others as well."[132] This saying encourages equality of outlook, perspective and deeds among human beings in dealing with one another. This principle can be called public-spirited or public-oriented because its main axis constitutes public interest and not individual profit. He described just people in the following beautiful words:

"The most equitable man is the one who likes for others as he likes for him and what he dislikes for him, dislikes it for others."[133]

In this expression,·*adl* has been defined in the most elegant language in individual and social concept. This means becoming one with others and seeing others like you and yourself like others. This is the meaning of *'adl* in the sight of the Messenger of God (peace be upon Him). He also observed: "The most righteous people are the most righteous for people."[134] Elsewhere, he stated: "The best people are the most useful ones for the people."

E. The fifth principle is amicability, amity and friendship with people. The Holy Prophet (s) repeatedly underscored these concepts, which were expressive of the merging of individual in society, being counted as important principles and pillars of *'adl*. The Holy Prophet considered the most important foundation of intellect next to faith to be friendship with people:

"Next to faith in God, friendship with people and doing good to affable and ineffable ones among them are the foundation on which wisdom is constituted."[135]

In a different expression the Prophet observed, "The most inauspicious people are the ones who are inimical to people and people are inhospitable to him."[136]

The Holy Prophet stressed these principles to perfect the human society in light of *'adl*. In developing *'idalah* in individual human beings, the Holy Prophet underscored the observance of *'adl* in thought, deeds and words. For example; he said: "A Muslim is one from whose hands and tongue Muslims are safe."[137] The truth of a spiritual journey and essence of ethics is to hold one's tongue and hand from causing nuisance to and committing oppression against people. Holding back the tongue means withholding any verbal aggression and trampling the rights of individual human beings by tongue. Holding back the hand (physical aggression) implies preventing all manifestations of material aggression and the failure to observe *'adl* with regard to the life of the people. *'Adl* in word is a prelude to *'adl* in action and consequently in thought, intention and purpose. Regarding equality in purpose, intention and hearts, stress is laid on equality. "Be equal so that your hearts would be equal; associate with each other and be kind to each other."[138]

Based on what was stated, some of the most important principles of 'adl and qist from the viewpoint of the Messenger of God consist of: 1. equality of human beings, 2. freedom and free will, 3. amity and brotherhood among human beings, 4. public–spiritedness and public interests, 5. amiability and friendship. Furthermore, some other fundamental principles; that is, unity, intellect and wisdom and faith can also be cited.

2 – The Station of ʹIdalah in the Thought of the Holy Prophet (peace be upon him)

As stated earlier, the messenger of God was the embodiment of 'adl. Accordingly, by considering the necessity of ʹadl in the human society, he laid great stress on ʹadl and qist. From his view, ʹadl constituted the axis and foundation of creation and existence, and the heaven and earth have been established on the basis of 'adl. The prophet (peace be upon Him) said: "Heaven and earth [the entire universe] have been set up on the basis of ʹadl."139

In this outlook, 'adl is the basis of creation, which has no meaning without it. Balance and proportion in the creation of the world is indicative of the construction of the universe based on 'adl. On this basis, the Creator of the universe has provided every living creature with the means to survive and continue existence in the creation based on ʹadl. The Creator guides each being towards its desired perfection based on *takwini*140 guidance as indicated in the following verse of the Qurʹan: "He is the God who created and shaped, and who determined and guided."141

In this perspective, ʹadl is the criterion and measure of God on the earth. Resorting to 'adl contributes to the salvation of people. "ʹidalah (justice) is Godʹs measure on the land. Anyone who observes it will go to paradise; anyone who fails to observe it will go to hell."142

In the view of the Prophet of Islam (peace be upon Him) 'adl is the criterion of all collective and individual, spiritual and material, physical and spiritual, political and non–political things and should be embodied in thought, word , deed and behavior. That is to say, man and society should feel just, think just, say just and behave just. For instance; the path towards true happiness from his perspective consists of: "speaking just" and "donate your excess property in charity"143 and "speak just" and "apply ʹadl."144 The messenger (s) stresses ʹadl in speech in all its forms in the following words: "Anyone who believes in God and the Resurrection Day either speaks good or keeps silent."145

ʹIdalah (justice) in expression of feeling and emotion and outlook and perspective has not been ignored by the messenger and has considered 'adl and qist in all aspects dealing with individual and social feelings and emotions. For instance; he says: "Verily, God revealed to me to observe humility so that no one would pride oneself to others and no one would oppress others."146

On priding oneself, which is inconsistent with ʹadl, he said: "Shall I inform you of the most inauspicious servants of God? He is the very arrogant and hard–hearted man."147 ʹAdl in action and behavior of individuals whether in relation to the individual himself or God or whether in relation with others and society has been repeatedly underlined: "In judgment, act just "148 And "Abstain from injustice and

oppression. Verily, oppressors reside in the purgatory, darkness and gloom."[149]

In the eye of the messenger of God (s), man is obliged to follow *'adl* in any spiritual and physical situation or state. *'Adl*, in his viewpoint, is salvation and is among the liberating factors that bring happiness to man and society. "*'Idalah* ('idalah) in time of equanimity and wrath is a life buoy."[150]

However, it should be understood that the outlook of the messenger (s) into *'adl* is not summarized in expressing its significance and universality, rather it should be taken as the expression of the virtue and superiority of *'adl* and *qist* and particularly the just and equitable people and disapproving of oppression and mischief and oppressors and tyrants and their cohorts and collaborators and those that succumb to oppression and injustice have been time and again underscored in the Messenger's speeches under different titles. Here, for instance, a number of them are referred:

1) *'Adl* is the protecting shield and everlasting paradise.[151]

2) *'Adl* in his viewpoint occupies a place that an hour of observing it is superior to a yearly performance of acts of worship, and saying night and day prayer and keeping fast. In contrast, oppression and tyranny is rejected in a way that an hour of doing it is in the sight of God more intense than committing a sin for 60 years.[152]

3) From his view point, *'adl* is good and better for kings and commanders of society.[153]

4) the station of *'adil* (just) people and those observing *'adl*, he said: 'The *'adil* people on the Resurrection Day sit in the pulpits of light in the Throne of God on his right side. The just people are those who observe *'adl* in their judgment, and towards their custody and subordinates."[154]

5) On general indicators of *'adl* and perfection of honorability of representatives, rulers and leaders of human society, he says: "One who does not commit oppression in dealing with people, who does not tell a lie to people, who abides by one's promise to people, this man's humanity is perfect and his *'idalah* apparent; so, friendship with him is obligatory and backbiting him is forbidden."[155] Do not do injustice to people in any state, tell the truth in speaking with people and keep to the promises you give to people.

6) Refusing to help the oppressors and tyrants in the sight of the Prophet (peace be upon Him) is such that walking with them is an offence. "Anyone accompanying the oppressor has truly been entangled in crime and sin."[156] "Assisting the oppressor and tyrant is equal to voicing disavowal and hatred of God and His Prophet(s)."[157]

7) Governance and superintendence of affairs from his perspective have no meaning without *'adl*. He considered guardianship and leadership of the affairs of people at any level to be nothing but trusteeship. If someone is appointed to guard the affairs of people and fails to guard it as he does his life, he will not scent paradise, because he has deflected from the course of 'adl. So solemnly and beautifully, he put it: "If one among my ummah takes charge of people's affairs and fails to do as one

protects one's own property, he/she will not experience paradise."158

In fact accepting responsibility in such an outlook does not find meaning except with '*adl*. "If you want me to tell you about sovereignty, it begins with censure and ends in penitence and chastisement at the Resurrection Day. If you want me to inform you of leadership and politics, it means first remonstration, second repentance and third punishment on the Day of Judgment unless one observes '*adl*."159

8) Regarding '*adl* towards children, he stresses even the manner of kissing them in the following words: "God likes you to treat your children justly even in kissing them."160 Finally, in the sight of the messenger of God (s), '*adl* is the criterion and measure of assessing the deeds and actions of human beings, words and thoughts and feelings and emotions on earth – a scale that determines the status of man beyond this world and in the world hereafter: "'*adl* is the measure of God on the earth; everyone that finds it will be guided to paradise and anyone who abandons it will be guided towards hell."161

2. The Concept of '*adl* in the sight of the Messenger of Allah (s).

Now we should look into what the view of the prophet is on the meaning and concept of '*adl* and *qist*. The messenger of Islam entertained an allencompassing and multi–dimensional view of '*adl*. It can be inferred from his words and utterances that when we consider '*adl* in its general conception, that is, existential or general '*adl*, we give more heed to real proportion and moderation and equality. In other words, it can be said that the messenger on the subject of existential '*adl* gave regard to balance or equality based on wisdom. From this perspective, perhaps it can be propounded that the messenger considered '*adl* as placing things in their true station based on wisdom and general interest. The messenger says: "Heaven and earth has been set up based on '*adl*," pointing to the fact that existence is based on real balance and true proportion based on wisdom.

True moderation finds meaning in the sense of placing things in their rightful place. From this concept, we arrive at the relationship of existential '*adl* with '*adl* in its human sense; that is, real equality or observing the right place of things. In this perspective, '*adl* in its human sense is the criterion of balance or measure of God on the earth; that is, a scale and an instrument with which all human issues are weighed . "'*Adl* is the scale of God on earth." In his viewpoint, '*adl* is placed against oppression and sometimes against '*jawr*" and, at other times, against any deviation from the path. On this basis, perhaps it can be said that he considered movement in the correct course and straight path was '*adl* and deviation from the course inconsistent with '*adl*. Therefore, in his perspective, '*adl* is the direct line and moderate path from the outset of man's movement to accomplishment of absolute truth. "This is My straight path, so follow it. Follow not other ways."162 It can, therefore, be said that when regarding '*adl* in its civil and social sense, he considered equality in its real sense. In a narration, he addresses Hadrat 'Ali ('a) most eloquently in the following words: "O Ali! Whatever you do not like for yourself, do not like for others and whatever you like for yourself, like for your friend so that you would be just in your judgment and so that you would be just and loved by the people, of the heaven and in the heart of the people on earth163."

Here, the messenger of God raised the existence of ʿ*adl* and *qist* in the society in simplest expression, giving up one individual interests and individualism and heeding public interests, treating others equally in a way that you would view yourself like others and others like yourself and thinking equally about yourself and others and acting and behaving equally. In general, in this expression, two general actions are presented and four results of these two actions. Both actions express considering oneself one and the same with others and heeding public interests rather than individual ones in a way that one considers oneself part of the total society, thus liking others equally or disliking him and others equally. Then, *ʿadl* has found expression in such an individual. He will be *ʿadil* (just) in his judgment and is loved by people of the heaven and earth in his outlook of ʾadl and commanding it and giving it reality.

Therefore, in this expression ʾadl has been both defined and its criteria and general and all-out indicator for *ʿadl* have been cited. In another narration we read: "The most just person is one who likes for himself what he likes for himself and dislikes for others what he dislikes for himself."164 Such words are not only expressive of the criteria and practical indicator for *ʿadl* and *qist*, rather it is a principal definition and at the same time its workability. This subject can be treated in three dimensions and the result of the three choices is to supersede public interests by individual and personal one. These three dimensions consist of:

1. Considering people equal with us in thought, reflection and thinking.

2. Believing in people's equality and sincerity in terms of faith and belief.

3. Treating people like us in individual and social behavior, conduct and action.

This outlook results in superseding individual will by public will. That is to say, individual wills coalesce and public interest and will dominates. JeanJacques Rousseau made an interpretation similar to this hundreds of years after the Prophet of Islam in his book entitled Social Contract. In such a perspective, "the public will only heed common interest"165 and the only way to secure public interests is to heed such a concept and its practical expression.

The generality of *ʿadl* which has been raised by the messenger of God is expressive of the inclusiveness and vastness of this equalitarianism and generalization encompassing all human beings without any room remaining for discrimination and exception. "Anyone whose *ʿadl* becomes generalized will win over his enemy."166

When distributing the booty obtained from the Battle of Badr, Saʾd Ibn Abi Waqas objected to the Prophet's equal distribution. The prophet gave him a decisive answer in the following words:

"The questioner means if you regard the horse-riding combatants and commander to be equal to weak and ordinary ones. The Holy Prophet replies in the following words: "May your mother lament your death. Did you emerge triumphant except by means of the weak?"

Therefore, equality and egalitarianism in the view of the Prophet of Islam (s) is so important that in the division of the war booty167, commander and soldier, horse-rider and infantry, weak or strong and all and all get equal share.

Attention to antitypes of 'adl in the thought of the prophet (s) is expressive of the significance of 'adl in his perspective and can be summed up as follows:

1. Classifying leaders into 'adil (just) and zalim (tyrant) and introducing them and expressing their fate in the following words: "The most loved people on the Day of Judgment and the closest one to God is the just ruler and the most hated of them is the tyrannical ruler."168

2. Assisting the oppressed and restoring their rights from the oppressor in the following words: "One who restores the right of the oppressed from the oppressor is my companion in paradise."169

3. Negation of tyrant kings who will come after the prophet in the following words: "After me will come leaders who commit oppression and tell a lie; anyone who attests their lies and helps them in their oppression is not from me and I detest him."170

4. Command to fight against oppressors and tyrannical and dictatorial leaders171 in the following words: "If you saw a tyrant but did not stop him from doing oppression, it is imminent that God would send you chastisement."172

5. Warning and frightening them with the supplications of the oppressed and considering it as the most efficient weapon in the following words: "Beware of the prayer of the oppressed, as it soars up to heaven like the flames of fire."173

6. Negation of any oppression and tyranny even in the area of affairs dealing with ownership of land and the likes of it in the following words: "Anyone who commits injustice a single inch of a piece of land against others, a chaplet of the heptagonal lands will be hung round his neck proportionately on the Day of Judgment.174

7. Negation of taking possession of the property of others and trespassing and transgressing the rights of others. If one of you takes a handful of soil and puts it in his mouth, it will be better than putting in his mouth what God has forbidden.175 He also observed: "I swear by the One in whose hand the life of Muhammad lies, whenever a servant eats an ill-gotten morsel, no deed will be accepted of him for 40 days.176

8. Abstaining from harassing people: 'A Muslim is one from whose hand and tongue Muslims are safe."177

9. Abstaining from unwarranted ideas and misunderstanding about others.178

10. Abstaining from rejoicing at another's misfortune and enmity with people.179

11. Negation of lie, hypocrisy, treason, cheating, oppression, insurgence, coercion, arrogance, conceit, trick, ill temperedness, kharq[180] and the like.

12. Stressing love, friendship, mercy, unity and sincerity.

13. Negation of the fact that an individual or society overcharges others: cursed is the one who overcharges him on others.[181]

14. Stressing more practical and palpable instances such as elimination of class and economic scheme, leniency and assisting the weak and the indigent, sympathizing with others' sorrow, meeting the needs of others, and observing the rights of animals. Observing the rights of objects, etc.

15. Expressing the rules of *lazarar*[182] (harming and tricking others), *ghurur*,[183] *bara'at*,[184] refusal to help oppression and sin.[185]

Second Discourse: ʿIdalah in the perspective of the Immaculate Imams (ʿa)

1 – Principles of ʿIdalah in Political Thought of the Infallible Imams (ʿa)

The subject of *ʿidalah* in the political thought of immaculate religious leaders who are the true interpreters of the Book of God and words of the Messenger of God (s), is an extensive and profound subject calling for a apropos opportunity to take up. The Shiʿah Imams in pursuit of the Qurʾan and the Holy Prophet of Islam (peace be upon Him) presented a symbolic and integrated picture of *ʿidalah* in the framework of a cohesive theory. This consolidation is openly and vividly observed in the book Nahj al–Balaghah[186] and in the thoughts and practical lifestyle of Imam ʿAli (ʿa) and his honorable son Imam Mujtaba (ʿa)[187], who guided the Islamic community for around five years. How beautifully Jeorge Jerdaq writes on the main reason for ʿAli (ʿa) to accept the Caliphate:

"What compelled ʿAli (ʿa) to accept the Caliphate was the fact that social *ʿidalah* was at stake."[188]

The Immaculate Imams (ʿa) presented the theory of *ʿidalah* in society as something emanating from the equality of human beings in creation, reasons and their free will that drew a distinction between the man of will and other creatures. In a human society, human beings are different outwardly, but these differences are in outward aspects, acquisitions and accomplishments, while our religious leaders believed that human beings are equal in their creation and nature or in other words, being human, at the same time being free.

What counts in the study of the subject of *ʿidalah* is equality in creation, not in outward aspects, accomplishments and virtues that will be rewarded differently in the world beyond. To elaborate, the man of *taqwa* or piety is superior but the criterion to measure piety and set its reward or punishment is determined based on spiritual and otherworldly standards. Therefore, equality is a primary principle and criterion: "All creatures, big or small, light or heavy, weak or strong are equal in creation."[189]

The conclusion he derives from equality in the creation of creatures, including man, is that all creatures are equal before the Truth. Therefore, the basis of rights constitutes equality founded on existential *'idalah*: "Therefore, people's affairs in terms of right should be equal in your eyes, because never will oppression and tyranny supplant *'idalah*."190

Imam Sadiq ('a) has the following comment to make on the equality of people:

"People are equal like the teeth of combs and man is elevated with his brother and associate with one who does not like for you what he likes for him brings no good for you."191

Furthermore, in this perspective, monotheism is regarded as the basis of *'idalah* and equity. Equal people have a single God and believe in the oneness of the Lord, and the Creator paves the ground for equal rights and *'idalah* for them. Borrowing the words of Imam 'Ali ('a): "'God has made firm and solid the rights of Muslims based on sincerity and monotheism."192 On this basis, *'idalah* can be set up on the basis of monotheism and equality in creation. Another pillar, which has been cited in the narrations of the Infallible Imams as the pillar and foundation of *'idalah* and, occasionally with the same standing, is *·aql* (intellect).

In discussing the basis and foundation of *'idalah*, theoretical intellect is propounded and in the discourse on maintaining intellect and *'idalah* at the same rank, practical intellect is put forward. In this perspective, the *'aql* is a light with which good and evil are differentiated.193 Therefore, when Imam Sadiq ('a) talked about intellect as the source of affairs he meant theoretical intellect, which was the origin of *'idalah*. The Imam said, "Verily, the origin, source, force and edifices of affairs and the workings (of man) are the intellect with which every benefit is concerned and God has adorned man with it to serve as light and a shining torch."194

On this basis *'aql* or intellect is the power of discretion, contemplation and reflection and an instrument for understanding the provenance and foundation of all affairs including *'idalah* and equity. Also, Imam Mujtaba ('a) defined *'aql* as the faculty for the salvation of man in the world and the life hereafter. He alluded to both theoretical and practical dimension of *'aql*, which could be the basis on which *'idalah* or equity was established.

As an example, the Imam (a) said: "*Aql* is the best faculty God has bestowed on man." He also said: "'*Aql* can lead man to happiness in this and the world hereafter."195 Imam 'Ali ('a) in one of his utterances defined *'aql* as synonymous with *'adl*. In defining *'aql*, he used the same wordings he employed in defining *'adl*. The Imam described sagacious people in the following words: "A sapient person is one who places everything in its rightful place."196 In explaining *'adl*, the Imam said: "'*idalah* signifies placing things where they should be placed."197

Also, other pillars of *'idalah* are man's freedom and free will. Man has been naturally created free. Being free and wise, he can decide. Therefore, the man of will is synonymous with a wise and free man. Such a man can be just and equitable. Imam 'Ali ('a) observed: "Do not be a slave to anyone because God has

created you free."[198]

Therefore, since man is free and autonomous, he can actualize *'idalah* within him and his society. If he were not free and if determinism loomed over his life and destiny, how would it be possible for him to become just and administer equity?

Also, from the viewpoint of Imam 'Ali ('a) and other Infallible Imams ('a), *'adl* and right are complimentary to each other. Since *'idalah* is there right finds meaning and since right is conceivable for man, then *'idalah* necessitates its realization. Therefore, *'idalah* is integral to right and gives meaning to duty. Without *'idalah* duty, too, will not find meaning. *'Idalah* necessitates right for the individual and society, and generating duty thereof. Lack of association of right and duty is applicable only in one case, and that is in the case of the Beneficent God. Imam 'Ali ('a) is quoted as having said:

"If a person could be credited with a right without undertaking any duty, this right belongs to the Beneficent God, not His creatures. It is God who has the power of creation of His creatures and what He has ordained for creation conforms to *'idalah*. God has, however, required His creatures to obey His commands as His right, for which He ordained multiple rewards. This is another favor that God's magnanimity necessitates. This is a right in God's power that obliges His creatures to observe in respect to Him. This right goes beyond the integral association to of right and duty."[199]

2– The concept of 'Idalah in the Thought of the Immaculate Imams ('a)

Let us now see how infallible religious leaders define *'idalah*. Imam 'Ali ('a) in a dialogue defined *'idalah* as narrated below:

"Once the Imam ('a) was asked: Which of the terms *'idalah* and generosity are superior? The former replied: 1– *'idalah* places things in right station, but generosity puts things out of their direction, 2– *'idalah* is a public statesmanship (public administrator or public interest) but benevolence is non–essential; therefore, of the two *'idalah* is more noble and preferable."[200]

In these utterances, two features have been deduced for *'idalah*:

1) The quiddity of *'idalah*, which is placing everything in its suitable place.

2) The scope and aim of *'idalah*. As far as the scope of 'idalah is concerned, it is public and pervasive and covers humankind. In terms of objectives, it concerns public interests.

Perhaps this definition of *'idalah* can be said to be the most general definition of *'idalah* covering all its aspects both: Divine and human *'idalah*. In defining Divine *'idalah*, the Imam ('a) in a highly valuable utterance observed: The truth of God's Unity monotheism is not to incorporate Him in one's imagination and the truth of *'idalah* is not to accuse Him and attribute to Him something that is beneath His dignity.[201]

In the above utterance, not to accuse God and attribute to Him that which is remote from His holy presence signifies placing real understanding in its right place in the realm of knowledge and belief. 'Abdul Azhar has explained the preceding exposition as follows:

"This allegation is the most comprehensive conviction pronounced by Imam 'Ali (a). Despite being brief it is succinct and to the point and reveals the synopsis of what Muslims and monotheists have uttered or written thereof."202

The author of *al-Taraz*, too, writes thereof in the following words: "These sentences afford the entire monotheistic learning and wisdom despite their vast scope in terse and most elegant diction."203

Ibn Abel Hadid has underlined two basic points we intended to view in his comment of the Imam's description of *'idalah* as being superior to generosity as follows:

"The superiority of *'idalah* is due to two reasons: first, *'idalah* implies assigning everything its proper place; and second, *'idalah* signifies public statesmanship and is applicable to all religious and worldly gamut, with the order and firmness of the universe affiliated to it."204 In such an outlook, *'idalah* signifies real balance and proportion of things whether in the world of creation or within the individual and the human society. Hence, *'idalah* in the eye of Imam 'Ali ('a) and other infallible religious leaders is noble. To elaborate, the following quotation will not be out of place:

"*Idalah* exists on equal footing with noble world phenomena and existence acquired its features from obtaining from the world of existence. It is that physical symmetry in the creatures of the world that every phenomenon receives its suitable components and conditions, occupying its proper place ... This proportion and suitability in man's qualities lies in balance among them and abstaining from going to both extremes and observing temperance."205

Imam 'Ali ('a) elaborating on the components and branches of 'idalah also observed:

"*Idalah* has four branches: keen-sighted understanding, truth-seeking knowledge, goodness in judgment and firmness in forbearance."206

By the above statements is meant *'idalah* is not realizable except by toeing these four branches, which are regarded as pillars for giving reality to *'idalah*.

Infallible religious leaders ('a) occasionally defined *'idalah* as equality. This equality is based on competence, and equality in social aspect is based on merits and capabilities. Hence, *'idalah* here means fulfillment of rights in a way that no one's right is spoiled and that everyone is placed in its proper place based on his/her talent and efficiency. As versified by Mowlavi:

The King said, "Good is when it is done timely.
If you place the king on a chessboard, it is annihilation,
If you put the horse in place of the king, it is ignorance,

What is justice, when things are in their rightful place?

What is tyranny, when things are out of their rightful place?"[207]

Also, Imam 'Ali ('a) in interpreting the holy verse "Surely, Allah enjoins *idalah* and kindness..."[208] observed: "*'adl* (*'idalah*) means fair treatment (equity) and *ihsan* (benevolence) signifies charitable act and being generous in giving."[209]

Here, the Imam ('a) unveiled another aspect of the wide dimensions of *'idalah*: observing the rights of others and refusing to trespass and transgress their rights – one of the numerous aspects of placing everything in its proper place. Of course, it is possible to visualize such vast meaning for *insaf* (fairness). *Insaf* is applied to the observance of the rights of others in the society and respecting public interests, while the notion of *'adl* is applicable to the any matter, right and interest in general. In this perspective, *'idalah* is like a human affair within Utopia and is the basis for social and individual affair, with politics, economy and society being constituted on it. As put by Murtada Mutahhari:[210]

"*Idalah* in the form of Islam's social philosophy has been regarded by the commander of the faithful who maintained it as reputation of Islam and regarding it be superior to all else, with his politics to have been constituted on this principle."[211]

One of the prescriptions highly regarded by Imam Husayn ('a)[212] when dwelling on the cause and philosophy of enjoining to good deeds and forbidding evil is the collection of alms where necessary and placing them in their real position. This is the very notion of *'idalah*, as the philosophy of enjoining to good and forbidding evil is to actualize *'idalah* in society.[213] In our narrations, *'adl* has occasionally been defined as an ethical quality and human habit. For instance, Imam Sadiq ('a) when explaining *'idalah* in response to a question posed by his son as to which individual the quality of *'idalah* could be applied, observed: "It is the one who forbears the intimate ones, holds one's tongue from committing a verbal sin and abstaining from oppression and tyranny."[214]

In the above observation, *'idalah* has been taken as an individual's quality, constituting the pillar and background of *'idalah* in its general and social concept. Hence, Imam 'Ali ('a) maintained that consistency in *'idalah* lies in moderation of temporal desires.[215]

Elsewhere, Imam 'Ali ('a) stressed the social notion of *'idalah*. Where there emerges a conflict between individual and social interests, the Imam ('a) asserted the precedence of social and collective interests, stating: "Beware any action that gratifies you but upsets Muslims."[216]

In this attitude, every individual and group is placed in his/her real and proper place – the status of *'idalah*, leading to the realization of *'idalah* in society, while extortion, discrimination and oppression will be effaced from society. That is why Imam 'Ali ('a) recalled *'idalah* as the *mizan* (balance) of God when establishing what is right on earth. This criterion was set among human beings by God so that the right would be set up and the wrong suppressed.[217]

The two terms Imam 'Ali ('a) has stated to show the characteristics of the Divine criterion and relationship of *'idalah* with God and people consist of:

A. Appointment. *'Idalah* is Divine appointed on earth. The Holy Qur'an reads: "setting the balance."[218] Many interpreters have taken *mizan* to mean *'idalah* and qist. Furthermore, appointment is predominantly expressive of the adjustment of an objective or Creative (i.e. referring to the Creation) thing. For instance on the earth the Holy Qur'an says: "And He has appointed the earth for (His) creatures",[219] on childbirth "every nursing mother will forget her nursling and every pregnant one will be delivered of her burden,"[220] on appointment of a place "Surely the first Sanctuary appointed for mankind was that at Mecca."[221]

B. Establishment, which also means placing in secure position or making firm or secure and is predominantly applied to objective and real things. For instance, the Holy Qur'an speaks about setting up the mountains: "And the mountains, how are they set up?"[222] And also about "portion" in the following verse: "They shall have (their) portion of what they have earned."[223]

Also, where the Holy Prophet, as quoted by 'Ayesheh,[224] observed: "God created two pans of scale like the earth and sky. The angels asked: O, God! Whom do You measure with this scale?"[225] is meant that *'idalah* has been set and established. Therefore, on the basis of *'idalah* actions are measured. Imam Sadiq (a) in response to a question posed by Hesham who asked "what is the meaning of balance" said: "Balance means *'idalah*."[226]

3 – 'Idalah: an existential and human necessity and basis of everything

In the view of our infallible religious leaders ('a), *'idalah* is a need for existence, man and society and occupies a prominent standing. It is regarded as the foundation of everything in the world and society and individual to the extent that even faith is constituted on *'idalah*. Here, three main axes dealing with the standing and significance of *'idalah*, indicators and its necessity will be taken up:

A) Standing and significance of 'idalah in the view of the Immaculate Imams ('a)

On the station and significance of 'idalah and equity and its impressions and results in human society, suffice it to quote a number of *Hadith* (narration) from the Immaculate Imams ('a):

'Idalah and man's magnanimity

Imam Sadiq ('a) said: "If *'idalah* is established among people, they will become needless"[227]

"Imam Kazim ('a)[228] said: "If *'idalah* is set up among people they will become wealthy."[229]

Relationship of *'idalah* and faith

Imam 'Ali ('a) said: "*Adl* is the ornament of faith."[230] And "*Adl* is on top of faith and the highest level of faith."[231]

In this perspective, the relationship of *'idalah* with faith has been stated that *'idalah* is the ornament and beauty of faith, its mystery (*sirre*) of faith and its highest level of faith. As the relationship of *'idalah* with faith is like the relationship of head with the body, the faith minus *'idalah* is not alive. Imam 'Ali ('a) also stated: "*'idalah* is the foundation of faith."[232]

'Idalah as foundation and criterion

Imam 'Ali ('a) said: "*'Adl* is the criterion of politics."[233] "'*Adl* is the foundation on which the world is constituted."[234] "'*Adl* is the soul of commands."[235] "Faith is constituted on four pillars: patience, certitude, *'adl* and Jihad."[236]

Ibn Malik has been quoted as saying that he asked 'Ali ibn Husayn to explain all about canons to him and the Imam said: "Telling the truth, ruling by 'adl and abiding by one's promise."[237]

Above all, in the view of Imam 'Ali ('a) and other Immaculate Imams ('a) *'idalah* is translated into living and life and the absence of *'adl* and generosity is regarded as oppression and discrimination, leading to the death of man and society.

Imam 'Ali (a') further said: "Adl is life."[238]

Imam Kazim ('a) said: "To revive an arid land, God does not enliven it by rain, but by sending men who revive *'idalah*. Then the land will be revived by the revival of *'adl*. The enforcement of God's laws is more useful for the land than 40 days of rainfall."[239]

Superiority, virtue and loftiness of *'idalah* and equity

Imam 'Ali ('a) said: "*'idalah* is salvation and generosity; equity is the highest of virtues."[240] "*Adl* is the best gift."[241]

Imam Sadiq ('a) said: "*'idalah* is sweeter than the time when a thirsty one finds water"[242] and "*'idalah* is sweeter than honey, softer than butter and more fragrant than musk."[243]

Political and social impacts of *'idalah*

The most important political and social impacts of *'idalah* in the viewpoint of the infallible religious leaders ('a) consist of: the stability and survival of a government and the political establishment in society, independence, power and dignity, the influence of the rule and order of rulers, the value and esteem of statesmen in society, the needlessness from friends and relations as well as aliens, the improvement of the affairs of society, etc.

Imam 'Ali ('a) said: "*'idalah* is the shield of countries."[244] "Be *'adil* (just) so that your power perpetuate."[245] "*'Idalah* is the support of people."[246] "One who is *'adil* in his government will be needless of his friends."[247] "Nothing corrects the citizen s but *'idalah*."[248] "*'Idalah* corrects people; the interest of citizens

lies in *'idalah*."249 "*'Adl* is wider than the earth."250

The daughter of the Holy Prophet of Islam Fatimah ('a)251 said: "*'Adl* is source of the tranquility of hearts."252

Some features and criteria of 'idalah

Some of the features and criterion of *'idalah* from the viewpoint of Imam 'Ali ('a) consist of:

A – Profound understanding, – steady and deep–rooted knowledge, – good and valuable wisdom, d – lasting forbearance. The holy Imam said:

"*'Adl* has four criteria, or branches and foundations. First, profound understanding, because the realization of *'idalah* calls for profound apprehension and insight. If one enjoys deep understanding and is keensighted, then he will find a way into the depth of knowledge. The second step is the acquisition of wisdom, perception of the truth of matters (theoretical wisdom) and the quality of our treatment and approach to them (practical wisdom). The fourth step is stable forbearance inspired from wisdom, knowledge and understanding."253

In the light of such forbearance, the individual knows what to do and shuns going into both extremes, treats with forbearance in social life and observes public interests. Such a man can be called just.

Another feature of *'idalah* in the eye of Imam 'Ali ('a) is denial of carnal desires resulting subsequent to a deep understanding of the truth and stages of (human) affairs. He said: "Recognizing and understanding the truth and acting according to its requirements" is another feature of *'idalah* in the sight of Imam 'Ali ('a).254

Also, Imam Kazim ('a) considered one of the most important indicators of the enforcement of *'idalah* to be its understanding in the best possible way (and acting most efficiently accordingly). He said: "One is not *'adil* unless one dispenses *'idalah* in the best possible way."255

Therefore, one who fails to understand *'idalah* efficiently does not recognize its dimensions and is unaware of the nature of affairs and matters cannot develop a complete and correct picture of 'idalah, nor can he set out implementing *'idalah* in society. Furthermore, another criterion of *'idalah* is that it should not be defiled by injustice and oppression. Imam 'Ali ('a) said: "Oppression does not accompany *'idalah*."256

'Idalah: the most essential need of society and the loftiest expediency

From the viewpoint of immaculate religious leaders, *'idalah* is an urgent necessity on which depends the survival of society. Minus its realization, society will not endure, nor will it remain stable in its political dimension. This necessity is observable in each and every society. Imam Sadiq ('a) described *'idalah* as one of the things people need urgently. He said: "People need three things urgently: security, *'idalah* and

abundance and development."257 Furthermore, no interest is superior to *'idalah* and equity and its realization in society. Therefore, *'idalah* cannot be sacrificed at the mercy of economic progress and political development, because all the interests of society are realized under the shadow of *'idalah*. Imam 'Ali ('a) said:

"Do you expect me to win by doing injustice to people? I swear by God that I will never do such a thing as long as stars appear one after another. If (the public) property belonged to me, I would divide it among them (the people) equally. Now, it belongs to God."258

The Imam considered love of things to be in three categories: one of them being that which is more general in *'idalah*. To elaborate, the wider the scope it covers in the realm of *'idalah*, the lovelier it will be. He said: "The justice should be the most endearing and significant matter for you."259 That is why our infallible Imams stressed the negation of oppression and injustice, arrogance, the selection of the fittest individuals, winning public satisfaction in the administration of their affairs, avoiding dictatorship and self–centeredness, equality of just leaders with the lowest individuals in terms of living standards and the like. The necessity of *'idalah* for the society is such that nothing is as effective as *'idalah* is in the improvement and development of cities and populated regions. Imam 'Ali ('a) said: "Countries did not flourish by something similar to *'idalah*. "260

The significance of *'idalah* is such that our infallible Imams had defined *'idalah* in the following words: consistency of existence and life, foundation of religion, pillar of law and Divine rights, basis of society and ethics, criterion of God in the land, factor contributing to the development and growth of the society and stability of governments, implementation of Divinely tradition and limits, coordination and tranquility of hearts and character of Divinely prophets. In political and social terms, too, *'idalah* has been defined as the right of people over governors.

Imam 'Ali ('a) said: "Your right over him is that he should be equitable towards you and establish *'idalah* among you."261

Third Discourse: 'Idalah in the political style of the Holy Prophet (peace he upon Him) and Immaculate Imams ('a)

1 – 'Idalah in the political stylecdxli of the Prophet of Islam (peace be upon Him)

The Holy Prophet of Islam has actualized *'idalah* in his political, economic and social policy and, in general, in his whole lifestyle as he had presented the most precise and workable definitions of *'idalah* in the realm of thought. God describes him as enjoying "enormous nature" and "O Muhammad, thou art in no wise a compeller over them."262

God has repeatedly said: "Say: I am only a mortal like you."263 In making *namaz* (prayer) a religious law in *tashahhud* (station of tranquility and quietude), the Holy Prophet stated: "Muhammad is the servant and messenger of God". All the Prophet's human aspect and manifestations, servitude and obedience to

God, his prophethood, his revelations and inspirations by God embody *'idalah* and *qist*. The Prophet (peace be upon Him), who was "the blessing and gift from heaven for the world",[264] devoted whole life and existence to save the people, dispense *'idalah* and actualize faith in the human society in such a way that God addressed him in the following words:

"It may be that thou tormentest thyself (O Muhammad) because they believe not."[265]

The Holy Prophet in one of his supplications to the Creator of the Universe humbly sought refuge in God as follows: "O, My God! I seek refuge in Your Holy Presence lest I should do injustice or submit to oppression, transgress or be trespassed."[266]

It has been related that an 'Arab desert traveler approached the Holy Prophet and with rage demanded excessive portion of his share, crying: "Exercise *'idalah*, O Muhammad!" and the Prophet smiled and with utmost dignity and equanimity replied, saying: "O Bedouin! Who will do *'idalah* if I do not?"[267]

If Muhammad's existence had not been overwhelmed with *'idalah* and qist, how could a Bedouin Arab allow him to address the Prophet so much with effrontery and harshness and the Prophet replied with complete dignity and equanimity? This behavior towards that uncivilized Bedouin ensuring him of Muhammad's *'idalah* was embodied in the Prophet's peaceful and dignified answer, bearing witness to the latter's sincerity in dispensing *'idalah* and *qist*. If the Prophet of God had set up a wall of coercion, despotism and arrogance between him and the people, as is being done by leaders of the world, would a desert man have found such a peace of mind as to address the Prophet with such impudent words?

In the Prophet's answer underlies an enormous secret. By responding in negative interrogative sentence, he wanted to say he had not been delegated except for the institution of *'idalah* and if he would not observe 'idalah, who would. On the other hand, the Prophet wanted to ensure that what the Bedouin wanted – excessive portion of his share – was not *'idalah*.

The Prophet's *'idalah* was such that traces of duality and discrimination had been effaced. For example, when a stranger apprehensively and tremulously attended the Prophet's assembly and could not say a word out of fear and terror, the Prophet called him to sit close to him and put his hand affectionately around his shoulder and said:

"Be comforted! I am not a king. Like you, I am the son of a woman who fed on desiccated meat in Mecca."[268]

That is why Imam 'Ali ('a) described the Holy Prophet's character as just, and the fifth Imam ('a)[269] commented on the Holy Prophet's practical method and political style in the following words: "The Holy Prophet abolished the *Jahiliyah* (age of ignorance) practices, and in treating people he commenced with *'idalah*."[270] The Prophet (peace be upon Him) constituted his movement on the abolition of *Jahiliyah* practices and the realization of *'idalah* in society. In the book entitled *Nahayat al–Masul fi Riwayat al–Rasul*, the Imam introduced the Prophet (peace be upon Him) and after describing his positive

attributes[271] treats such attributes[272] from which the Prophet (peace be upon Him) was above and beyond.[273]

Anas Bin Malik had said:

"I served the Holy Prophet (peace be upon Him) for ten years. Not all my actions were pleasing to the Prophet. Nevertheless, never did he ask me in annoyance or disgust why I did not do so and so."[274]

'Ayishah had said: "The Prophet (peace be upon Him) has never raised a hand against anyone except in battles against disbelievers."[275]

When the Meccan aristocracy and chieftains insisted on the expulsion of the weak, barefooted and deprived people who came round the Prophet (peace be upon Him), he gave the people who became concerned, the following good tidings: "For me living and dying with you are agreeable."[276]

The arrival of the Prophet (s) in Yathrib,[277] the changing of its name to Madinah an-Nabi, the ratification of the Medinan Covenant, the observance of citizens' rights in conformity with *'idalah* and without discrimination were the salient features of 'idalah exercised by Prophet Muhammad (s) in the administration of the society. The covenant partially reads that all Medinan people who accepted the covenant, irrespective of their beliefs, constituted a single *ummah* (nation). The covenant, which listed the name of each of the tribes accepting the covenant, further read: "Each tribe is free to practice its customs and beliefs[278] within the framework of the *ummah*. It stresses that each tribe will pay ransom for its captive based on two criteria:

a– Ma'ruf

b– *Qist* and *'idalah* among believers. In each and every case, *qist* is the pillar and criterion for each tribe's action.

This repetition (of the word) implies official participation of all of them in the covenant.[279] Above all, it means that each tribe is obliged to set *qist* and *ma'ruf*·as criteria for its activities within the framework of a single *ummah*. Moreover, the repetition of the phrase conveys the significance of two subjects: *ma'ruf* and *qist*.

Article 13 of the covenant underlined collective fight against oppression and the realization of *'idalah* and equity as the goal of Madinah an-Nabi[280] and Article 15 defined God's *zimmah* (duty) to all citizens to be equal: "*ina zimallah wahid*."[281]

Furthermore, the covenant defended all non-believing citizens (Jews), insuring their security from any injustice or propagation and gave them support as long as they act within the framework of a single *ummah* and refused to aid the enemy and shunned either of the two acts below:

1– Oppression and cruelty (tyranny).

2– Sin.282

It is noteworthy that in this 47 article covenant, the term *qist* or equity has been mentioned nine times.283

In conclusion, Article 47 of the Medina Covenant reads: "*wa inna la yaholo hazal kitab*."284 The Prophet of Islam was so disgusted with oppression and injustice that at the end of his life and at the peak of power and prophetic mission he sat at the pulpit despite his illness and, in a sermon addressed to the people, cried out:285

"Whosever's property I might have taken, now my property is at his disposal; he can take from it. Whoever I might have whipped on the back unjustly, now my back is at his disposal. "On fighting injustice, the Prophet observed: "Anytime my *ummah* (people) is incapacitated to shout at the oppressor, they should be bidden farewell."286 At the time of Prophet's participation in the covenant of the chivalrous287 in the prime of youth when he was simply called Muhammad, the Trusted One and had not become the messenger of God yet and the fact that after his Divine appointment as prophet, he was quoted by Ibn Hisham as having made these comments on the same covenant: "I am not ready to breach my agreement (covenant of the chivalrous) in lieu of the most expensive gifts,"288 indicating the station of *'idalah* in his policies.

Some of the characteristics of Prophet Muhammad (s) consist of: A Rebuttal of the lifestyle of kings and sultans, sitting on the ground, riding on an unsaddled donkey, eating food with slaves, considering himself as an indigent and impoverished person, preventing people from standing up in front him upon his arrival in token of reverence to him, wearing coarse clothes, not permitting an infantry man to accompany him while he was riding, etc.289

2 –'Idalah in the political style of the Immaculate Imams ('a)

In the course of history, religious leaders have been just, a justice–seeker, a justice–diffuser, righteous and equitable above all else. The behavior and political style of the Shia religious leaders whether those whom people consider infallible and learned or those whom people consider upright have been just and equitable.290 For this reason, they have been called the balance of equity: "The right religious leaders and Imams are the scales of equity and *'idalah*."291 The Messenger of God (s) in a narration had stated: "*yakunu budi 'aimah qavamun bel qist*."292

In this narration, the Messenger of God alluded to one of the salient features of the leaders after him to the effect that they were constantly and continually rising up for *'idalah* and equity. He also observed: "O, Ali! You are the one to establish *qist* among my people."293 From the viewpoint of the Messenger of God, it was not merely the immaculate Imams and their offspring who had to rise up for equity in the cause of God. From his viewpoint, philosophy of the Imamate is the same as *'idalah* and equity. The reason he appointed 'Ali ('a) as his successor was that 'Ali ('a) was more committed than others to the implementation of *'idalah* in society and treated people with justice with more exactitude than others: "*adalakom fi alreaya*."294

That is why it has been narrated: "He was murdered at the altar on account of his intense commitment to *'idalah* and equity."295

The true Shiʻahs and real followers of the Immaculate Imams (ʻa) also enjoy these characteristics: "O ʻAli! You and your followers are dispensers of equity and *'idalah*."296

From the viewpoint of the Immaculate Imams (ʻa), one that dispenses equity and *'idalah* in society is deserving of leadership. Imam Husayn (ʻa) stated: "I swear by my soul that the leader of a society should be one that orders on the basis of the Book297 (governs based on the Qurʼan) and rise up to establish equity."298

Of most important and outstanding features of the Imam of the Age (may God hasten his reappearance) is that, with his appearance on the earth, he will rise to actualize equity and *'idalah* across the globe. For instance, the Holy Prophet has explicitly said:

"If in his occultation, there remains as much as the lifespan of Noah299 among the people, he will not die unless he reappears and fills the land, after having been overwhelmed with tyranny and injustice, with equity and *'idalah*."300

In another narration, he considered him the beginning and end of *'idalah* and described him in the following words: "The beginning and end of his movement, policy and appearance is *'idalah*."301

In describing *'idalah* in his government and flight towards Muʻawiyah302 of a number of Mammonists and those who sanctioned despotism and worldliness, Imam ʻAli (ʻa) wrote in a letter to Sahl ibn Hanif the governor of Medina:

"They are seekers of this worl , are proceeding to it and are leaping towards it. They have known *'idalah*, seen it, heard it and appreciated it. They have realized that here, to us, all men are equal in matters of right. Therefore, they ran away to selfishness and partiality. Let them remain remote and far away. By Allah, surely they have not gone away from oppression and joined *'idalah*."303

From the viewpoint of Imam ʻAli (ʻa), *'idalah* was a public matter and oppression and injustice could only secure personal interest in a short–term period. Therefore, if *'idalah* is not tolerable to one, toleration of tyranny will definitely carry a heavier responsibility and is more difficult. Profiteering at the expense of the interests of the society is oppression and injustice. That is why, Mammonists prefer instant profit to *'idalah* in social interests, while it is *'idalah* that can insure public contentment and the survival of the society in the long run. As put by Murtada Mutahhari:

"From Aliʼs (ʻa) viewpoint, the principle which could preserve the balance of society, satisfy all and restore health to the society and peace to the soul of the society is justice. Oppression, injustice and discrimination cannot bring peace to the soul of the tyrant let alone the oppressed and downtrodden people."304

Upon the insistence of people and simply for actualizing *'idalah* and preventing oppression and tyranny, 'Ali ('a) accepted the Caliphate and government, as proved in the following words: "*ma akhaza ala mazlom la.*"305

After the acceptance of the leadership of the society and resuming the land endowments made by Uthman Ibn Affan,306 he said:

"By Allah, even if I had found that with such money women have been married or slave-maids have been purchased, I would have resumed it because there is wide scope in the dispensation of *'idalah*, and he who finds it hard to act justly should find it harder to deal with injustice."307

In response to 'Ala, son of Ziyad Harithi, who lodged a complaint to 'Ali regarding the case of his brother Asim, a follower of Imam 'Ali ('a), for renouncing the world, the Imam strongly forbade him from living in seclusion and to which 'Ala replied: "O, Commander of the Faithful! You are subsisting with these coarse clothes and unsavory food and I also follow suit." The Imam ('a) replied, saying: "'Woe upon you, I am not like you. Verily, God has obliged rightful leaders to live like the weak people."308

'Ali's *'idalah*,.was so intense that its toleration is extremely hard even for his brother 'Aqil.309

Imam 'Ali ('a) in Sermon 224 alluded to the story of Ash'ath ibn Qays who was once governor of Azarbayjan and who was now deposed and sought an opportunity to regain his post under the Caliphate of Imam 'Ali ('a), who called this incident more strange and amazing than the story of 'Aqil, because the former would ask about 'Ali ('a) at midnights knocking at his door. 'Ali had the following to say about this event:

"The past I hated seemed to be kneaded with the saliva of a snake or its mucous. Women who have lost their children will weep over you. Have you employed the religion of God to deceive me?"310

Such was *'idalah* and equity in the lifestyle of 'Ali ('a), who happened to meet Maytham, the date seller, who had picked out fresh dates and sold them at two different prices. Upon seeing this, the Imam ('a) became perturbed and asked Maytham: Why are you dividing the servants of God?" With his hands the Imam then mixed the good and bad dates and ordered Maytham to sell all the dates at an average price.311

In the realm of *'idalah*, equity and fairness, 'Ali ('a) displayed a fascinating behavior and prodigious lifestyle. The stories of the disappearance of the holy Imam's mailcoat, that of the Christian man at the time of his Caliphate312 and the story of a Jew who took action against someone at the time of the 'Umar Bin Khattab313 are other instances of 'Ali 's *'idalah*. A Christian poet described his *'idalah* in the following verses:

"He is the destroyer of oppressors like lightning, but shelter for the oppressed. He is the bastion of justice by his unique morality, sword and pen."314

Other immaculate leaders have been not only just but also equitable and dispensers of *idalah*. For example, Imam Mujtaba's peace with Mu'awiyah was not but in line with restoring the rights of people, saving their life and securing their interests, as the Imam ('a) put:

"Verily, Mu'awiyah rose up to fight against me over the right which belonged to me and which was deserving of me, but I forewent my right for the public good and for the protection of their blood."315

In response to Abu Amer, who had described the Imam ('a) as "despiser of believers" after making peace with Mu'awiyah, he said:

"I am not a despiser of believers, but I deem it indecent to attain the government at the expense of your death."316

In response to Mu'awiyah, son of Abu Sufiyan,317 who had told the Imam ('a): "You hope to be the Caliph but you are not competent for it," he said: "A Caliph is not one who commits oppression, brushes aside traditions, takes the world as his father and mother and considers the servants of God as his slaves. This treatment is the behavior of a king to gain a land Therein he enjoys for a short time and is doomed to depart."318

The Imam ('a) addresses the people in the following words:

"O, people! We came to call you to God, the Qur'an and the *sunnah*319 of His prophet. We came to call you to the One who is more knowledgeable than all knowing ones among Muslims and who is more just than all those whom you deem to be just."320

Imam Husayn ('a) described the philosophy of his revolt to be the actualization of equity and *idalah*. He stated: "Do you not see that the right is not practiced and wrong not avoided? I see death as nothing but prosperity and life along with oppressors as adversity."321

In his second sermon in front of the army of Ibn Ziyad on the day of 'Ashura,322 Imam Husayn described his goal for confronting the oppression and injustice of the Umayyad and taunted the behavior of the Kufah people, who assisted the oppressors and tyrants and who abandoned him, the harbinger of truth and *idalah*.323

The lifestyle of the Immaculate Imams ('a) like that of the Holy Prophet of God (s) was based on *idalah*. In the same way that their words and thoughts underscored *idalah* and equity in all aspects of life, likewise, they struggled to realize equity and *idalah* in practice and in their deeds. Imam Sadiq ('a) observed: "The faith of one whose practical style and action do not conform or harmonize with his words is false."324

The true and real consistency of the society depends on the actualization of 'idalah and it is incumbent upon leaders to take steps towards its materialization so that individuals can attain their rights in full and so that peace and security could prevail in the society. As put by Imam 'Ali ('a): "Enemies will be

overpowered by just character."325

3 – The Necessity for the implementation of ʿidalah and efforts of leaders

In addition to the preceding statements, the implementation of *ʿidalah* through prototypes, indicators, instruments, methods and other actions have been gradually propounded in the thoughts and lifestyles of religious leaders. These can be outlined as follows:

"Supervision over incumbent governments, fighting oppression and the tyranny of Umayyad and Abbaside Caliphs , supporting the deprived and oppressed people in society, serving the people, assisting the impoverished people and challenging the oppressors, training people in *ʿidalah* and equity, observing the share of the indigent and recommending the payment of zakat, alms, interest–free loans and other financial dues, observing moderation and a middle way in life, goodwill and reliance on others, deeming oneself equal to others in rights, respecting the right in all conditions, sympathy with the oppressed, abiding by one's promise and pledge, work and effort, association with others, caring for the orphans, supporting human rights and the rights of animals." Below, we will touch on some of the advices made by the pure Imams (ʿa) in this respect:

1– A formulation of the treatise on rights by Imam Sajjad (ʿa), who discussed 50 rights and duties man is obliged to observe and other relevant subjects.326

2– Necessity of seeking the public good and attending to the problems of the public: Imam Sadiq (ʿa) observed: "One who fails to respond to the affairs of Muslims, is not a Muslim."327

3– Serving the people: Imam Sadiq (ʿa) stated: "People are my family and the most loved among them to me is the kindest among them to people and one who makes the greatest effort to fulfill their needs."328

4– Relationship with fellow human beings based on equality and brotherhood: Imam Sadiq stated: "Believers are brothers and serve as each other's eyes and proofs, never committing treason against one another, oppression or betrayal."329

5– Moderation in affairs: Imam Sadiq said: "One who does not observe economy, he enjoys no good in life."330

6– Goodwill in dealing with other people: Imam ʿAli (·a) observed: "Discrediting one by triggering suspicion is against justice."331

7– Trusteeship: Imam Sadiq said: "Return the trust even to the murderer of Imam Husayn (ʿa)."332

8– Taking bribes: Imam Sadiq stated: "The ruling on bribe corresponds to that on disbelief."333

9– Rights of animals: Imam Sadiq said: "Verily, the woman who had locked up (detained in confinement) a cat that died of thirst will be meted due punishment.334

10– Assisting and supporting the weak and helpless people: Imam Kazim ('a) said: "Helping the poor is the best form of alms–giving."335

11– Avoiding squandering public property: Imam 'Ali ('a) said: "Sharpen your pencils and draw your lines more closely, as Muslims can no longer tolerate any losses."336

12– Implementation of *'idalah* in society: Imam 'Ali ('a) actualized *'idalah* right at the heart of that day 's society, Kufa, as put by him in the following words :

"Today, in Kufa people are affluent. The poorest of them in Kufa eat barley bread, live in a comfortable dwelling and drinks from Euphrates."337

That is why in going on pilgrimage to the Imam's tomb, we recite: "Greetings to you, the measure of God's *qist*, loyal and just. You are the scale of God's *'idalah*."338

1. Surah al–An'am, 6:115.
2. Surah al–Hadid, 57:25.
3. Surah al–A'raf, 7:29.
4. Surah an–Nahl, 16:90.
5. 'Surah al–Ma'idah, 5:42; Hujurat, 49:9; Mumtahane, 60:8.
6. From Imam Khomeini's viewpoint, this Holy Book is the external appearance of the Qur'an, but this shining scripture is the form of the grand Divine Name and in conformity with perfect man. Therefore, its inward aspect signifies existential perfection whose most superior and precise meaning is His manifestations of beauty and majesty. To elaborate, the Imam says: "Men of knowledge hold that this Holy Book has eminated from God almighty from the source of Essence and Attributive and Action aspects together to entirety of the manifestations of Beauty and Majesty ..." Imam Khomeini, Adab al–Salat (The discipline of prayer), Tehran: Institute for Compilation and Publication of the Works of Imam Khomeini, Fifth Edition, Bita, pp. 183, 321 as well as the Qur'an, the Book of Guidance as seen by Imam Khomeini, Collection of Tebyan, 13th Book), Tehran: Institute for Compilation and Publication of the Works of Imam Khomeini, 1997, p. 16 also says: This Holy Book is the form of Oneness of all the Names and Attributes and knowledge of the sacred station or the Truth over all aspects mid manifestations. In other words, this illustrious book is the manifestation of the Exalted Name just as Perfect Man is the manifestation of the (God's) Exalted Name. In fact, veracity of the two is one within him, the Unseen." Imam Khomeini, Adaab al–Salat, Ibid . p. 321, Qur 'an Book of Guidance as Seen by Imam Khomeini, Ibid. pp. 16–17. Institute for Compilation and Publication of the Works of Imam Khomeini, Sahife–ye Imam, Anthology of the Works of Imam Khomeini, Tehran: 2000, v. 17, p.434
7. 'Ali Shari'ati in his hook entitled "'Ali, School of Thought, Unity, 'adl," Tehran: Huseiniyyah Ershid Publication, Bita, p. 49.
8. Muhammad (s) was the founder of Islam. Prophet Muhammad was born in Mecca in 571. He belonged to the Hashim clan, a branch of the prestigious and influential Quraysh tribe. His father, 'Abdullah ibn 'Abdul–Mutallib, died before he was born, and after the death of his mother, Amina, when he was six, his uncle Abu Talib brought him up. He passed away on Safar 28. His great miracle was the Holy Qur'an.
9. Surah Al–e 'Imran, 3:18.
10. Ayatullah Sayyid Mahmud Taliqani was born in 1920. The late Taliqani was repeatedly imprisoned because of his activities and this was the case yet again in l964 due to his support of Imam Khomeini's movement. In 1971, he was exiled to Zabol and then to Baft (a town in the province of Kerman). After the victory of the Islamic Revolution Ayatullah Taliqani was appointed chairman of the Revolutionary Council and was an elected member of the Council of Experts. In August 1979, Imam Khomeini designated him as his representative to lead the first Friday congregational prayer at the Tehran University campus. Imam Khomeini had called him the Abuzar of the age. He died on September 10, 1979.
11. Sayyid Mahmud Taliqani, Rays of Qur'an, part five, v. 3, chapter Al–e 'Imran, compiler Sayyid Muhammad Mahdi Ja'fari,

Tehran: Joint Stock Company of Intishar in cooperation with Mu'allim Intishar, 1978, pp. 49–50.

12. Surah ar-Rahman, 55:9; al-An 'am, 6:152; Hud, 11:85; Yunus, 10:47–45; al-Hadid, 57:25, 135.

13. Sayyid Mahmud Taliqani, ibid. 51.

14. Ja'far Muhammad Taqi, Translation and Interpretation of Nahj al-Balaghah, v. 3–2, pp. 272– 271.

15. Tushihiko Isutsu (?), Ethical Religious Concepts in the Holy Qur'an (new edition with additions and corrections), translated by Fereydun Badri , Tehran: Farzan Publication and Research, First Edition, 2000, p. 19

16. Ibid. p. 28.

17. Refer to Ahmad Sayyah, Farhang Bozorg Jame' Novin, translation of al-Munjad, Tehran: Islam Publication, Bita, v. 2, pp. 1017–1016

18. Ibn Mandur, Lisan al-'Arab, Ibid. v. 9, p. 83.

19. Ibn Mandur. Lisan al-'Arab, Ibid. v. 9, p. 83.

20. Khalil Al-Jar, Laros Dictionary, Ibid. v. 2, p. 1430.

21. Elias Anton Elias, Novin Dictionary (Arabic–Persian), translated by Sayyid Mustafa Tabataba'i, Tehran: Islamiyyah Bookstore Publication, 1978, p. 428.

22. The two terms are Arabic and mean portion and qist.

23. Ibid. pp. 540–539 and other stands.

24. Al-Ma'ideh (15), 4:45 and 49.

25. Murtada Mutahhari, Divine 'Adl, Ibid. pp. 73–66, Islamic Worldview 3 (Divine 'adl and Qada and Qadar), Tehran: Iran Textbook Publication Company, 1999, p. 15.

26. Imam Khomeini, Exposition of Forty Hadith, Tehran: Institute for Compilation and Publication of the Works of Imam Khomeini, 16th Edition, 1998, p. 577.

27. Ayatullah al-Uzma 'Allamah Sayyid Muhammad Husaynn Qadi Tabataba'i was a well-known scholar in the city of Tabriz. He was born in 1903. A great Islamic researcher, Allamah Tabataba'i devoted over 60 years to the study of different Islamic disciplines. He was well versed in Arabic literature, rhetoric and figures of speech, fiqh and usul. In the field of self-purification, he trained under the prominent mentor of spiritual journey Ayatullah al-Uzma Sayyid 'Ali Qadi Tabataba'i. 'Allamah Tabataba'i shines out brilliantly in the chain of the caravan of mystics. Design and architecture of Hujjatiyeh School in Qum is his work. He has left behind valuable works, chief among which are Tafsir-e al-Mizan (an exegesis of the Holy Qur'an), Fundamentals of Philosophy and Methodology of Realism, annotation on Asfar of Sahruddin Shirazi (Mulla Sadra). This sagacious faqih (jurisprudent) and 'arif (mystic) passed away in 1979.

28. Al-Mizan Interpretation, v. 19. p. 171.

29. 'Ali Shari'ati, History and Understanding of Religions, (2), Collection of Works: (15), Tehran: Tashayyu·Publication, 1979, p. 36. Of course 'adl here has been taken in its social meaning, which is one of the dimensions of 'adl that is, social 'adl.

30. Shari'ati in contrast to 'adl uses the French term Justesse and suggests the term Egalite as synonym for qist with some leniency and explanation. Of course, he maintains that a term of this precision and depth overwhelming with meaning does not exist for qist. In this respect refer to Ibid. pp. 38–39.

31. Sayyid Mahmud Taliqani, Ibid. p. 52, footnote.

32. Hatam Qaderi, "Qist, 'Adl and Government', anthology of papers of the international congress on Imam Khomeini and the revival of religious thought, Tehran: Institute for compilation and publication of the works of Imam Khomeini, v. I, 1998, p. 356.

33. Ibid. p. 359.

34. 'Ali ('a), the first leader of world Shi'ah Muslims, was born in Mecca in 600 AD to a mother named Fatimah and a father named Abutalib (the uncle of the Holy Prophet of Islam). He was brought up in the house of the prophet of Islam at the age of six. 'Ali was the first convert to Islam and one of the most faithful followers of the Prophet. He was martyred at a niche in a mosque.

35. Imam 'Ali ('a), Nahj al-Balaghah, compiled by Sayyid Razi, with corrections made by Muhammad Dashti, Appendix of al-Mu'jam al-Mufahris al-Alfad al-Nahj al-Balaghah, Qum, Imam 'Ali ('a) Publication, 1369, Maxims no. 437, p. 226.

36. Sayyid Mahmud Taliqani, Ibid. p. 54.

37. Surah Mutaffafin, 83:1.

38. Surah Humazeh, 104:1, 2.

39. Surah Tawbah, 9:34.

40. Surah Al-Baqarah, 2:188

41. Surah Al-Hud, 11:112.

42. Surah al-Nisa', 4:60.

43. Surah al-Shuara', 26:180–183.

44. Surah al-Ma'idah, 5: 45.

45. Surah al-Ma'ideh, 5: 8.

46. Surah al-Baqarah, 2: 282.

47. Surah al-Nisa', 4: 10.

48. Surah al-Hud, 11: 113.

49. Surah Ra 'd, 13: 25.

50. Ibid.

51. Suht means collapse and bring utmost hardship and chastisement. In terminology of fiqh, the term means obtaining any evil and illegitimate property causing shame to receiver and giver. Fughaha (jurisprudents) define suht as any ill-gotten property and pronounce it haram (religiously forbidden).

52. Surah Al-e 'Imran, 3: 161.

53. Surah Hud, 11: 112.

54. Sayyid Qutb, In the Shadow of Qur'an, Translated by Ahmad Aram, Tehran: 'Ali-Akbar 'Ilmi Book Store, Bita, v. 12, p. 91.

55. Ibn Manzur, Lisan al-Arab, Beirut: Dar Ahya al-Turath al-Arabi, 1988 M, al-Mojalad altase'a, p. 83.

56. Imam Khomeini, explication of the hadith on Intellect and Ignorance, Tehran: Institute for Compilation and Publication of the Works of Imam Khomeini, 1st Edition, 1998, pp. 147–148.

57. Surah Furqan, 25: 67.

58. Ali Akbar Hashemi Rafsanjani, Social Justice, Economic Issues, Qum: Imam Sadiq ('a) Publication, Bita, p. 61.

59. Surah A'la, 87: 2.

60. Surah Taha, 20: 5.

61. Surah Maryam, 19: 43.

62. Surah Baqarah, 2: 143.

63. Sayyid Mahmud Taliqani, The Rays of the Qur'an, Tehran: Intishar Joint Stock Company, 1, 3rd Edition, Bita, p. 324.

64. Mulla Fathullah Kashani, great exegetist of Munhaj al-Sadiqin fi Ilzam al-Mukhalifin, v. 10, with annotations by 'Ali-Akbar Ghaffari and introduction and footnotes by Mirza Abu'lHasan Sharani, Tehran: Islamiyyah Bookshop, 3rd Edition, 1968, v. 9, p. 192.

65. Sayyid Muhammad Husayn Tabataba'i, al-Mizan Interpretation, translated by Sayyid Muhammad-Baqir Musawi Hamedani, Qum, Islami Publication, 1984, v. 2, p. 202.

66. Raghib Isfahani, Ibid. pp. 3–4

67. Abbas Mehrin Shushtari, Dictionary of Terminology of the Qur'an, Tehran: Darya Publication, 3rd Edition (1975), pp. 411–412.

68. Surah al-Luqman, 31: 19.

69. Toshi Hiko Isutsu, Ibid. p. 331.

70. Muhammad Fu'ad 'Abd al-Baqi, ibid. pp. 429–439, The word zulm, of which there exist 111 verbal derivatives of the term is 111 case and 205 noun derivatives.

71. Surah al-Baqarah, 2: 279.

72. Surah al-An'am, 6: 135.

73. Endowment Ministry and Islamic Shu'un, al-Mawsu'at al-Fiqhiyyah, al-Kuwait, dar alSawt, at-tab'a al-awla, 1414 H, 1994 M, al-Joz' al-Thalathun, p. 5.

74. Surah Qaf, 50: 29.

75. Surah an-Nisa', 4: 40.

76. Surah Fatir, 35: 32.

77. Surah an–Nisa, 4: 10.

78. In This respect, refer to Sayyid 'Abdul–Husayn Dastghayb Shirazi, Mazalim, drawn up (compiled) and corrected with introduction by Sayyid Muhammad Hashem Dastghayb, Tehran: Hamid Publication, Bita.

79. Surah Luqman, 31: 13.

80. Toshi Hiko Isutsu, ibid, p. 332.

81. 'Ibn Fars, Maqais al–Lughah, v. 3, p. 468.

82. Surah Kahf, 18: 59: "And We destroyed those cities, when they did evil, and We appointed a fixed time for their destruction."

83. Surah ash–Shura, 42: 41.

84. Surah Hajj, 22: 39.

85. Surah Hajj, 22: 45.

86. Surah Luqman, 31: 13.

87. Raghib Isfahani, Ibid. p. 103.

88. Ibid.

89. Surah Nahl, 16: 9.

90. Imam .J'afar Sadiq ibn Muhammad (a), the sixth Imam of the Shiah world, was born in 705 AD and passed away in 770 AD. He played a unique role in reviving the original Islamic learning, running numerous religious classes and educating believing forces benefitting from the condition of his time. This role is so unprecedented that Shi'ism is attributed to Imam Sadiq as Jafari School.

91. Abu Ja'far Muhammad Ya'qub Kolayni, Usul Kafi, v. 4 , Tehran: Dar al–Kutub alIslamiyyah, 1367, v. 1, p. 24; Imam Khomeini, Explanation of the Hadith of the Army of Intellect and Ignorance, p. 17.

92. Muhammad–Baqir Muhaqiq, Da'ira al–Fara'id, Tehran, Bi'that publication, 2nd Edition, 1983, v. 23 (B), p.364

93. Surah Qasas, 28: 76.

94. Narrations have it that Croesus or Korah was a Hebrew. Some narrations say he was a cousin of Prophet Moses (a). Croesus was overambitious, miserly, jealous and very wealthy. Several stalwart people carried the keys of his treasures with difficulty. Once Hadrat Moses demanded one fifth of his property as religiuos tax. Croesus showed parsimony and thought of concocting an accusation against Moses. Croesus accused Moses of adultery in collusion with a prostitute. The woman was summoned to take an oath in front of Moses and the people of Israel and was awakened by admonition, announcing that what Croesus said was traducent and calumny. And that Moses was pure and glorified. Moses then imprecated Croesus and God brought an earthquake, with the earth swallowing Croesus and his treasures.

95. Moses was a Hebrew prophet and was born at the time of the reign of the Pharaoh. Moses was assigned by God as messenger at the age of 40 and revolted against the Pharaoh and put an end to his reign with a rod that gave him the power to work miracle.

96. Surah Shora', 42: 42.

97. Surah Nahl, 16: 90.

98. Surah Qasas, 28: 58.

99. Surah al–Anfal, 8: 47: "And be not like those who came forth from their hopes in great exultation and to be seen of men, and (who) turn away from the way of Allah, and Allah comprehends what they do."

100. Toshi Kiho Isutsu, Ibid. p. 298.

101. Ibid. p. 299.

102. Sayyid Mahmud Taliqani, Jihad and Martyrdom, [Tehran]: Bita, Bina, p. 7.

103. Surah Nazi'at, 79: 37–39.

104. Muhammad Baqir Muhaqqiq, Da'irah al–Fara'id, ibid. v. 1. p. 5.

105. Surah Qaf, 50: 45

106. Surah Ibrahim, 14: 15.

107. Toshi Hiko Izotso, ibid. p. 304.

108. Surah al–Baqarah, 2: 190.

109. Surah ash-Shu'ara, 26: 151-152.

110. Surah Taha, 20: 45.

111. Surah al-Baqarah, 2: 99.

112. 'Abdul Vahim ibn Muhammad Tamimi Amadi, explanation of Ghuraral-hikam and daralhekam with an introduction, correction and annotations by Mir Jalal al-Din Husayni Armavi (Mohades), seven volumes, Tehran: Tehran University Publication (No. 1818), 1995, v. 6, p. 207.

113. Imam 'Ali ('a), Nahj al-Balaghah (al-Mu'jam), sermon 198, paragraph 198, paragraph 27, Subhi Salih, sermon 198, Fayd al-Islam, sermon 189, Ibn Tamim, sermon 183.

114. Surah Najm, 53: 3.

115. Surah A'raf, 7: 157.

116. Surah Shawra, 42: 15.

117. Surah Hud, 11: 112.

118. Surah Qalam, 68: 4.

119. Nahj al-Balaghah, (al-Mu'jam), sermon 94, Subhi Salih, Sermon 94.

120. The last pilgrimage to Mecca by the Holy Prophet in 10 AH.

121. Ibn Muhammad Hasan Bin 'Ali Harani, Taho al-Ughul, corrected by 'Ali Akbar Qafari, Tehran, Islamiyeh Bookshop, 1398 H, p. 33; Nahj ul Fesahah, compiled and translated by Abulqasim Payandeh, Tehran: Javidan Publication, 3rd Edition, 1999, p. 829; Mahdi Maltaji, Solidification of International Peace, sermon of the Messenger or God in his valedictory Hajj, Tehran: Ashrafi Publication Organization, 2536, p. 28.

122. Ibid.

123. A Guide to Humanity (search through Nahj al-Fasahah, compiled by Murteda Farid Tonkaboni, Tehran: Islamic Culture Publication Office, 3rd Edition, No. 1999, p. 589, Nahj al-Fasahah, p. 789, Hadith No. 3149.

124. A Guidance to Humanity p, 589, Nahj· al-Fasahah, p. 789, Hadith or narration No. 3150.

125. Aqabah, lying between Mina and Mecca, was an important station for Muslims making the pilgrimage to Mecca. The holy prophet took allegiance from tribal leaders at this port town on two occasions. In the first Aqabah Covenant, 12 people from the tribes of Ows and Khazraj paid allegiance to the Prophet in 12 AH. In 13 AH, Mas'ab along with 73 men and women, paid allegiance to the Prophet in Aqabah to provide military support to the Prophet, who selected 12 from among them as superintendents.

126. Muhammad Hamidullah, letters and political agreements of Hadrat Muhammad (s) and documents of the early years of Islam, translated by Syed Muhammad Husayni, Tehran: Sorush Publication, 1st Edition, 1374, p. 90; Refer to Sireh Ibn Hesham, v. 2, pp. 84-85; Ya'qubi History (Arabic text), v. 2, pp. 28-29.

127. A Guide to Humanity, p. 583; Nahj al-Fasahah, pp. 614-615, Hadith No. 2177.

128. Tuhafu-I-Oghul, p. 33 (with a little difference); Nahj al- Fasahah, p.829; Ahu Muhammad Hasan ibn Shobeh Harani, Fruits of Knowledge, translated by Parviz Atabaki, Tehran: Foruzan Ruz Publication, 1376, p. 42.

129. A Guide to Humanity, p. 88; Nahj al-Fasahah, p. 269, Hadith No. 580.

130. A Guide to Humanity, p. 89; Nahj al-Fasahah, p. 663, Hadith No. 2411.

131. A Guide to Humanity, p. 88; Nahj al-Fasahah, p. 265-266, Hadith No. 561.

132. A Guide to Humanity, p. 49; Nahj al-Fasahah, p. 700, Hadith No. 2700.

133. A Guide to Humanity, p. 585; Nahj al-Fasahah, p. 216, Hadith No. 317.

134. A Guide to Humanity, p. 587; Nahj al-Fasahah, p. 469, Hadith No. 1500.

135. A Guide to Humanity, p. 588; Nahj al-Fasahah, p. 496-497, Hadith No. 1636.

136. A Guide to Humanity, p. 588; Nahj al-Fasahah, p. 535, Hadith No. 1796.

137. The Messenger of Mercy, p. 103.

138. A Guide to Humanity, p. 87; Nahj al-Fasahah, p. 210, Hadith No. 289.

139. Muhsin Fayd Kashani, As-Safi Interpretation, Beirut: al-Matboat al-'Elmi Institute, 2nd Edition, 1982, v. 5, p 107.

140. By takwini guidance is meant guiding creatures by God under the cover of the order of creation and calculated laws of the world of existence. In this respect, the Holy Qur'an says in the language of Moses (a): "Our Creator is One who created and shaped, and who determined and guided."

141. Surah Aʹla, 87: 2–3.

142. Mirza Hasan Nuri Tabarsi, Mostadrak al–Vasael and Mostanbet al–Masail. Beirut: al–e Beit la– Hayat al–Torath, 2nd Edition, 1988, v.11, pp. 317–318, quoting Qutb Ravadi, Lob al–Bab.

143. The Messenger of Mercy, p. 28.

144. Ibid. p. 107.

145. Ibid.

146. Ibid. p.114

147. Ibid.

148. A Guide to Humanity, p. 447, Nahj al–Fasahah, p. 192, Hadith No. 200.

149. The Messenger of Mercy, p. 89.

150. Tohaf al– ʹUghul, p. 10.

151. Bihar al–Anwar, v. 77, p. 165.

152. Ibid. p. 75, p. 352; Al–Hayat, v. 6, p. 325

153. A Guide to Humanity, p.448; Nahj al–Fasahah, p.578–579, Hadith No. 2006

154. A Guide to Humanity, p.448; Nahj al–Fasahah, p. 322, Hadith No. 829.

155. A Guide to Humanity, p. 112; Nahj al–Fasahah, p. 725, Hadith No. 2762; Tohaf alʹUghul, p. 56; Bihar al–Anwar, v. 77, p. 162.

156. Nahj al–Fasahah, p. 743, Hadith No. 2873.

157. The Messenger of Mercy, p. 184.

158. Ibid., p.185

159. Ibid. p. 187; A Guide to Humanity, pp. 334; Nahj al–Fasahah, p. 265, Hadith No. 56.

160. A Guide to Humanity, p. 447; Nahj al–Fasahah, p. 306, Hadith No. 754.

161. Mirza Husayn Nuri Tabarsi, Ibid. v. 11, pp. 317–318.

162. Surah al–Anʹam, 6: 153.

163. Tuhaf al–ʹUqul, p. 15; Bihar al–Anwar, v. 77, p. 69.

164. Bihar al–Anwar, v. 77; Nahj al–Fasahah, p. 220, Hadith No. 340.

165. Jean–Jacques Rousseau, Social Contract, Translated by Manouchehr Kia, Tehran: Ganjineh Publication, 2nd Edition, 1352, p. 34.

166. Bihar al–Anwar, v. 75, p. 359, Muhammad Rida Hakimi, Muhammad al–Hakimi and ʹAli alHakimi, al–Hayat, Tehran: Islamic Culture Publication Office, 1408 AH, 1367 AHS, v. 6, p. 330.

167. The first battle between Muslims and polytheists broke out in the month of Ramadan of the second year of Hegri at a place near Badr Well lying between Mecca and Medina below the al–Safra oasis 28 Farsang from Medina, with Muslims emerging victorious. This battle came to be called the "Great Badr" and "The First Badr."

168. Bihar al–Anwar, v. 75, p.351; al–Hayat, Ibid.

169. Bihar al–Anwar, v. 75, p.359; al–Hayat, Ibid.

170. Prophet of Mercy.p.93.

171. Ibid. p. 85–97, Mustafa Delshad Tehrani, Nabawi Sirah, vol. 2, Social Behavior, Tehran: Publication and Printing Organization of the Ministry of Culture and Islamic Guidance, 1994, pp. 141–178, 204–205.

172. The Messenger of Mercy, p. 92.

173. Ibid. p. 89.

174. Ibid. p. 101.

175. Ibid. p. 103.

176. Ibid. pp. 102–103.

177. Ibid. p. 106.

178. See also Ibid. p. 111

179. See also: Ibid. p. 113.

180. Weak–mindedness, irresolution, foolishness, stupidity.

181. Hurr–e Amoli, Wasail ash–Shiʹah, corrected by ʹAbdur–Rahim Rabani Shirazi, vol. 2, Tehran: al–Makbat al–Islamiyyah,

1401 AH, v. 12, p. 18.

182. The rule of lazarar negates harming others, meaning that the holy lawmaker has banned Muslims from causing irreparable damage to others.

183. Ethical term implying conceit. The term is originally derived from the Glorious Qur'an and means carnal soul being deceived.

184. A term used in usul (fundamentals of fiqh or jurisprudence). It is a practical principle. Execution of this principle is based on two conditions; first, if there is no way to demonstrate canon and second if it does not occasion loss to others. After fulfillment of these two conditions and if its implementation does not cause the laws of Islam to fall into abeyance, bara'ah can be applied.

185. Islam is constituted on justice among individuals in society. No individual is superior to others in terms of race or class. The laws of Islam have been formulated in a way as to prevent any form of oppression to individuals in Islamic society. One who transgresses upon the rights of others or helps others to commit oppression will be censured strongly.

186. Nahj al–Balaghah (The Peak of Eloquence) is a collection of speeches, sayings and letters of the Commander of the Faithful, Imam·Ali ibn Abi Talib ('a) compiled by Sharif ar–Radi Muhammad Ibn al–Husayn (d. 1016). The contents of the hook concern three essential topics: God, man and the universe and include comments on scientific, literary, social, ethical and political issues. Except the words of the Glorious Qur'an and of the Holy Prophet (peace be upon Him), no words of man can equal it in eloquence.

187. Imam Hasan son of Imam Ali and second of the Imams was born in 3rd AH and passed away 50 AH. His mother was Fatimah, the daughter of the Holy Prophet of Islam. He attained the Caliphate after his father but renounced in a bid to prevent worsening of discord among Muslims, spending most or his life in seclusion in Medina.

188. Jeorge Jerdaq, Imam 'Ali ('a), Voice of Human 'Idalah, Beirut: Dar al–Maktab al–Hayat, 1970, v. 1, p. 155.

189. Nahj al–Balaghah, (al–Mu'jam), pp. 5–6, Sermon No. 185, Para. 17–18: Subhi Salih, 185; Fayd al–Islam, Sermon 227; ibn Miytham verse 227.

190. Nahj al–Balaghah, (al–Mu'jam), p. 182, Letter no. 59; Subhi Salih and Fayd al–Islam, Letter no. 59: Ibn Abi al–Hadid, Sermon 59, ibn Miytham, Sermon 58.

191. Tuhaf al–'Uqul, p. 387.

192. Nahj al–Balaghah, (Al–Mu'jam), Subhi Salih, Sermon 167: Fayd al–Islam and Ibn Miytham, Sermon 166; Bin Abi al–Hadid, Sermon 167.

193. Al–Sayyid Muhammad–Taqi al–Mudarrisi, al–Tashri al–Islami, Munahijah and Muqasidah, Tehran: al–Mudarrisi Publication, al–Taba'at al–Saniyeh, 1413 Gh, Al–Joz Al–Awal, p. 12.

194. Abi Ja'far Muhammad ibn Ya'qub Kulayni, Usul al–Kafi, Translation and Explanation by Sayyid Ja'far Mustafavi, Tehran: 'Ilmiyyah Islamiyyah Publication, Bita, v. 1, p. 33.

195. Sayyid Hasan Shirazi, Ibid., quoted from al–Sayyid Muhsin al–Amin al–'Amili, A'yan alShi'ah, v. 4, p. 88.

196. Nahj al–Balaghah, Fayd, Wise Saying No. 235; al–Mu'jam, Wise Saying No. 243; Ibn Miytham, Wise Saying No. 229; Al–Khu'i, 223; Ibn Abi al–Hadid, 240.

197. Nahj al–Balaghah , Fayd, Wise Saying 429; Al–Mu'jam and Subhi Salih,Wise Saying 437; Ibn Miytham, Wise Saying 41; al–Khu'i, 415; Ibn Abi al–Hadid, 446.

198. Nahj al–Balaghah, Fayd, Letter 31; Al–Mu'jam, Subhi Salih; Ibn Miytham; al–Khu'i; 'Abdu and Mulla Salih, Letter 331.

199. Nahj al–Balaghah, Fayd al–Islam, Sermon 207, pp. 681–682; al–Mu'jam, Sermon 216; Subhi Salih, Sermon 216.

200. Nahj al–Balaghah, Fayd al–Islam, Maxim No. 429, p. 1290; al–Mu'jam, Maxim No. 437; Subhi Salih, Maxim No. 437; Muhammad–Baqir Majlisi, 110–volume Bihar al–Anwar, Beirut: new edition, v. 75, pp. 350 and 357.

201. Nahj al–Balaghah, (al –Mu'jam), Maxim No. 470; Subhi Salih, 470; Ibn Miytham, 442.

202. Sayyid Ibrahim Sayyid 'Alawi, Divine 'idalah and Human 'idalah and Nahj al–Balaghah, Tehran: Nahj al–Balaghah Foundation, first edition, 2001, p. 16.

203. Ibid, pp. 16–17 quoted from 'Abd az–Zahra Khatib, Masadir Nahj al–Balaghah and Asaideh, Beirut, v. 4, pp. 317–318.

204. Ibid, p. 42 quoted from Ibn Abi al–Hadid, Translation and Explanation of Nahj al–Balaghah, old edition, p. 1280.

205. Sayyid Nur ad–Din Shari'atmadari Jaza'iri, "'Idalah in Imam 'Ali's ('a) Political Thought", Political Science, 3rd Year, No. 11, Winter of 2002, pp. 17–18.

206. Nahj al–Balaghah, (al–Muʾjam), Maxim No. 31; Fayd al–Islam, 30; Ibn Meytham, 26.

207. Jalal ad–Din Muhammad Balkhi, Mathnawi Maʾnavi, Edited by Rinolda Nicholson, through the effort of Nasrollah Pourjavadi.

208. Surah Nahl, 16: 90.

209. Nahj al–Balaghah, (al–Muʾjam), Maxim No. 231; Fayd al–Islam, Maxim No. 223: Subhi Salih, Maxim No. 231; Bihar al–Anwar, v. 74, p. 413.

210. Martyr Murtada Mutahhari was a committed and hard–working clergyman who played a very effective role in presenting the true picture or Islam. Martyr Mutahhari produced valuable works in different scientific, religious, political, social, economic and cultural fields. This Islamic philosopher, thinker and great researcher was martyred by one of the agents of the terrorist group "Furqan" in Ordibehesht 1978.

211. Murtada Mutahhari, 20 Discourses, Qum: Sadra, 5th Edition, 1978, p. 11.

212. Imam Husayn, son of the Commander of the Faithful, ʾAli (ʾa) and Fatimah, daughter of the Messenger of Islam, was the third Shiʾat Imam. He was born in 625 in Medina. In 6l AH, despite a small army, he revolted against the rule of Yazid ibn Muʾawiyah and in a bloody epic in the desert of Karbala in Iraq, Imam Husayn and 72 of his companions and family members achieved martyrdom and his surviving family taken captive by the army of Yazid.

213. Al–Hayat, v. 5, p. 178; Tuhaf al–ʾUqul, p. 241.

214. Tuhaf al– ʾUqul, p. 384.

215. Bihar al–Anwar, v. 78, p. 81.

216. Nahj al–Balaghah, Fayd al–Islam: al–Muʾjam, Subhi Salih, Ibn Abuʾl–Hadid and Sayyid Jaʾfar Shahidi, Tehran: Scientific and Cultural Publication, 9th Edition, 1997, Letter No. 69.

217. Explanation of Ghurar al–Hikam and Dar al–Kalam, Ibid, v. 1, p. 222.

218. Surah ar–Rahman, 55: 7.

219. Surah ar–Rahman, 55: 10.

220. Surah Hajj, 22: 2.

221. Surah Al–e Imran, 3: 96.

222. Surah Ghayesheh, 106: 19.

223. Surah al–Baqarah, 2: 202.

224. Wife of Prophet Muhammad (peace be upon Him), she was born in 613 and died in 678 AD.

225. Jalal ad–Din Seuti, al–Daror al–Mansur fi al–Tafsir Belmathur, Qum: Maktabeh al–Marʾashi al–Najafi, 1404 AH v. 3. p. 70.

226. Muhammad Husayn Tabatabaʾi, al–Mizan fi Tafsir al–Qur ʾan, Translated by Sayyid Muhammad Baqir Muwsawi Hamedani, Qum, Islamic Publication affiliated with Society of Teachers of Qum Theological Seminary, Qum, v. 8, p. 17, quoted by Abu Mansur Ahmad ibn
ʾAli Tabarsi, al–Ihtijaj ʾAli Ahlal Lejajj, Najaf, Bita, v. 2, p. 98.

227. al–Hayat, v. 5, p. 189 and v. 6, p. 345.

228. Imam Musa Ibn Jaʾfar (d. 128 AH), is the seventh Shiʾah Imam. His holy shrine lies in Kazamain, Iraq.

229. Ibid, v. 6, p. 345 .

230. Bihar al–Anwar, v. 78, p. 80; Muhammad Muhammadi Reyshahri, Mizan al–Hikmat, Beirut: Dar al–Hadith Insti ute, 1419 AH, v. 4, p. 1839.

231. Explanation of Ghurar al–Hikam and Dar al–Kalam, v. 2, p. 30: Mizan al–Hikmat, Ibid.

232. Nahj al–Balaghah, (al–Muʾjam), Maxim No. 31; Fayd al–Islam, Maxim No. 30.

233. Explanation of Ghurar al–Hikam and Dar al–Kalam, v. 6, p. 116.

234. Bihar al–Anwar, v. 78, p. 83; Mizan al–Hikmat, v. 4, p. 1838.

235. Explanation of Ghurar al–Hikam and Dar al–Kalam, v. 1, p. 104; al–Hayat, v. 5, p. 186.

236. Nahj al–Balaghah, (al –Mujʾam), Maxim No. 31; Fayd al–Islam, Maxim No. 30.

237. Mirza Husayn Nuri Tabarsi, Mustadrak al–Wasaʾil, v. 11, p. 316.

238. Explanation of Ghurar a–Hikam and Dar al–Kalam, v. 1, p. 64

239. Mizan al–Hikmat, vol. 4, p. 1839.

240. 'Abd al-Karim bin Muhammad Yahya Qazvini, Survival and Decline of Government in the Political Diction of the Commander of Faithful, by Rasul Ja'fariyan, Qum: Ayatullah al'Uzma Mar'ashi Najafi's Library Publication, 1993, p. 97.

241. Ibid, p. 112.

242. Mizan al-Hikmat, v. 4, p. 1839.

243. Ibid. v. 4, p. 1838.

244. Explanation of Ghurar al-Hikam and Dar al-Hikam, v. 2, p. 62; Mizan al-Hikmat, v. 4, p. 1838.

245. Explanation of Ghurar al-Hikam and Dar al-Hikam, v. 2, p. 178.

246. 'Abd al-Karim Bin Muhammad Yahya Qazvini, Ibid., p. 99.

247. Explanation of Ghurar al-Hikam and Dar al-Hikam, v. 5, p. 175.

248. Ibid, v. 1, p. 354; al-Hayat, v. 1, p. 175.

249. Mizan al-Hikmat, Vo. 4, p. 1838.

250. Ibid, v. 4, p. 1840.

251. Fatimah, nicknamed Zahra (born in 605 AD and passed away in 632), the daughter of the honorable Messenger of God, the wife of 'Ali ('a), man of justice, taqwa or piety and the first Shi'at Imam, the mother of Imam Hasan and Imam Husayn ('a), the second and third Shi'at Imams. She loved her father so much that the Holy Prophet called her "the mother of her father." Fatimah lived with the Prophet (peace he upon Him) and 'Ali ('a), these two chosen creatures of God in the most prosperous period of the Prophet's time and most eventful days of 'Ali ('a). Due to the great hardship and pain she suffered after the heavenly departure of the Messenger of God, she passed away in the prime of her youth.

252. Ibid, v . 4, p. 1838.

253. Nahj al-Balaghah, (al-Mu'jam), Maxim No. 31; Fayd al-Islam, Maxim No. 30, p. 1099–1100; Sayyid Ja'far Shahidi, Maxim No. 31, p. 366.

254. Nahj al-Balaghah, Subhi Salih, Sermon 87; Fayd al-Islam, Sermon 86; 'Ali Ansariyan, A Guide to Subjects of Nahj al-Balaghah, v. 6, p. 346.

255. Al-Hayat, v. 6, p.346.

256. Imam 'Ali ('a), The law and order of Mu'allim al-Hikam and Mansur Makarim ash-Shim, by Qadi Qada'i, translated by Firuz Harirchi, Tehran: Amir Kabir Publication, 2nd Edition, 1997, p. 35.

257. Tuhaf al- 'Uqul, p. 334.

258. Nahj al-Balaghah, Fayd al-Islam, Sermon 86, pp. 389–391.

259. Nahj al-Balaghah, Fayd al-Islam, Letter 53, p. 1019; Sheykh Muhammad 'Abduh, Explanation of Nahj al-Balaghah, v. 3, p. 95.

260. Mizan al-Hikmah, v. 4, p. 1839.

261. Bihar al-Anwar, v. 75, p. 356; al-Hayat, v. 6, p. 31.

262. Surah Qaf 50:45.

263. Surah Kahf, 18: 110; Surah Fusilat, 41: 1.

264. The Prophet of Mercy, p. 15.

265. Surah ash-Shawra, 26: 3.

266. The Prophet of Mercy, p . 164.

267. Ibid, p. 83.

268. Sunan Ibn Majah, Hadith No. 1101, Messenger of Mercy, p. 80 (with some modifications).

269. Imam Muhammad Ibn 'Ali, also called Baqir ('a), is the fifth Shi'at Imam (57–114 AH). He lived a blessed life for 57 years. His Imamate tenure lasted 19 years. Due to his mastery over Qur'anic and Islamic sciences, he was called "Baqir al-'Ulum" literally meaning "splitter of science."

270. Al-Hayat, v. 6, p. 359; Sheykh Tusi, al-Tahdhib, v. 6, p. 154.

271. Perfect attributes which God had gifted the Prophet of Islam (s), or pleasing attributes and moral excellence such as honesty, taqwa (piety) and others.

272. Attributes from which the sacred essence of the Prophet (s) was glorified such as hypocrisy, tormenting people, false claim and other moral evils.

273. Sa'duddin Muhammad Ibn Sa'ud Kazaruni, Nahayat al-Mas'ul fi Riwayat al-Rasul, translated and compiled by 'Abd al-

Salam Bin ʿAli al-Barghohi, with corrections and appendices by Muhammad Jaʿfar Bayhaqi, Tehran: Scientific and Cultural Publication Company, 1985, v . l, p. 336.

274. Ibid, p. 339.

275. Ibid, p. 339.

276. Hashem Zadeh Harisi, The Voice of ʿIdalah, (rules of representation in Islamic Consultative Assembly), Tehran: Qurʾanic Sciences Foundation, 1st Edition, l369 AHS, p. 122 quoted from Durul Mansur, v. 5, p. 380.

277. Yathrib is one of the major cities of Saudi Arabia and the second Islamic city in terms of majesty and holiness. The city lies northeast of Mecca in the district of Hijaz. After the hijrat (migration) of the Prophet Muhammad (s) to it, it was renamed Madinah an-Nabi (City of the Prophet). The Holy Shrine of the Messenger (s) and a number of his household rest in peace in this city. It is now simply called Medina.

278. ʿAli Ahmadi Mianji, Makatib al-Rasul, Qum: Yas Publication, 1982, v. 1, pp. 241-263: Muhammad Hami Allah Al-Haydar Abadi, collection of al-Saiq al-Siyasat Fi al-Ahd al- Nabavi wal Khlafat al-Rashedeh, Cairo: Akhiyeh al-Talif wa Tarjomeh wa Nashr, 1941, pp. 1-7; the Holy Prophetʾs letters and political covenants in Medina and the documents of the early days of Islam, translated by Sayyid Muhammad Husayni, Tehran: Sorush, 1374, pp. 101-111, ʺrubatihin esteqamatihim:ʺ Makatib al-Rasoul, v. 1,p. 242.

279. Rasul Jaʿfariyan, The History of the Development of the Government and Caliphate from the Advent of Islam to the Fall of the Ummayyad, Qum: Centre of Publications Office of the Islamic Propagation, Qum Theological Seminary, 2nd Edition, 1999, p 47.

280. Makatib al-Rasul, v. l, pp. 241-263, collection of al-Wasaeq al-Siasiyeh, pp. 1-7; Ibn Hisham al-Sirat al Nabaviyat, research by Mustafa al-Saqa Beirut: Dar al-Maʿrifat, v. 2, pp. 501-504.

281. Makatib al-Rasul, v. l, pp. 243-263; An Anthology of al-Wasaeq al-Siasiyeh, pp. 1-7; Ibn Hisham, Ibid.

282. Muhammad Hamidullah, letters and political agreements of Muhammad (s) and documents of the early days of Islam, translated by Sayyid Muhammad Husayni, Tehran: Soroush, 1st Edition, 1374, pp. 105-106 and Hamo, the first written constitution in the world, translated by Gholamreza Saeidi, Tehran: Bithat Publications Institute, Bita,p.60.

283. Letters and political agreements of Muhammad (s) and documents of the early days of Islam,

p. 105, the first written constitution in the world, p. 60.

284. Letters and political agreements of Muhammad (s) and documents of the early days of Islam, p. 105, the first written constitution in the world, p. 55-64.

285. The Prophet of Mercy, p. 90.

286. Ibid., p. 93.

287. Of the covenants of the Age of Ignorance, the time when the residents of Mecca consisted of the two tribes of Jerham and Qatora. Three men from the two tribes pledged not to let free any oppressor in Mecca, to secure the land of God, and to restore the right of the oppressed so that people would live in peace and security. However, the covenant slid into oblivion in the course of time. Therefore, the Quraish tribes decided resolutely to revive this tradition. Hence, the Bani Hashim, Bani Abdullah, Bani Asad, Bani Zohreh and Bani Tamim who were clans of the Quraysh came together in the house of Abdullah ibn Jazan and pledged to defend any oppressed people whether residing in Mecca or coming from other cities. The Prophet of Islam, who was in the prime of youth, was also present and was proud of his participation in the meeting.

288. Jaʿfar Subhani, The Radiance of Eternity, Qum: Center of Islamic Publications of Islamic Propagation Office of Qum Theological Seminary, Bita, v. 1, pp. 152-153; Mustafa Delshad Tehrani, Ibid. p. 294.

289. Ibid. pp. 294-305.

290. For instance, in this category valuable works, such as ʺal-Imam ʿAli (ʿa): The Voice of Human ʿidalahʺ has been produced by the Christian author, Jeorge Jerdaq.

291. Bihar al-Anwar, v. 71, p.226 .

292. Ibid, v. 36, p. 271.

293. Ibid, v . 38, pp. 135-155.

294. Muhammad Rida Hakimi, Qurʾanic Society-Building, anthology of (articles), Tehran: Islamic Culture Propagation Office, 2000, p. 80 quoting Abu al-Muʾayyid Hanafi Maki Khwarazmi, Kitab al-Manaqib, p. 66.

295. Murtada Mutahhari, 20 Discourses, Qum, Sadra Publication, 12th Edition, p. 28.

296. Bihar al-Anwar, v. 39. p. 307.

297. By the Book is meant the Glorious Qur'an that is one of the basic sources of Islamic fiqh or jurisprudence and pronouncement of laws.

298. Ibid, v. 46, p. 335, Khatib Khwarazmi, The Site of Murder of Husayn ('a), Qum: 1392, v. 1, pp. 195–196. Also refer to Muhammad Sadiq Najmi, Utterences of Husayn ibn 'Ali ('a) from Medina to Kerbala, Qum: Society of Teachers' Islamic Publications Office, Bita.

299. One of the grand prophets traceable to Adam. For years, he invited his people to the straight path, but they insisted on their wrong behavior. Then God warned Noah against an enormous flood and Noah made a ship and rescued his followers, relatives and a large number of animals from destruction.

300. Kamil Solayman, Times of Deliverance, Translated by 'Ali-Akbar Mahdi-Pour, Tehran: Afaq Publication, 1405 H, v. 1, p. 78 and with some changes in Bihar al-Anwar, v. 51, p. 81; al-Hayat, v. 5. pp. 184–185.

301. Kamil Solayman, Ibid, v. 1, p. 77; Bihar al-Anwar, v. 52, p. 310.

302. Mu'awiyah, son of Abu Sufiyan, (15–60 AH) was the founder of Bani Umayyad Dynasty. At the time of Mu'awiyah and his family members, aristocracy and a hereditary monarchical system that was in sharp contrast to the ideological pillars of Muslims were revived.

303. Nahj al-Balaghah, (al-Mu'jam), Letter 70; Fayd al-Islam, Letter 70, p. 1072.

304. Murtada Mutahhari, Search into Nahj al-Balaghah, Qum: Sadra Publication, 9th Publication, 1993, p. 113.

305. Al-Dalil 'ala Mawzdu'at Nahj al-Baaghah, p. 429 and p. 661; Nahj al-Balaghah, (alMu'jam), Sermon 3; Subhi Salih, Sermon 3; Fayd al-Islam, Sermon 3.

306. The third caliph of the four caliphs (644– 656 CE).

307. Nahj al-Balaghah, (al-Mu'jam), Sermon 15; Fayd al-Islam, Sermon 15; Al-Dalil Ala Mouzoat Nahj al-Balaghah, p. 493 and 661.

308. Ibid, p. 494; Nahj al-Balaghah, (al-Mu'jam), Sermon 209, pp. 128–129; Subh Salih, Sermon 209; Fayd al-Islam, Sermon 200.

309. Refer to Ad-Dalil 'Ala Mowuzu'at Nahj al-Balaghah, pp. 495–496: Nahj al-Balaghah, (alMu'jam), Sermon 224, p. 138; Subhi Salih, Sermon 224; Fayd al-Islam, sermon 215.

310. Ad-Dalil 'Ala Mowuzu'at Nahj al-Balaghah, p. 496; Nahj al-Balaghah, (al-Mu'jam), Sermon 224, p. 139; Subhi Salih, Sermon 224: Fayd al-Islam, Sermon 215.

311. 'Ali Shari'ati, 'Ali ('a), School of Thought, Unity, 'idalah, Tehran: Husayniyyah Irshad Publications, Bita, pp. 92–93.

312. Refer to Mustafa Delshad Tehrani, Government of the Sun, Tehran: House of Young Thought, v. 1, 1999, pp. 382–383.

313. Refer to ibid, p. 383. A companion of the Messenger of God and the second of the four rightful Caliphs or Islam (634–644). At the time of his caliphate, Iraq, Iran, Egypt and Damascus were conquered by the mujahidan (combatants) of Islam.

314. George Jerdaq, ibid, p. 5, p. 1091.

315. Sayyid Hasan Shirazi, Ibid, p. 199.

316. Ibid, p. 201.

317. Abu Sufiyan was among the aristocrats or the Quraysh in the age of Jahiliyyah and an inveterate enemy of the Holy Prophet (s). Up to the conquest of Mecca, Abu Sufiyan rejected Islam and after the fall or Mecca, embraced Islam, and the Messenger of God granted him amnesty.

318. Ja'far Murtada al-'Amili. al-Yahat al-Siyasat al-Imam al-Hasan ('a). Qum: al-Nashr alIslami, Bita, pp. 37–38; Tabarsi, al-Ihtijaj, v. 1, p. 419; Ja'for Murtada al-'Amili, Political Life of Imam Hasan ('a), translated by Muhammad Sepehri, Tehran: Islamic Propagation Organization 1988. p. 51; Bihar al-Anwar, v. 33, p. 354 and v. 44, p. 89 and other references (with minor differences).

319. Literally, the sunnah means the method and terminology of fiqh or jurisprudence, it refers to the Prophet's deeds, words and silence in the face of an act done in front of him without taqiyyah (dissimulation) conditions being applicable to

them.

320. Sayyid Hasan Shirazi, Ibid, p. l76.

321. al–Hayat, v. 5, pp. 180–181; 'Abd al–Karim al–Husayni al–Qazvini, The True Picture of Husayni Revolt in the Mirror of Historical Documents, translated by 'Ali Alawi, Tehran: Badr Publication, 1362, 1404, p. 128.

322. Martyrdom of Imam Husayn and 72 of his companions occurred on the 10th of Muharram 61AH (680 AD) in Karbala desert, Iraq. Since then, the anniversary of the Imam's martyrdom came to be called Husayni 'Ashura or simply 'Ashura and the Shi'ahs hold mourning ceremonies on the first 10 days of the month of Muharram.

323. Ibid, p. 185; Hashim Harasi, previous, pp. 232–235.

324. Muhammad Jawad Mughniyah, Moral Values in Imam Sadiq's ('a) Fiqh (jurisprudence),
translated by Sayyid Muhammad Radmanesh, Tehran: Muhammadi Publications Center, 1360, p. 123

325. Explanation of Ghurar al–Hikam and Dar al–Kalam, v. 3, p. 219; The Qur'anic SocietyBuilding, p. 140.

326. Tuhaf al–'Uqul, pp. 260–278.

327. Usul al–Kafi, v. 3, p.239.

328. Ibid, v. 3, p. 285.

329. Ibid, v. 3, p. 243.

330. Hur 'Amill, Wasa'il ash–Shi 'ah, ibid, corrected by 'Abdur–Rahim Rabbani Shirazi, v. 2, Tehran: al–Maktab al–Islami, v. 2, p. 525.

331. Nahj al–Balaghah, (al–Mu'jam), Maxim No. 220, p. 207; Fayd al–Islam, Maxim No. 211, p. 1184.

332. Bihar al–Anwar, v. 15, p. 148.

333. Ibid, v. 24, p. 9.

334. Wasa'il ash–Shi'ah, v. 3, p. 239.

335. Bihar al–Anwar, v. 78, p. 326; Sayyid Muhammad Taqi Hakim, The Words of Imam Musa Bin Ja'far ('a), Tehran: Bita, 2nd Edition, p. 99.

336. Ibid, v. 41, p. 105.

337. Ibid, v. 40, p. 327.

338. Ibid, v. 100, pp. 348–349.

Chapter 3: 'Idalah in Imam Khomeini's Perspective

Part One: Worldview and 'Idalah

● Religious worldview, religion and politics, *'idalah*

● Questions, answers and the station of ethics in Imam Khomeini 's outlook

First Discourse: Worldview, Religion and Politics, 'Idalah

1. General views on politics and 'Idalah

Imam Khomeini, as a religious thinker who was abreast of current comprehensive perception of religion

and rational–mystical attitude to religion and politics and a historical understanding of the needs and developments of the society and its requirements embarked on reviving the attitude of Islam towards all dimensions of human life. He managed to present a general and exhaustive perspective of the genuine Islam of Muhammad (s), borrowing his words, and pursuing social and political action based on it. In a sense, he was the embodiment of religious thought and action within a framework convergent ideas. On this basis, he could be described as a comprehensive thinker who heeded religion with a view based on rationality and principles.

He presented the genuine Islam of Muhammad as a superior model and comprehensive school of thought constituting its foundation on monotheism, which is just and equivalent to *'idalah*. Everything emanating from this school is also just. That is why in expressing his attitude and intended goals regarding the Islamic Revolution and the establishment born out of it, when he was asked what type of regime he wished to supersede the regime of the Shah,[1] he replied thus:

"A regime supplanting the despotic regime of the Shah is a just regime the like of which is not available in Western democracy."[2]

Imam Khomeini had three fundamental dimensions: knowledge, insight and political action concurrent with the requirements of the time. In the realm of knowledge and insight, he not only possessed a jurisprudential outlook, but also a superior philosophical and mystical attitude. In political action, he was not only an expert and great revolutionary leader but also the founder of a political and social system. Imam Khomeini had derived the foundation of his philosophical and mystical attitude from mentors such as Haj Sayyid Abu 'l Hasan Qazvini[3] (died in 1342 AHS) known as 'Allamah Qazvini, who had said about accompanying the Imam: "Accompany this Sayyid, for if you do not, you will become abject, Ayatullah Shah Abadi,[4] the moderate and comprehensive moralist[5] and 'Ali–Akbar Yazdi,[6] known as hakim (sage or savant). In 1347 AH, Imam Khomeini began teaching philosophy at the age of 27.[7] He began teaching fiqh (jurisprudence) and usul (fundamentals of fiqh) 17 years later in 1364 AH and this was done in conditions described as follows:

In those days, these words were bandied about in the theological seminary: "one who teaches philosophy and be so pious has not been seen in a theological seminary."[8]

Therefore, Imam Khomeini's philosophical and mystical attitude preceded his jurisprudential approach. This had produced a determining impact on his jurisprudential conceptions. On this basis, he was a rationalist thinker and contrary to many of the fuqaha (jurists) in whose view religiosity took precedence over rationalism (*ta'aqqul*) or superior to it, in the Imam's viewpoint a logical combination of both was in force. In this arena he viewed religiosity as subject to rationalism. The reason was his approach to philosophy and thereafter to *'irfan* (mysticism). It has been said that when he taught *manzumeh*[9] and *asfar*[10] in Qum, he was attacked in forms of slander and accusations by his reactionary enemies. However, his scientific prowess, morale, resistance and the assistance of God Almighty did not let him be defeated in the face of the intellectual stagnance of the reactionaries.[11]

Based on such an attitude, he stressed the illuminated intellect and demonstrating reasoning and commanded a political insight and approach and was abreast of the time, looking at *'irfan* (mysticism) in line with a realization of sound politics in society. It was this attitude and political vigilance that transformed him into a revolutionary and popular leader. Perhaps it can be said that for a theologian–jurist there was no way into society except through philosophical and demonstrable approach, because with such an attitude he could employ knowledge and learning as an instrument to give expression to humane side of man in Utopia.

Imam Khomeini in his attitude also paid a special attention to man. From his perspective, man has been endowed with Divine *fitrah* (primordial nature), and this is one of the favors of God Almighty has granted man. Man, among other creatures, is an entity that is capable of moving in two infinite dimensions and that his talent for perfection is endless. No other creature may be compared to him from this aspect.

Man is a strange creature. In all classes of God's creatures none is like man. This exclusive to man that God Almighty has created him with all His sacred qualities and attributes.[12]

On this basis, the delegation of prophets and messengers for the construction and elevation of man to perfection is deserving of him. Religions, including Islam, serve as a prelude to producing a perfect man and the Qur'an is a Book to elevate this creature – the main goal behind the mission of prophets.[13] Hence, if man in the course of perfection, moved towards the Almighty and became like God, he would be transformed into (a manifestation of) God's great attribute and image of Him. Furthermore, from the viewpoint of Imam Khomeini, revelation, which is in no way in conflict with sound human intellect, is man's way towards guidance and perhaps the best and the sole way for his upbringing and making.

The only way of education is the one presented through revelation and Lord of the Universe. The sole path is the one offered by the Almighty. It is the way of purification and Divinely upbringing introduced by the prophets. It is a science presented to people by the prophets to be trained and led to his desired perfection.[14]

From Imam Khomeini's viewpoint there is no conflict between philosophy and religion or, borrowing his words, "wisdom and supreme philosophy."[15] It was not without reason that in his letter to Gorbachev, the last leader of Soviet Union, he stressed the Qur'an and referred him to the views of Muslim philosophers for a critique of material thought:

"The Holy Qur'an criticizes the foundations of material thought. If you are interested in doing research in these areas, you may refer to the writings of Farabi, Bu 'Ali Sina, may God's mercy be upon them, as well as books by Sohrewardi, may God's mercy be upon him, Sadr al–Muta'alihin's transcendental wisdom – may God's mercy upon him and may he be associated with prophets and the righteous on the resurrection day – so that it would be clear that the truth of knowledge is verily a being abstract and separate from matter and glorified from any concept of matter, nor will it be subject to the rules of matter."[16]

With this mentality, Imam Khomeini negated mere reliance on narrations and *akhbarigari*[17] (traditionalist) methods and did not subscribe to a reactionary view of and rigidity in religious thought. The book *Kashfu'l Asrar* "Discovery of the Secrets" is expressive of this mentality of Imam towards reactionarism and rigidity inspired from absolute obedience. He also considered that obedience was only applicable in religious decrees but other dimensions of religion rested on intellect. For instance, referring to a narration, he wrote:

"By religion is meant obeying decrees. If in the words of some prominent traditionalists has been provided that in demonstration of unity one should rely on narrative argument, it is of strange things if not disasters from which we should seek refuge in God Almighty."[18]

The impact of the attitude based on rationalism in inferring religious decrees also transformed Imam Khomeini into a fundamentalist. Imam Khomeini however, did not reject reference to narrations and regarded obedience in obeying issues, paid special attention to the use of narrations based on the criteria and standards of the Book of God and sound human intellect. In his view, rigidity and a holier–than–thou religiosity, particularly in deducing and understanding religion, hindered the revival of religion and understanding of genuine Islam. In fact, it can be said that in his view Islam based on mere narrations coupled with an exaggerated display of religiosity was an American–oriented Islam that stood against the genuine Islam of Muhammad (s). For instance in the negation of asceticism and religious rigidity, the Imam said:

"Today, a number of people posing as pious are undermining religion, Islam and the system in a way that seems to be having no other duty except self–destruction. The threat of rigid minds and foolish pseudo–pious people in theological seminaries is not small. They are the propagators of an American brand of Islam and the enemy of the Messenger of Allah."[19]

One of the most important factors of petrifaction in *ijtihad* (independent reasoning) and decrees of religion and detachment from fundamentalism and disregard for the role of intellect in deduction of decrees, is the emergence of pseudo–clerics who, by reliance on the hadith and the outward aspects of religion, are ignorant of the truth, but who, from Imam's view, could bring about more damage than any other layer of the society.

"'No greater blow has Islam suffered at the hands of these holier–than–thou pseudo–clerics than any other social group. A glaring instance is the innocence and estrangement of the Commander of the Faithful, as is clear in the history."[20]

From the viewpoint of Imam Khomeini, *ijtihad* (independent judgment on theology or law·for deducing correct opinion) is one of the most fundamental vital issues in the life of a believing individual and faith–oriented society. Every human being in the circle of existence and within the framework of religious laws and in a view of the four religious sources[21] and arguments stands in need of ijtihad (independent judgment in inferring religious decrees from religious sources) or *taqlid* (imitation in religious matters).

What the Imam stressed was the *jawaheri ijtihad* or traditional ijtihad in which requirements of time and place are regarded. Therefore, Imam's theory in *ijtihad* is a theory that is called *monhaj taqlidi* and has been heeded by distinguished *ulama* such as Sheykh Mofid,22 Sheykh Tusi,23 Sahib al–Jawahir.24 In other words, however: "*haza men makan*."25

On this basis the Jawahiri path or manner advocated by Imam Khomeini is the traditional and dynamic *fiqh* or jurisprudence, which in a way meets all the needs of human society:

"As regards the method education and research in theological seminaries, I believe in traditional *fiqh* and Jawahiri *ijtihad*26 and do not permit any violation of it. *Ijtihad* is correct in the same manner but this does not mean that Islamic *fiqh* is not dynamic. Time and place are two determining elements in *ijtihad*. A question, which has had a decree, might find a new decree in relationships governing politics, society and economics in a system. The Mujtahid (authority on divine law) should keep abreast of the issues of his time."27

For this reason, from Imam Khomeini's viewpoint, politics and government found a standing superior to other decrees and was treated as one of the primary ordinances,28 being preferable to other divine codes.

The government is a branch of absolute Wilayah (guardianship of a supreme Muslim jurisprudent) of the Messenger of God (s) and one of the primary laws of Islam and preferable to all secondary decrees29 and even prayers, fasting and *hajj*.30

In such a government the necessity of opening the door of ijtihad, understanding expediencies and deduction of decrees based on such interests is a definite matter.

In the Islamic government, the door of ijtihad is always open. It is here that the *ijtihad* as is common in theological seminaries is not sufficient. If an individual is more learned in the customary sciences of seminaries but cannot discern the expediency of the society or cannot differentiate upright and useful persons from incompetent ones, this person is not a *mujtahid* in social and government matters.31

It is only the Shi'ah *fiqh* that potentially enjoys the conditions and features requisite to the realization of such an *ijtihad*, as Shia *fiqh* is the richest fiqh and law·in the world.32 Therefore, fiqh is the real theory to administer man and the society from cradle to grave."33

2. Politics and religion

Imam Khomeini in his political outlook relied on several fundamental bases consisting of theology, *fiqh*, philosophy and *irfan* in a way that his intellectual frame regarding politics enjoys two types of structure. The first is the attitude structure that plays a determining role and gives direction and line to politics. The second is the inner structure of his political theory and viewpoint that constituted a set of political rituals and decrees. In the first dimension, his reliance was on philosophical and mystical stress, while in the

second dimension his attitude was jurisprudential and theological.

For instance, his look at rising up in the cause of God is philosophical and mystical. Therefore, in interpreting the Surah Hamd, he wrote :

"First is the station of rising. Everything begins from here; all questions start from where that revolt for God is. Man should revolt for God. stand for God, and wake up from this slumber. "[34]

However, in the structure dealing with rules and decrees – the instruction of the political structure – enjoys jurisprudential and theological insight. For instance, at the beginning of his book *Wilayat-e Faqih* on the theory of *wilayat-e faqih*, we read:

"*Wilayat-e-faqih* is among the concepts that does not need any proof; its assumption testifies it."[35]

Or on qualifications of a ruler of Islamic society based on jurisprudential attitude, he stressed two basic conditions: knowledge of law and reliance on *'Idalah*.[36]

By and large, politics from the viewpoint of Imam Khomeini is completely separate from what is accomplished in the frame of executive politics of worldly governments, particularly despots and tyrants. For instance, after release from prison, the Imam said:

"One of the persons whom I would not like to name came and said: Aqa (Sir), politics consists of telling a lie, deceit, tricks, ruses and in brief, mischief and let it be for us. I said: From the beginning we have not been involved in the politics you are describing."[37]

In expressing politics and defining it, he farther said:

"By politics we mean the relationship between the ruler and the nation, the relationship between the ruler and other governments and preventing corruption. All of these are politics."[38]

Of course, this definition of politics is in terms of subject but regarding its direction, goal and its values, he gave the following explanation:

"Politics is meant to guide the society and push it forward, brings into account all the interests of the society and all dimensions of man and the society and guides them towards what is to their interests."[39]

Therefore, one can consider Imam Khomeini as one of the revivers of Islamic political philosophy. He repudiated the indecent station and inhuman contemporary concept of politics that was translated into tricks and ruses, according politics its right status. From his perspective, politics is the knowledge, virtue and instrument to guide man in the course of virtue, *'Idalah* and proximity to God. One can construe this definition of politics in his works. Take the following for instance:

"Islam is entirely politics. Islam has been presented in a bad light. The politics of civil societies emanate from Islam."[40]

As a matter of fact, the amalgamation of religion and politics is so obvious that anyone who envisages a border between them has not understood neither of them.

Islam is a religion of politics with all the positions conceived for politics. This point is so clear to anyone with the least reflection on governmental, political, social and economic rules of Islam. Hence, if anyone construes religion as being separate from politics, one knows neither Islam nor politics.[41]

If we accept the above definition of politics and religion, then the main goal of politics and religion is to establish *'idalah* in society. Islam is synonymous with government with all its positions, and Islamic rules consist of laws of the government system and a position of the Islamic government. In fact, the rules consist of accidental desiderata and organic affairs enacted for the actualization of an Islamic government and the promotion of *'Idalah* in society.[42]

3. Exigencies of time

Imam Khomeini lived in an era which we are, more or less, acquainted with. It can briefly be described as the age of tribulation for spirituality and interdiction for *'idalah*, ignorance of *fitrat* (man's primordial nature) and emergence of numerous veils and the ensuing crises. He lived in a world in which materialism, whether in the frame of eastern socialism or western liberalism, stood out and religion, spirituality, truth and *'Idalah* were exposed to threats of all sorts by ill-wishing Mammonists, with the distorted form of something devoid of truth and value lingered in human societies. This crooked mentality, retrogression and petrifaction has pervaded religion and theological seminaries. Other political manifestations of the age were colonialism, despotism, oppression and tyranny emanating from this tribulation for lack of spirituality, interdiction for *'idalah* and forgetfulness of *fitrat* and attachment to the mundane.

We are living in an age in which criminals are admired and approved of rather than reprimanded and punished. We are in an age in which supposedly human rights organizations guard the oppressive interests of super criminals and condone their tyranny and that of their affiliates.[43]

Likewise, the Imam has the following to say about the situation of Iran in pre-revolution period:

"The Shah ruined our political, military, cultural and economic independence, making Iran dependent on the West or East in all dimensions, killing the people of Iran under torture and dungeons of prisons."[44]

This situation is the result of worldliness and contumacy for the self and personal interests. As put by Imam Khomeini:

"Selfishness and abandonment of an uprising for God has led us to these dark times, making the world subdue us and overpowering the Islamic countries."[45]

In this age, demonstrating attitude was strongly criticized by kingpins of science and knowledge, particularly in theological seminaries. The situation of philosophy was so deplorable that if anyone

studied or taught philosophy, he would be excommunicated.46

The excommunication of philosophers and negation of philosophy and rationalism is deeply rooted in the culture of theological seminaries of our age, traceable to the Safavid Age, during the outbreak of traditionalism on the one hand and the insidious spread and influence of the Asharite47 mentality, petrifaction and sanctimoniousness and prevalence of worldliness, despotic temper in political approach and administration of society, on the other. Ayatollah Sayyid ʿAziz ad-Din Zanjani has the following comment to make on this state of affairs:

"Imam Khomeini observed that some of these pseudo-pious people rinsed the glass of my Mustafa,48 but I know that the situation was worse than this and that he disclosed only part of that poisonous atmosphere."49

The late Sayyid Ahmad Khomeini50 had the following to say in this respect:

"The reactionary pious people did not tolerate the Imam's mystical and philosophical lessons and conditions took for on the worst that when these 'overly pious' people wanted to take the book of *Manzumeh* from somewhere, they used pincers and considered it to be unclean to touch. If anyone studied philosophy, he would be branded impious."51

Above all, in this period about 100 years ago, a little while before the birth of Imam Khomeini, a Muslim upheaval, mostly by Shia across the world, particularly in Iran and the Middle Eastern region, had been launched with the enlightening measures taken by Sayyid Jamaluddin Asad Abadi52 and his righteous successors. These currents gradually converged and merged culminating in the Islamic Revolution in Iran under the leadership of Imam Khomeini. In fact, it can be said that any revolt after the Immaculate Imams (ʿa) fructified at this time, with its main fruit being the Islamic Revolution in Iran.

While Imam Khomeini lived in suffocating and choking atmosphere in which spirituality and man's primordial nature had slid into oblivion, he launched a movement to challenge the status quo, revive the pure human nature and revitalize *ʿIdalah* in the society. Imam Khomeini described the pre-revolution situation as the transformation from sound *fitrah* and its deflection, also calling the victory of the revolution as a re-change of the second nature and restoration of man's primordial nature:

"As you observed, for many long years, all strata of the nation were under affliction and oppression. It was because they had abandoned their primordial nature (*fitrah* Allah) and supplanted it with another. When our nation awakened, thanks to Islam, the people underwent a change from the state of submission to rejection. What counts is that we no longer succumb to oppression."53

On this basis, Imam Khomeini, as a combatant thinker, sought to present a new version of Utopia, also attempting to actualize it within the framework of a political system. He was, therefore, an architect of a political system while simultaneously giving it reality as well.

Second Discourse

Questions, Answers and the Station of Ethics in Imam Khomeiniˈs Outlook

Questions

Imam Khomeiniˈs questions in this respect may be classified under two categories:

A– Questions dealing with the analysis and survey of the status quo and its negation. He believed that man had lost his spirituality and truth and, consequently, happiness and the good, pushing them into oblivion or he actually did not know what they were. Or, if he did, he was not able to discover its essence and truth or failed to be committed to it. Now, we should look into what man had replaced truth and spirituality with. Where did manˈs virtue lie? How could man develop into a man in the real sense of the term and return to his primordial nature, rip the veils and becomes a real man and Godˈs vicegerent on earth in all aspects, returning to the straight path and the just and true way from which he had been deflected.

If the way he argues that man has been deviated from the straight path and that a return to this path is necessary for him, we should observe what the straight path is and how one can find it. Where does the straight path or the just way begin and where does it end? What is the role of manˈs intellect, free will and freedom in this arena? What can be the role of prophets, Divine prophets and revelation the midst of all this? What is the position of the exigencies of the time and place in this area?

If man is what Imam Khomeini defined: when man comes to the world, everything exists in him potentially; his faculties are not materialized, but are there to be actualized; how can he regain his potentials and actualize them on the road to righteous dispositions? If man is, borrowing Imam Khomeiniˈs words, what all philosophers and thinkers are astounded to define,[54] why has he been subjected to the self's disobedience being entangled in mundane matters and veils. Above all, why has he been doomed to oppression and injustice to which he succumbs to something inconsistent with his fitrat and existential structure, allowing *ˈIdalah* to slip into oblivion? Why has he gone into both extremes and abandoned moderation? If Shiˈism and Islam present a comprehensive sketch of life, why have Muslims been afflicted by decadence, debility and abjection? If Shiˈism is the school of liberation and combat against oppression, why is there no trace of *ˈIdalah* or signs of struggle against oppression among its followers? If the end is that people should rise up for equity, establishment of social *ˈIdalah* among people, struggle against oppression, obliteration of tyranny and attending to weaknesses as well as rising to realize *ˈIdalah* , as put by Imam Khomeini, why have these concepts not been translated into action? If Islam enjoys complete conditions for building society and man, why have Muslims failed to employ those conditions to improve their society? What is the role of foreign powers amidst all this?

B– Questions dealing with procedure of establishing the Utopia and the favorable ideal government desired by Imam Khomeini are many and varied. For instance; in conditions when the Iranian people

have risen and actualized a revolution in the name of Islamic revolution, how should the general plans and programs of the political and social system to be developed following this revolution and for its realization? With which methods can one reach the destination? How can one follow the straight path and actualize *'idalah* in society and build an ideal, model and moderate society to be copied by other societies?

Answers

Since political theories are answers to exigencies and conditions of one particular time, although they smack of non–temporal color and scent and are presented in a way as to be compatible with any time and place, the significance of answers is no less than that of the questions for the theoretician.

Imam Khomeini began with an epistemological answer, for in his opinion everything begins with knowledge and awareness. However, to gain knowledge, one should primarily forgo denial.

"We should believe that this is the first time man wants to make a move. First, he should desist from denial. All human afflictions stem from the fact that he cannot perceive the realities and denies. He cannot attain what the saints of God have reached because of denial."[55]

To get rid of negation, which Imam described as the "veil of denial" is the first step towards entry into the truth and its perception.

"I hope that we can remove this veil of denial from our hearts."[56]

Another step towards an entry into realm of knowledge and cognition of the truth is the logical approach. From the viewpoint of Imam Khomeini, although differences are observed in outward aspects, methods, styles and interests and tastes, there is no difference in the meaning and essence of the truth, as truth of any and all affairs is one. From the Imam's viewpoint, political differences, the discrepancies of philosophers, the disputes of mystics and *fuqaha* (jurists) are superficial, procedural and personally based on their own taste, not a difference in the truth and meaning. Therefore, these differences can be called a misunderstanding, which should be removed. A difference among schools, religions and viewpoints generates epistemological monopoly and is the veil of knowledge. This epistemological monopoly and veil of knowledge bars the perception of real knowledge, prompting man to presume that truth is different.

"My main concern was to remove this misunderstanding and the difference prevailing in the schools and among the men of knowledge so that knowledge was not obstructed. Islam does not consist merely of secondary injunctions. We should not immolate the essential things for the secondary ones."[57]

Therefore, from Imam Khomeini's viewpoint the greatest veil for the society is the veil or curtain of knowledge and understanding.[58]

"Man considers all perfections to be exclusive to whatever knowledge he has gained access. He

presumes this to be knowledge, the rest are not. This attitude is a big veil for all. Some people recoil at philosophical questions as if they have met a snake despite the fact that philosophy is an official course. Philosophers wince at mystics and vice-versa."[59]

Hence, this veil should be removed. Imam Khomeini's movement towards the revival of philosophy and *'irfan* (mysticism) in theological seminaries, aimed at removing this veil. The Imam's objection to people like Kasravi can be seen in this light. The latter accepted the Qur'an, but questioned prayers, *Hadith* (narration), philosophy and *'irfan*.[60]

"The next step is that man should believe in himself and find himself and know that he can be what he wants and wills. Man's belief constitutes the foundation of all affairs in individual and social fields. If man believes in himself and knows what he is and what standing he has, he can be what he wishes."

"All defeats and victories emanate from man himself Man is the basis of victory and defeat. Man's belief is the standard by which all affairs are taken up."

He employed mystical language to depict man and his understanding in the following verses:

O, you, the audible voice of heaven
O, you, the mystery of the echo of immortality
O, you, the peak of the mountain of love and lover
O, you, the apparent and hidden mentor
O, you, the total manifestation of 'I am God'
At the empyrean of universal prosperity
O, Moses who fainted because of love
From the manifestation at Mountain. Sina from nowhere
O, you are a manifestation of the tree through which God spoke
In the rays of the glory of eternity
O, you, the turning point of the mystery of existence
Take the chalice of wine from the Friend

Hence, man can discover the truth and proceed towards it, but the fundamental and essential movement in this attempt to return depends on him. From the Imam's view, man should return to his essence, to his Divine primordial nature.

"O you wanderer in the desert of bewilderment! O man missing in the desert of perdition! Nay. O butterflies round the candle of beauty of the Absolute Beautiful! O lovers of the flawless and imperishable Beloved! Refer to the book of nature and turn over the page of the book of your essence."[61]

To understand the truth and return to one's self, the first step is rising for Allah and abstaining from rising for the self. The way leading to the salvation of human beings from existing crises is to discover himself

and the truth and proceed towards his real self. This step, discovery and revolt should all be for God. Therefore, in another expression, Imam Khomeini considered the first step and the first measure and even the prelude to the movement and spiritual journey towards God, whether in individual or social and political dimension, to be rising up for God. He repeatedly stressed the holy verse: "Say: I give you but one admonition, that you stand to Allah, two by two and one by one, and then reflect: No madness is in your comrade. He is naught but a Warner to you, before a terrible chastisement."[62] He warned that one should be awakened and revolt to be delivered from crises and that this awakening and uprising should be Divinely oriented so as to bear fruit. In an interpretation of *Surah Hamd*, the Imam stressed:

"The first step is that you should leave this house. The first step is for man to rise up, rise for Allah, awaken and not be in slumber."[63]

In the first and historical document of his struggle, compiled on 11 Jamadi al-Awwal 1363 AH (5 May 1994 – 15/2/1323 AHS), the Imam also considered the only solution to improve the world to lie in an uprising for God, pointing out that a revolt for personal interests is the basic factor responsible for all problems and crises. He alluded to verse 46 of *Surah Saba* of the Holy Qur'an, observing that:

"In this holy expression, God Almighty has illustrated the path from the dark abode of nature to the end of the journey towards humanity. It is the best admonition God has selected from among all others. God has recommended this single expression that is the sole way for the rectification of the world. Ibrahim, *Khalil ar-Rahman*[64] (Ibrahim, the friend of God), attained the status of *khillat* [65] (station of God's friendship) for his uprising for God."[66]

Uprising for God has two dimensions: first, individual dimension that covers the awakening of the individual, self-realization and movement on the road to his Divine nature; and second, political and social dimension in the sense of uprising against oppression, tyranny and injustice andd struggling to establish *'idalah* in the land. These two aspects of uprising that open the way for the correct movement of human society and deliverance from dependencies, attachments and current problems has been the real journey of Divine leaders, prophets and all righteous people in the course of history. They have risen up with all forces against arrogant powers and Pharaohs of their time, experiencing numerous sufferings for the implementation of *'idalah* in the world.[67] This lifestyle is a lesson for us to rise up and launch our movement for *'idalah* to materialize. In this course, neither mystical seclusion serves as a proof of having moved on the way, nor entry into a society and establishment of government a proof of having stumbled onto the trappings of the world and worldliness. Rather, what counts are incentive, purpose and intention. Imam Khomeini in a letter to his son wrote:

"O my son! Neither mystical seclusion can serve as a proof of having reached the truth, nor entry into a society and establishment of a government a token of dissociating from the truth. The criterion in action is their motivation. A pious man may be trapped by Satan and many a government administrator inspired by Divine motives reaches the field of closeness to God. However closer the motives may be to the light of man's spiritual nature and however purified from veils, even the veil of light, one will be more

dependent on the source of light. At the beginning of the journey, the criterion is rising up for Allah both in personal and individual and social activities."68

The moral attitude of Imam Khomeini

Hence, it is clear from the Imam's perspective that political, social, ideological and moral dimensions as well as spiritual journey, particularly mystical journey, and elevated moral qualities occupy a lofty standing with the Imam. Therefore, he viewed happiness in light of moral and spiritual happiness that was subject to man's action and acquisition.

In this path; that is, traversing the path of *idalah* and attaining happiness, Divine awe and piety, sincere intention, Divine motivation, presence of the heart, purity in action, inclination of heart and faring upon the spiritual journey have a primary and fundamental role. Also, in this respect, Imam Khomeini laid special stress on the purification of the soul and the realization of *idalah* in this struggle, that is, the "greater *Jihad*", because all problems and difficulties encountered by human beings stem from uprising for personal interests, profiteering, selfishness, egoism and worldliness. Hence, a greater Jihad of realizing *idalah* in the self is precedent to other struggles. First, one should begin with oneself, because as long as one pays attention to the self, the self wants everything for him. And all difficulties originate from attention to the self and selfishness.

"When there is no faith and all man's attention is concentrated on one's self and he wants everything for the self, then problems arise. These conflicts are between selfishness. If all the saints of God got together somewhere, they would never conflict with each other. They would never disagree each other, because all of them work for God, from one source, and in one direction.69

From Imam Khomeini's viewpoint, this movement enables one to realize *idalah* and moderation, abstain from intemperance and extreme views in affairs, move within the framework of the criterion of intellect and canons and, thus, attain real happiness. The delegation of Divine prophets and the revelation of all Divine scriptures were also for this purpose.

"Prophets (s) came and brought laws. Divine books were revealed to them to prevent application and intemperance of nature and to bring the human self under control of the law of intellect and canon, making him edified and tame him so as not to behave beyond the limits of reason and canon. Therefore, any soul that adjusted his qualities to Divine laws and intellectual criteria will enjoy felicity and come under the category of people who have been delivered from adversities."70

From Imam Khomeini's viewpoint, the government and its establishment is also an instrument for the realization of *idalah* in society, for the establishment of a just and moderate society and for preventing deviations (or extreme views). If *idalah* is realized in society, man will move on the road to perfection and happiness; societies will also proceed towards what is advisable and righteousness. However, where there is no trace of *idalah*, there will be no sign of happiness, expediency, good and righteous. Hence, man's bliss lies in the realization of *idalah* in all aspects of society.

Verily, on top of all (human) faults and mistakes stands selfishness. As long as selfishness lingers in man, the wars, corruptions, oppressions and tyrannies will persist. And prophets sought to actualize a just government in the world because if a government is just and driven by Divine and moral motives and human spiritual values a government that will bridle the society and improve it to a great extent, will be established.[71]

As a whole, from Imam Khomeini's viewpoint, the final answer to questions such as the quality of the realization of true virtues and the way to the salvation of the society lie in *'idalah* and its realization in the society, because *'adl* means transforming man and society from their prevailing status quo into a favorable one. The evolution of man and society on the road to human perfection and Divine nature is the very notion of *'adl*. Other types of *'idalah* also aim at making man and society and developing him from present status to what is regarded favorable; that is, transforming the tyrant into a just one and an oppressive society to a just one:

The establishing *'idalah* signifies elevating human beings to the level of real man. *'Idalah* is nothing but what issues from man. Oppression also means what issues from man. The establishment of *'idalah* means transforming the oppressor to a just one and transforming polytheists to believers. A prophet transforms a being, one if set free, will plunge into the abyss of hell – to one who is guided on the right path.[72]

Part two: Propositions, Concepts and the Quality of 'Idalah in the Perspective of Imam Khomeini

● **Propositions and Concepts of** *'idalah*

● **Quality of** *'idalah* **in the Perspective of Imam Khomeini**

First Discourse: Propositions and Concepts of 'Idalah in Imam Khomeini's Perspective

Propositions

To understand the concept of *'idalah* from the viewpoint of Imam Khomeini, first we will select determining propositions on *'idalah* and examine them by surveying his numerous works. Then, we will take up the notions and meanings he intended in view of the propositions. We will usually bring the propositions as positive declarative sentences and, occasionally, as compositional phrases. Of course, each of these propositions is expressive of the entire concept or part of the notion of *'idalah* or one of its instances. Some of the most important propositions in the political and jurisprudential ideas of Imam Khomeini consist of:

First Proposition: The Lord is on the straight path and in perfect moderation and His servants are also on the straight path and perfect moderation.

From Imam Khomeini's perspective, *idalah* is the most outstanding characteristics of the worshipped One in the world. *Idalah*, in this sense, signifies absolute and perfect constancy and *idalah*. The Holy Quran says: "Lo! My Lord is Guardian over all things."[73] Absolute *idalah* in this sense signifies all virtues and the entirety of perfection. On this basis, we find that the absolute constancy of the Almighty is His very *idalah*, that is the absolute and perfect moderation. This absolute *idalah*, which is an attribute of the Almighty, is closely related to God's attribute of being totally independent (from the universe). This sense of *idalah* emanates from the manifestability of God's Names Attributes. And because the universe is a manifestation of God Almighty, it follows them, based on this thinking, that it is also a manifestation of His justice. Similarly, the perfect man is a manifestation of God's justice. Justice, in this sense, is at its ultimate level. However, as Imam Khomeini put it, in addition to being an attribute of God, justice also this attribute becomes a property of the perfect man, who is a manifestation of God's great names, by way of God's overshadowing him. The perfect man in the sense of being God's great name is epitomized in the person of the Prophet Muhammad (s).

Absolute *idalah* comprises all inward and outward and spiritual and physical virtues, because absolute *idalah* directly encompasses all the meanings whether in the manifestation of Names and Attributes (of God) or their realization that is absolute resistance and exclusive is to Perfect Man. Creator of his Highness is the grand Name of God Who is on the straight path of the stations of Names. The Holy Qur'an in Surah Hud, Verse 56 reads: "There is not a moving creature, but He hath grasp of its forelock. Verily, it is my Lord that is on a straight path."[74] Imam Khomeini said: Lord of the Perfect Man, the seal of prophets, Muhammad (s), is on the straight path and absolute moderation."[75]

Second Proposition: 'idalah is the absence of concealment from Truth to People and from people to Truth.

This look at *idalah* is *idalah* in manifestation and revelation of Divine sciences in the heart and soul of men of knowledge and saints of God. They reach a degree of understanding and insight that Truth will not remain behind the veil for them and will be fully open to them. They also do not conceal themselves from the Truth. Such human beings, as Imam Khomeini said, are the most perfect friends of God. This stage of *idalah* is the perfect sign of selflessness and annihilation in God.

In the manifestation of Divine knowledge and manifestations of Divine Unity in the hearts of men of knowledge *idalah* consists of the nonconcealment of the Truth (God) to people and of people to the Truth and, in other words, they see unity in multiplicity and multiplicity in unity,[76] a station that is exclusive to the most perfect friends of God.

In this sense, injustice in contrast to *idalah* also signifies the concealment of the Truth to His creatures or His creatures to the Truth, with both being extreme views.

In this exposition, Imam Khomeini considers the meaning and conception of *ʿidalah* within the framework of religious fundamentals and verities of faith, which is synonymous with knowledge of all existential verities. In this perspective, *ʿidalah* has been taken as knowledge and is in the category of insight. The absence of *ʿidalah*, or oppression and injustice in this sense, is failure or negligence in the perception and understanding of the verities of the world of existence or the improper understanding of those verities. The expression intended by Imam Khomeini in this respect can be explained as follows:

Whether in beliefs and verities of faith in which *ʿidalah* consists of perception of existential verities or the truth of the essence of things, from the ultimate end of substantive perfection to the extreme end of revoking the manifestations of outward things,77 which is the truth of Resurrection.78

The highest peak of the manifestation of Divine names is the origin of existence and the essence of the truth of existence of the Lord of the Universe, as explained by the Imam:

The universe has been constituted on the education of man. Man is the ultimate essence of all creatures and quintessence of the entire universe. Prophets had come to actualize this potential essence and develop man into a Divine creature, possessing all the attributes of the Almighty and is a radiates place for the manifestation of the sacred light of the Almighty.79

On this basis, all Divine prophets had come with the aim of building human beings and societies. The correction of human beings and their affairs signifies placing them on the course of *fitrat*, something that is the duty of all prophets as well as true and real philosophers. The straight path or the path of *ʿidalah* are one and the same.

The prophets have come to make man. Not a single prophet has come but to correct man.80 The ultimate end is the verity of Resurrection and man's return to eternal life, and other verities lie between these two verities (origin and resurrection).

Fourth Proposition: Establishment of ʿidalah is to make man

In the view of Imam Khomeini, the most basic concern is to make man and to become man. It is because all crises and problems of man goes back to absence of purification in him; and the end and goal of the mission of prophets had been to purify and make man. If purification is practiced, rebellion will be effaced. As a result, other problems will not emerge, as thus put by Imam Khomeini:

"All the differences existing among human beings are because man has not been purified. The ultimate end of every prophetic mission is to purify the people so that by means of purification he could teach both wisdom and the Qur'an, for if people are purified, rebellion will not emerge.81

Therefore, in such an outlook, the existence of all rebellions, crises and problems is traceable to the

absence of purification and leaving man alone to himself. The solution to all human problems lies in his becoming a man by way of purification of the soul. Edification of man's soul and correction of the affairs of human beings mean placing them on the road towards Divine *fitrat*. This is the mission of all prophets and the true and real philosophers.[82] This is also the straight path and the way of *'idalah*.

In this outlook, the establishment of *'idalah* is the same as shaping man into a real human being and his purification; that is, the introduction of positive development in man or evolving untrained man into purified man. This development is the establishment of *'idalah*.

The establishment of *'idalah* signifies shaping man into a real human being. The establishment of *'idalah* implies transforming the oppressor into a just one and the polytheist into a monotheist.[83]

On this basis, *'idalah* in the way of religion is defined as perseverance in traversing the path of truth and *fitrat* or the straight path.

Fifth and Sixth Propositions: 'idalah is the middle way between the two extremes; 'idalah is all virtues.

The middle way consists of the observance of moderation in the sense that if we presume two limits for each affair, the middle way is somewhere between the two extremes. Thinkers have heeded the middle way and moderation since the remote past. *'idalah*, as a middle way in all affairs, brings about another result: transformation of *'idalah* as the most preferable virtue or comprehensive virtue. On this basis, since the middle way and observance of temperance in affairs is good, everything in its middle stage is regarded virtue and *'idalah* will consist of virtues and good things. Imam Khomeini on *'idalah* as the middle way said:

"Know that *'idalah* consists of the middle way between the two extremes and this is of the most important ethical virtue."[84]

Therefore, *'idalah*, which consists of the middle way between the two extremes and between an overstatement and an understatement, is one of the great human virtues. The great philosopher Aristotle had been quoted as saying that *'idalah* is not part of virtue; it is the whole virtue, and oppression, its opposite, is not part of vice; it is vice itself.[85]

Seventh Proposition: 'idalah signifies an adjustment of all internal and external powers

Adjustment means the act of bringing something into conformity with external requirements or adjusting them to suit something else. From the view of Imam Khomeini, like many philosophers and moralists, *'idalah* in the human soul signifies an adjustment of man's temporal powers and internal forces. In this sense, occasionally it is construed as adjustment between perceptive powers (theoretical reason and practical reason) and motivational (repelling and absorbing) virtue. Amid this, some thinkers have taken *'idalah* as an adjustment of practical forces and their purification. However, Imam Khomeini defined it as adjustment of physical and internal Powers.

And *'idalah* has another application and consists of the regulation of all inward and outward forces and spiritual and physical forces.[86]

Accordingly, it can be said that Imam Khomeini here heeded two attitudes to *'idalah*: the special attitude of adjustment of practical forces and the general attitude of regulation of all forces.

Eighth Proposition: 'idalah signifies a straight line and moderate course.

Imam Khomeini alluded to a story related to the Messenger of God (s): "Once the Messenger of God (s) drew a straight line and beside it other lines. He called the straight line the path of monotheism that all prophets and their followers traversed and the crooked lines were the path of those who go astray. Therefore, he regarded *'idalah* as the very straight line and moderate movement. From this perspective, *'idalah* is the same straight path, and real moderation and journey of the Perfect man also meant that no deviation could be found therein.[87]

"If we make tangible comparison of the point of servitude with the station of proximity to Divinity, it will be connected to the straight path. Therefore, the way for the Perfect Man to traverse the course from the flawed point of servitude to the perfection of glory of divinity is *'idalah*, that is, the straight path and moderate way. There are numerous references to this meaning in the Book and the *Sunnah* (tradition). The straight path that man supplicate for in prayers is path of moderation."[88]

Therefore, from the view of Imam Khomeini, *'idalah* is the way and real moderation in the straight path in which no deviation or crookedness creeps from the beginning of the journey to the arrival of the wayfarer to the Truth. In this sense, as put by Imam Khomeini, *'idalah* is Muhammadi line, path, straight path, way of the Truth lying exactly between two points: a point at the beginning where man stands and a point at the end where absolute perfection and absolute Divinity is, the line connecting the two points is *'idalah* and the movement on the course of *'idalah*. The path of *'idalah* and the way of moderation is not more than one. Therefore, from Imam Khomeini's viewpoint, the way of *'idalah* is the one leading to the truth and traversing this way is the true happiness. Therefore, virtue is one and unique, which is *'idalah*. However, vice abounds and is varied.

Ninth Proposition: Love of 'idalah and hatred for oppression are in man's primordial nature

Man possesses a special characteristic in his essence, which is called *fitrat* or primordial nature. Man's *fitrat* manifests itself either in the form of perception and knowledge or feeling or tendencies. Furthermore, fitrat is endowed with susceptible and potential faculties capable of being actualized. From Imam Khomeini's perspective, one of man's inherent features is that he loves *'idalah* and is humble before it and also hates oppression and injustice. In cases where the opposite of this principle is observed, crookedness has crept into man's *fitrah*, and deficiency has emerged in preliminaries and other requirements connected with man's soul.

Among the Divine *fitrah* inherent in man's essence at his creation is love for *'idalah* and humility before it

and disgust for injustice and oppression.89

Tenth Proposition: God's tradition attached to life on just way

Fixed and lasting laws govern the world of existence. Some of these laws are natural and other human, and are actualized in a way that does not bar man's will nor do they counter his free choice. *idalah* flows like blood in the veins of the universe. It is, therefore, one of the unalterable traditions of the world of existence and perpetual laws governing the order of the world and ruling over man's life. The saying that the world is a place for punishment and reward or that the world is a place for action and reaction and "any action is equally but oppositely reacted", indicate that a tradition called *idalah* governs the world and this tradition also governs man's life. The realization of traditions in the world is based on Divine wisdom and emanates from His knowledge and power. In such an arena, the one who disobeys the fixed, immutable and absolute tradition of *idalah*, the law of *idalah* will enforce the necessary punishment on him. Take the following quotation for elaboration:

"God's wisdom necessitates that people live justly and take step within the limits of Divinely laws. This is the unalterable wisdom and traditions of God."90

Eleventh Proposition: 'idalah is the criterion of all positions in Islam

One of the most important dimensions of *idalah* is political *idalah*. One of the subjects connected with *idalah* deals with positions and responsibilities. In Imam Khomeini's viewpoint, *idalah* is the condition for undertaking responsibilities and positions. Of course, *idalah* in this sense is regarded as a virtue of the individual being superior to and overlooking his other virtues. Furthermore, this type of *idalah* applies to all positions. If an individual is to undertake a responsibility but is not just, the acceptance or undertaking of the position is not legitimate for him. Here, *idalah*, on the one hand, is related to the legitimacy of the responsible individual's power and authority and, on the other, to his duties and efficiency within the political and social system in the society.

Imam Khomeini's attitude to *idalah* in the human dimension, although a mystical and jurisprudential and concerned with duties and responsibilities and has personal aspect, found political and social role in connection with position, spreading from the individual to the society. If the responsibilities of a society are vested with just individuals, then society can develop into a just society. This question depends on the people's main responsibility and administration of the universe that is vested in a just philosopher and an absolute just God of the Universe.

Islam's God is just, its prophet is just, its immaculate Imams are just, its judge is just, its jurisprudent is just, its witness to divorce is just, its Friday prayer leader should be just. Everyone from the Holy Essence of the Great God to governor, etc. should be just.91

Twelfth Proposition: 'idalah neither means injustice nor succumbing to oppression.

In this proposition, *'idalah* in its human concept has vast and inclusive dimensions and encompasses economic, political, cultural, judicial and legal aspect, being exactly in contrast to oppression and injustice. If, in Islam, oppression means *'vaza she fi ghair*,"[92] or in the sense of digressing from moderation,[93] it applies not only to individual human being as a person but also to the community and the society. On this basis, any oppression is other than *'idalah* and is against it, because deflection from *'idalah* is maintained as just. Moreover, any deviation and crookedness in man's individual and social life is construed as oppression. *'Idalah*, in this sense, is the absence of deviation. Imam Khomeini stressed the two dimensions of the subject: committing oppression and submitting to oppression, considering the latter to be oppression as well. Therefore, forgoing one's right or spoiling and overlooking it is also regarded as injustice. On this basis, Imam Khomeini has borne in mind the most extensive meaning of *'idalah* in the realm of human life.

'Idalah signifies to neither do injustice nor surrender to injustice. The infallible Imam summarized Shi'ism in two phrases: neither tolerate oppression nor be oppressive.[94]

Thirteenth Proposition: 'idalah is an abiding habit that always impels the individual to associate with piety

In jurisprudential attitude, *'idalah* is taken as an individual peculiarity and by commanding it, a just man finds a capability and power that always drives him to accompany piety, preventing him/her from committing forbidden acts and abandoning of obligatory things. Most of the fuqaha (Muslim jurists), moralists and theologians in the world of Islam sanction *'idalah* as temporal habit and state. The *'idalah* applied in different chapters of *fiqh* (jurisprudence) and as a precondition for congregation and Friday prayer leader, the leader or *wali–e amr* (supreme Muslim jurisprudent), witness, judge, etc. has been applied in this sense. Here, *'idalah* is, firstly, an individual trait and its subject is the individual and secondly *'idalah* is more or less synonymous with *taqwa* or piety at its different levels and observing acts of purity. *Taqwa* and the observance of cleanliness has levels beginning with the performance of obligatory rules and abstaining forbidden acts in the public view extending to higher levels. On this approach to *'idalah*, Imam Khomeini said:

'Idalah is a deeply rooted temporal trait constantly urging man to observe *taqwa*, abstain from unlawful acts and perform obligatory rules.[95]

The fact that *'idalah* in this expression can have different levels, from the jurisprudential view, caused the individual to be reduced to his lowest level, that is, reduced to mere performance of obligatory acts and refraining from doing unlawful deeds in public. Of course in the sight of Imam Khomeini, the approach to *'idalah* is not disconnected with social and political issues, but is also ground for the realization of social and political *·'idalah*. In his view:

"Upon surrendering his passions and wrath to the station of *'idalah* and canon, *'idalah* will emerge in the land [of souls and society] and a rightful just government will be established, where in the rulers are the

truth and truthful laws."[96]

2. Concepts and definitions of ʿidalah

After stating the main propositions of Imam Khomeini in the realm of justice, we shall look into the concepts and definitions of *ʿidalah* in his philosophical, jurisprudential and theological perspectives:

ʿIdalah: an attribute of the Creator and a tradition of the universe

From the view point of Imam Khomeini, the world of existence is not void nor is it the result of accident and chance. The Universe has one judicious Creator who has created the world based on absolute knowledge and power, wisdom and favor and administers it, having absolute knowledge of all its dimensions. The world is His property, belonging and creation and except Him none can be the real owner.

The root and essence of all these beliefs in us is the principle of monotheism. In conformity with this principle, we believe that the Creator and Sustainer of the world, the entire universe and all existence and man is only the sacred essence of the Almighty who is cognizant of all verities, is capable of all things and the owner of everything.[97]

From Imam Khomeini's viewpoint, principles such as acceptance of responsibility, man's free choice, equality of people and codification of law are among this principle, monotheism, and emanate from it. The Essence of the Almighty is the absolute knower and is omnipotent and, as a result, the absolute wise one, thus commanding absolute *ʿidalah*. That is to say He has endowed every being its faculties and talents to achieve existence and its perfections. All components and pillars of existence in benefiting from this divine diffusion are equal and there is no oppression and existential injustice in the sacred presence of His Essence. The One God is the absolute just both in the creation and administration of the world, legislation for man and delegation of prophets.

Since God is the absolute just and His Essence is the same as *ʿidalah*, what streams and is issued out of his power is based on *ʿidalah*. Therefore, the order of the world is perfect and the best.

One of the sciences attested by both philosopher,[98] theologian[99] and the public from among the people of different religions without prompting any misgiving is that what has flown from the pen of power of the absolute Wise, great is His power, is the most beautiful order and in accordance with perfect interests and the perfect general order.[100]

From Imam Khomeini's viewpoint, *ʿidalah* pervades the entire universe as a general and all–encompassing law, turning it to a perfect and changing it for the best order.

The perfect order, which is the absolute beauty, is absolute beauty under the shadow of Absolute Beauty and its end is the very absolute beauty.

As part of the world of existence, man is also subject to the best and perfect order. Moreover, the ability to actualize Divine *'idalah* is relatively vested in man, thus adding to his value and merit. Basically, man is capable of actualizing the highest level of Divine *'idalah* applicable to humankind within him. Man is His great name and perfect man and in this arena the Messenger of God is the perfect prototype of the perfect man and, as Imam Khomeini said, man is the moderate limit and perfect resistance.

It is because in the manifestation of Names and Attributes and their realization, that is the absolute resistance and is exclusive to perfect man and his Lord is the station of the great name of God, who is on the straight path of the station of names. The perfect man's Lord, who is the seal of prophets, is on the straight path and perfect moderate limit.[101]

As it was pointed out, *'idalah*, in this sense, is realized in the order of creation and Divine legislation. In the order of creation, *'idalah* has been actualized in the world of existence in the form of Divine tradition s and its product is the best and perfect order; and in the legislation order, *'idalah* is for man's development in the form of just laws. As put by Imam Khomeini: The Creator's wisdom requires that people should live a just life and take steps within the limits of Divine injunctions. This wisdom is perpetual and among the unalterable traditions of God.[102]

'Idalah, a natural and conscientious tendency

Based on some narrations, *'idalah* is the army of intellect. Take the famous hadith quoted from Imam Ja'far ('a) under the title of the army of intellect and ignorance: "*al-aql wa jonud*."[103] He goes on to say: "*wal adl zed aljour*."[104] In explaining the hadith, Imam Khomeini classified *'idalah* in the category of the army of intellect, and oppression in the category of ignorance. He said *'idalah* and tendency to it is natural and inhered in man's nature. It is the natural and existential trait of each and every individual human being. Man naturally inclines towards *'idalah* and equity and detests oppression and tyranny. Man's sound temperament tilts towards *'idalah* and turns away from injustice and cruelty.

Furthermore, from Imam Khomeini's perspective, *'idalah* comes under the category of perfectibility; man is by nature a perfectionist. He is intrinsically after justice. Therefore, it should be understood that an inclination to absolute perfection and love of absolute perfection is within man's Divine nature.[105]

Also, *'idalah* is classified as good and happiness and man is naturally inclined towards good and avoids evil.

It is the nature of love for absolute perfection, the good and absolute good that is concealing and pleasing among the hierarchy of human beings ranging from the blessed to wicked, and learned to ignorant and superior to inferior.[106]

Hence, from Imam Khomeini's perspective, *'idalah* is good and perfection and oppression and injustice and trampling the right of others or its abandonment is imperfection. *'idalah* and equity is a natural propensity implanted in man and is shared by all. Therefore, it is not separable from man's essence

unless man's nature has been afflicted by some adversities.

By nature, man is humble before just fate and naturally shuns and disgusts oppression and injustice. Among the Divine *fitrahs* hidden in the depth of man's essence is the love of *'idalah* and humility before it and grudge against tyranny and refusing to submit to it. If one observes the opposite, one should know that some deficiencies have crept into the primordial temperament. 107

Hence, the love of *'idalah* and equity and attention to it and endeavoring to actualize it in human societies is not something to become outmoded and obsolete after a lapse of time or subjected to change or degeneration. It is rather a lasting tradition and law in the order of creation like rational rules and principles.

Implementing laws based on the criterion of equity and *'idalah*, preventing oppression and despotic rule and the dissemination of individual and social *'idalah* and freedom based on intellect and *'idalah* ... politics and directing the society in conformity with the norms of intellect and *'idalah* and equity and hundreds of other similar concepts are not things to become antiquated with the passage of time in the course of human history and social life. If one makes such a claim, it implies that rational and mathematical laws should be changed in the contemporary world and superseded by others. 108

'Idalah in the sense of moderation and middle way

In compliance with Aristotle, Imam Khomeini discussed moral virtues and regarded *'idalah* as the middle way in (man's) affairs. Of course, although the issue of middle way does not always find meaning in many good moral traits, since *'idalah* is itself a type of moderation and middle way, presenting it as moderating virtue seems to be correct, given the two extremes (discrimination, tyranny and greed) and (trampling upon and ignoring other's rights). Imam Khomeini had repeatedly underlined that:

"Know that *'idalah* consists of the middle way between the two extremes and is the most important of moral virtues." 109

Therefore, 'idalah signifies a middle way between the two extremes and overstatement and understatement." 110

However, the reason that a "just compulsory religious theory" applies to ethics is the description of the duty as justice–oriented, because good morals as prescribed in the body of knowledge signifies coming out of the two extremes, each of which is despicable; and *'idalah* which is the middle way and moderate level between the two extremes is desirable. For example, courage, which is one of the pillars of good morality and virtuous disposition, consists of a middle way and moderate state between the two extremes, and may be construed as temerity consisting of being fearless where fear is condign and between the two extremes that is defined as timidity when there is no ground for fear. Hence, being just denotes a religious duty that should conform to ethics. 111

On this basis, since *'idalah* is placed in the middle way in relation to other virtues, it creates balance in all those virtues. As a consequence, the validity of other virtues is determined by *'idalah*. Therefore, *'idalah* and equity are the criterion and measure of other affairs, measure and criterion that stands in the chain of causes and through which the enjoining and forbidding of good or bad deeds is carried out. Hence, in law and jurisprudence, in politics and economics and ethics, *'idalah* is a fundamental and primary principle and criterion by which other things are measured.

'Idalah as way and method of human perfection

Perhaps the most important concept of *'idalah* in Imam Khomeini's view, with a view to the theory of *'idalah* in Islam, is the middle way and path of moderation. That is to say, in man's evolutionary course towards prosperity and spiritual journey towards God, *'idalah* is the path man should traverse in order to attain perfection and so that it will develop into lasting disposition encompassing all man's existence and change him to a perfect just man. This attitude to *'idalah* is a mystical one resting on *suluk* (spiritual journey), considering *'idalah* as the method of journey of the perfect man. In this perspective, *'idalah* is looked as a straight path in which the *salik* (spiritual wayfarer) is engaged in self–purification so as to accomplish the desired perfection. The most important citations of the Imam in this respect consist of the following verses: "When ye climbed (the hill) and paid no heed to anyone, while the messenger, in your rear, was calling you (to fight). Therefore He rewarded you grief for (his) grief, that (He might teach) you not to sorrow either for that which ye missed or for that which befell you. Allah is informed of what ye do"112 and "Show us the straight path"113 along with the following *hadith*: "Jabir related: 'We were sitting beside the Prophet who drew a straight line in front of him and said, "This is the path of God." Then the Prophet drew two lines on either side of the first one and declared, "These are the ways of Satan." Then the Prophet put his hand on the middle line and recited the above verse.'"114

In this perspective, the absolute truth and perfection stands before man. Between man as the starting point and God as the ultimate goal only one line is conceivable, since no more than two points exist. Imperfection and absolute perfection or servitude and Divinity are the ways that should be traversed so as to attain absolute perfection within one's capacity. Treading upon this path is proceeding in the course of moderation and justice. For this reason, from Imam Khomeini's viewpoint, *'idalah* is the ·way of the perfect man's journey towards the Beloved and true happiness. While man is journeying in this course his faculties will be regulated. Therefore being in the path, being a middle way and being moderate are all, in fact, *'idalah*, because all signify movement in the correct and straight path and not deviated.

If we visualize a straight path connecting the point of servitude to the station of proximity to Divinity, then the path for the perfect man to traverse starts from the defective point of servitude to the perfection of the glory of the *'idalah* of Divinity, that is, the straight path and moderate way. In holy narrations, we read that the path is narrower than a strand of hair and sharper than sword.115 That is why moderation is the real middle way.116

Of course, we should know that the path of *'idalah* has different meanings and levels. Sometimes *'idalah*

is applied to the outward aspects of the canon and acting according to what is obligatory and quitting what is forbidden. This is the jurisprudential explanation of *'idalah*. Sometimes *'idalah* is applied in ethics in which the notion is construed as moderation of the three faculties of human soul (passion, wrath and animalism). At other times, the term is applied to beliefs or to all. In this sense, being just differs in different human beings subject to the circumstances and faculties of the wayfarer in the cause of God. Therefore, from Imam Khomeini's perspective, real *'idalah* and the perfect way of *'idalah*, in its true sense, is the Muhammadan line; that is the way of the Divine great Name or the Holy Prophet of Islam.

And real moderation is not possible except for the perfect man who has not digressed from the path from the beginning to the ultimate destination and attainment of the Truth. This is, in all sense, toeing the Ahmadi or Muhammadan line.117

Therefore, the way of *'idalah* has different dimensions. For instance Imam Khomeini referred to some of these dimensions as follows:

1. *'Idalah* for the spiritual wayfarer is like the manifestation of divine knowledge in his heart. *'Idalah* in it consists of refusing to hide the Truth people and the people to the Truth. In other words, the observation of unity in multiplicity and multiplicity in unity something that is exclusive to the most perfect men of God.118

2. 'Idalah in fundamentals of faith. 'Idalah consists of perception of the existential truth.119

3. *'Idalah* in ethics consists of the regulation of the entire inward and outward and spiritual and physical faculties.

'Idalah, a disposition of the self and intuitive state

Selfish disposition and habit of *'idalah* is something that is unanimously sanctioned by most jurists and theologians and philosophers. This selfish habit and state takes form as the result of practice and exercise, tendency to truth, piety and forbearing exclusive interests and giving precedence to public interests and traversing the path of at different levels and gradually in individual, preventing him from committing what is forbidden and harming others and calling him to perform obligatory things, self-sacrifice in the way of public interests, self-sacrifice, purity, equity and moderation. As put by Ibn Abi Al-Hadid:

"*'idalah* is a habit by which virtuous and good actions naturally and conveniently originate from man's soul."120

Imam Khomeini in defining *'idalah* in this light wrote in question 28 of the subsidiary rules of *taqlid* (imitation) in Tahrir Al-Wasilah:121

"*'idalah* is a rooted quality (habit-disposition) of the self always driving man to the company of piety and abandonment of what is forbidden and performance of what is obligatory."122

This look at *'idalah* is jurisprudential and in different chapters of fiqh (jurisprudence) it has been defined as conditions when an individual accepts a special responsibility or duty such as that of a *Vali–e–Faqih* (Supreme Muslim Jurisprudent), Friday prayer Imam or leader, congregational prayer leader, judge and witness, etc. *'Idalah*, in this perspective, can have varied levels, the lowest being the performance of obligatory and forbidden acts in public and will be rendered invalid by the abandonment of an obligatory act or committing a religiously unlawful act. Of course, Imam Khomeini stressed peccadillos (venial sins) as well. For this reason, after defining *'idalah* as rooted quality of the self[123] he wrote:

"The quality of *'idalah* in terms of jurisprudential injunction will be rendered invalid by committing a cardinal sin or insistence on committing venial sins. In fact, by way of precaution, it will be invalidated if one commits minor sins [without insistence]. If the disposition of *'idalah* endures within man, the quality of *'idalah* would be restored through repentance.[124]

The ways leading to the knowledge of *'idalah*, from Imam Khomeini's viewpoint, consist of:

1. Testimony of two just persons,[125]

2. socialization that triggers knowledge or confidence[126]

3. knowledge promoting contagion[127]

4. good appearance and a strict protection of religious injunctions, etc.,[128] and considers this case to be for mere obedience manifestation of *'idalah* although it fails to trigger presupposition or knowledge of *'idalah*.[129]

Also, in response to the question "if a just person backbites another just person, will the one who talks behind the back of a person be no longer just", the Imam said:

"If their *'idalah* has been substantiated, both are subject to *'idalah* as long as one is not convinced of the iniquity and the act of either of them is subject to rectitude. However, if it is obvious that the backbiter has slandered unjustifiably, the slanderer will no longer be just."[130]

Although this dimension of *'idalah* provides a fully individual aspect of *'idalah*, such a view of *'idalah* is not irrelevant to the view of *'idalah* as a social and political subject; it will provide the ground for and a prelude to *'idalah*.

'Idalah, a social attribute

Although Imam Khomeini, in his works and utterances, had not presented a special concept of social *'idalah* or not treated its social dimension,[131] the attitude and attention he had towards equity and *'idalah* in society and the political, social, economic and judicial organizations were expressive of the fact that he viewed *'idalah* as a social attribute and state and not merely an individual habit or virtue. In this perspective, *'idalah* is an attribute and feature of political and social laws as well as a quality of social

and political groups and organizations and above all of human society. For instance, one of the most important and perhaps the main feature of the Islamic Republic is to give expression to *ʿidalah*.

"In the Islamic Republic, there is no bullying; in the Islamic Republic, there is no injustice; in the Islamic Republic, welfare will be thought out for the poor, the indigent people will regain their rights and divine *ʿidalah* will cast its shadow."132

Also, from Imam Khomeini's viewpoint, religious laws and the totality of jurisprudence and its subject aims at the realization of *ʿidalah*, because laws are all instruments and means for the actualization of *ʿidalah* in the society.

Religious commands are the laws of Islam and these commands are a case of the status of the government. In fact, the commands are welcome as accident and as instrument for the administration of government and promotion of *ʿidalah*.133

On the other hand, it should be known that in his viewpoint in a society based on monotheism, all affairs would originate from divine *ʿidalah*. Therefore, *ʿidalah* in society results from Divine *ʿidalah* and monotheism. In his perspective, in a monotheistic society, all privileges will be nullified and piety will be the criterion for all affairs. In such a society, the ruler is equal to the lowest individual and sublime Divine and human criteria and rules will be the basis of covenants or severance of relations.134

On this basis, it can be gathered that Imam Khomeini believed that Divine *ʿidalah* can be relatively implemented in the society and that human beings can accordingly proceed to actualize a type of *ʿidalah* in the society by establishing a government and creating political establishment.

Of course, the expansion of *ʿidalah* is the same as the expansion of the attribute of the Almighty for people who have vision. They discuss *ʿidalah*, are responsible for social *ʿidalah*, establish a government that is just.135

A look at the works of Imam Khomeini and the frequency of the application of the term *ʿidalah* and its derivatives indicate that he attached importance to the social aspect of *ʿidalah*. For instance, in his 22–volume *Sahife–ye Imam*,136 the term social *ʿidalah* has been applied on 471 occasions, *ʿidalah* in 372, just in 173 and equity in 15 cases.

Above all, from Imam Khomeini's viewpoint, Islam has expounded the applicability of *ʿidalah* in all its dimensions and by understanding it such *ʿidalah* can be implemented in the society. Furthermore, what Islam has presented regarding *ʿidalah* "is judicious, applicable, objective and comprehensive."137 Therefore, Imam Khomeini respects the Islam that presents *ʿidalah* as its axis and foundation.

"We want to establish Islamic *ʿidalah* in this country, an Islam that countenances *ʿidalah*; an Islam that repudiates oppression and an Islam in which the ruler and the people from the lowest walk of life are equal before law."138

On this basis, if in a society, equality before law prevails and there remains no room for discrimination and duality and all layers of society have gained their rights, that society can be said to be just. Therefore, from Imam Khomeini's perspective, *'idalah* is not exclusive to judicial power or an individual human being, but rather to all relevant social institutions.

Implementing Islamic *'idalah* is not exclusive to judicial power and its affiliates. Other organizations in the Islamic Republic of Iran including the Majlis, the government and its different organizations, military and disciplinary forces, *sepah–e pasdaran* (Islamic Revolution Guards Corps), committee, *basij* (volunteer paramilitary forces) and other superintendents should seriously work for the implementation of *'idalah*.[139]

Second Discourse: Quiddity of 'idalah in Imam Khomeini's Perspective

In view of the previous talks, we come to realize that the most important and outstanding conceptions considered by Imam Khomeini regarding *'idalah* are as follows: a middle way or moderation, a straight path or way and steadfastness in traversing it, a habit of the self, social quality, an attribute of the Almighty and a natural inclination in man.

Among these concepts what is expressive of the quiddity or essence of *'idalah* in Imam Khomeini's viewpoint is the middle way and moderate path in dealing with affairs, which can be maintained as the straight path. As steadfastness on the straight path in Imam Khomeini's viewpoint is not different from the observance of the middle way and moderate path, *'idalah* in this sense is not only the self's and spiritual disposition for the individual human being, but can also be a disposition of the society. Therefore, a just individual is one who proceeds on the straight path and acts based on moderation adopting a middle way and is steadfast in this moderate movement and straight line in a way that he will not deviate. For this reason, the Imam had repeatedly described *'idalah* as the middle way of both extremes. For instance in the book entitled Exposition of Hadith on the Army of Intellect and Ignorance, Imam Khomeini wrote:

"Know that *'idalah* signifies a middle way of the two extremes and is among the most important ethical virtues. In fact, absolute *'idalah* is the entire inward and outward virtues of the self, soul and heart, because *'idalah* is absolute."[140]

As pointed out in the above quotation, the middle way between the two extremes and being straight are, in all senses, equal to each other. *'Idalah*, in this sense, is before all else an attribute of the Creator of the universe and thereafter a selfish attribute or disposition of the perfect man.

It is because in the manifestation of the Names and Attributes (of God) and their realization, which is the absolute resistance and is exclusive to the perfect man and his Lord is grand Name of God who is on the straight path of the Presences of the Names, as he had pointed out.[141]

Or in the book entitled Forty Hadith[142] commenting on the Prophet's (s) utterance: "*enamal elm ayatmohkamat*"[143], Imam Khomeini said:

However, the reason that the "just compulsory obligation" applies to ethics is the description of the theory as " just", because temperament of goodness as provided in ethics signifies deflection from the two extremes, both of which are despicable and *'idalah*, which is the middle way and moderate level between the two extremes is comely. For example, courage, which is one of the pillars of good morality and virtuous disposition, consists of a middle way and a moderate state between the two extremes, and can construed as audacity that consists in being fearless where fear is condign and pusillanimity, which means fearing where there is no ground for fear. And wisdom is one of the pillars, which is a mean between the evil of idiocy, which has been as modified into boldness which means applying one's intellect in futile acts where it is not befitting, and the evil of ignorance described as the suspension of the power of intellect in cases where it is appropriate to use the intellect. Similarly, chastity and generosity are the middle way between the evil of avarice and lethargy and prodigality and niggardliness.144

Therefore, *'idalah* in Imam Khomeini's view is the middle way in the affairs of man and proceeding in this middle way or displaying steadfastness on the straight path. Then he defined the dispensation of *'idalah* as transforming an oppressor into a just one; that is, saving him from deviation and crookedness and placing him on the course of the middle way and moderation in life or the straight path. On this basis, he considered the order of the world to lie in the best and most perfect creation, because it had been created on a straight path and on the basis of *'idalah* and steadfastness and is the product of the wisdom of Absolute Beauty.

Based on this outlook, the straight path governing the truth of existence indicates that: "The Creator's wisdom has ordained that people should live in accordance with the just way."145 God has inhered in man the concept of *'idalah* as a natural inclination as well as love for it, delegating the messengers and sending the revealed scriptures for this purpose. For this reason, *'idalah* is the measure of religion, canon, jurisprudence, law and commands. Considering *'idalah* as a criterion and measure, as pointed out in narrations, substantiates this meaning. Therefore, since *'idalah* signifies a straight path and resistance in the middle way, based on Imam Khomeini's Sadra–inspired outlook, in the manifestation of Divine learning and monotheism in the heart of men of knowledge, *'idalah* means refusing to hide the Truth from the people or meeting unity in multiplicity and multiplicity in unity. And "extreme ways in this station is the concealment of either the Truth from the people".146

In beliefs and principles, *'idalah* consists of the "perception of existential truth per se from the ultimate end of the perfection of Divine names to the ultimate end of the reversion of manifestations to outward aspects, which is the truth of Judgement Day."147 In temporal ethics, too, *'idalah* is to establish in three powers of passion, anger and the Satanic or the imaginary. We should imagine in any state that *'idalah* "consists of the middle way between extreme ways and between overdoing and underdoing something."148 When he treated *'idalah* as the moderate and straight path, he was alluding to man's and societ 's traversing points in the middle and moderate way that the totality of these points in the course of life and man's transubstantial motion is drawn as a line that enjoys full resistance.

If we visualize a straight path connecting the point of servitude to the station of proximity to Divinity, then the path for the perfect man to traverse starts from the defective point of servitude to the perfection of the glory of the *'idalah* of Divinity, which is the straight path and moderate way. In holy narrations, we read that the path is narrower than a strand of hair and sharper than a sword.149 That is why moderation is the real middle way.150

Therefore, in Imam Khomeini's Sadran attitude, the path of *'idalah* or straight path or virtue in absolute sense and the way of *'idalah* and moderation and truth is not more than one, but deviations, crookedness and evils are of many, if not of infinite, kinds.

In another survey, Imam Khomeini in pursuance of Farabi and Ibn Sina and some other Muslim philosophers defined man as possessing two general powers of perception and feeling or provocation. The power of perception consists of two dimensions of theoretical reason or intellect the middle and moderation of which being wisdom, and the practical reason or intellect the middle and moderation of which being *'idalah*. This is why wisdom is also *'idalah*. Therefore, moderation and the middle way of this power (intellect) is *'idalah*. The power of provocation also consists of attractive force that triggers sensual passions and its moderation and middle way is chastity. It is the power of wrath whose moderation and middle way is courage. Since chastity and courage return to *'idalah* and by *'idalah* as an absolute virtue is meant this very meted *'idalah* that consists of wisdom, chastity and courage as well.

What Imam Khomeini, by relying on Sadran intuitive and philosophical attitude, had presented on the manifestation of Divine names and attributes and the manifestations of Divine knowledge and beliefs and faith–related truth – in the sense of regulation of power of practical reasons, not the general *'idalah* – is compatible. Therefore, there is no conflict in the two types of Imam Khomeini's attitude. Moreover, the second attitude also does not conflict with the theoretical nature of *'idalah* – whether in the sense of its perception or feeling and tendency to it and love of it. That is why Imam Khomeini considered realization of *'idalah* to be in the regulation of the two above powers, particularly the rule of 'idalah in the powers of lust and wrath.

After the submission of lust and wrath to the station of *'idalah* and canon, *'idalah* emerges in the body or country and the rightful just government will be established; and the administrator, ruler and laws in this government are just.151

1. Muhammad Rida Pahlavi the ousted king of Iran, son of Rida Khan, and the second and last king of the Pahlavi dynasty fled Iran after 37 years of reign following a nationwide uprising of the people of Iran under the leadership of Imam1 Khomeini ('a) in month of Dey 1357 AHS.

2. Sahife–ye Nurr, Ibid, v. 3, p. 13.

3. Ayatullah. 'Allamah Haj Mirza Sayyid Abu al–Hasan Rafi' Qazvini (1315–1396 AH) was a genius versed in rational narrative sciences. He is among the sagacious Shi'ah Imamiyah scholars. He began the acquisition of preliminary religious studies among the theology students and then moved to Tehran and finally returned to Qum, attaining to lofty stations and sublime levels under the guidance of prominent ulama such as Aqa Mirza Hasan Kermanshahi and Haj Sheykh Abd al–Karim Haeri Yazdi. He was versed in interpreting the ideas of Mulla Sadra and settlement of the mysteries of Asfar. A number of his works are annotation on Asfar Arba'a Sadr al–Muta'allehin, explanations on fundamentals of faith and notes

on Rasail or Sheykh Ansari.

4. Ayatullah Mirza Shah Abadi (1292–1363 AH), a noted Jurisprudent, mystic and philosopher of the 14th century, completed his schooling in theology seminaries in Isfahan, Tehran and Najaf. He was Imam Khomeini's teacher of 'irfan (mysticism) and akhlaq (ethics). Some of his works are al-Ma'arif; al-Insan al-Fitrat, al-Qur'an wal 'Itrat and annotations on Kifaya.

5. Ibid, p. 87–88.

6. Mirza 'Ali Akbar Yazdi (died in 1344 All) was among the students of philosophy and 'irfan in Tehran. He lived in Qum the closing years of his life and began teaching philosophy. He was well versed in mathematics. Imam Khomeini benefited from his classes for some time. His essential works consist of "Annotations on Asfar" and "Annotations on 'Qawanin al-Usul' of Mirza-ye Qumi".

7. Apparently, the first lesson Imam Khomeini began teaching officially was philosophy.

8. Milad Kawthar, Message of Revolution, (weekly), no. 81, Saturday 13 Farvardin 1362 AHS,
p. 58.

9. The most famous book of Sheykh Mulla Hadi Sabzevari known as "Asrar" dealing with logic and philosophy is in two parss : the first part is "'Ilal Mansomeh" and the second "Qur'an al-Fava'id. Both have been published in one volume entitled The Exposition of Mansomeh.

10. The book entitled Asfar or more precisely the Four Asfar is one of the books authored by Sadr al-Muta'allehin Mulla Sadra-ye Shirazi (979–1050 AH). In this hook Sadr al-Muta'allihin divided philosophical polemics into four categories on the credit that thought is a type of mental journey as follows: 1– Questions constituting the basis and prelude to the subject of towhid (monotheism) and, in fact, the thought's journey from people to the Truth, 2– Subjects on towhid and knowledge of God and Divinely attributes, 3– Issues dealing with his actions, 4– Polemics on the soul and resurrection.

11. Sayyid Ahmad Khomeini, "Imam, Hawzah, Politics" quarterly Hodur, No 1, Khordad, 1370, p. 9.

12. Sahifeh-ye Imam, v. 13, p. 285, Ritual of Islamic Revolution from Imam Khomeini's Viewpoint, Tehran: (Compilation and Publication) Institute for Compilation and Publication of the Works of Imam Khomeini , 4th edition, 1376 AHS, p. 192 .

13. Sahifeh-ye Imam, v. 13, p. 265.

14. Ibid, v. 13, p. 504.

15. The Etiquette of Salat (prayers), Ibid, p. 251.

16. Sahife-ye Imam, Institute for Compilation and Publication of the Works of Imam Khomeini, v. 21, pp. 222–225.

17. The Akhbariyun were a sect of Imamiyeh Shi'ah 'ulama or scholars who considered reports and narrations of the Household of Prophet (s) as the most important source for religious teachings and fundamentals of faith, accepting other principles and documents as far as ahadith (plural of hadith or narration) would verify.

18. Ritual of Salat (prayers), Ibid, pp. 200–201.

19. Sahifeh-ye Imam, v. 21, p. 278.

20. Ibid, p. 280

21. These sources consist of the Qur'an, the sunnah (narration), ijma' (consensus) and 'aql (reason).

22. Shaykh Abu'Abdullah Muhammad bin No'man (336 or 338 – 413 AH), also called "Sheykhe Mofid" and "Ibn Mo'allim" was among the noted Shia fuqaha, theologians and traditionists. He chaired the scientific chair in Baghdad. He completed his studies under the guidance or Shi'at, Sunni and Zaidi scholars such as Ja'far ibn Muhammad Qawawiyyah, Sheykh Saduq ibn Joneid, Eskafi and 'Ali ibn Abi al-Jeish Balkhi. Sayyid Murtada 'Alam a1-Hoda, Sayyid Radi, Shaykh Tusi and Najashi were his most famous students. His essential works are 'Irshad", "Ikhtisas", "Avael al-Maqalat", "Amali" and "Moqne'a".

23. Shaykh Tusi, known as Shaykh Abu Ja'far Muhammad ibn Hasan, also called Shaykh alTaefe (385–460 AH) was among the prominent Shi'ah jurisprudents, traditionists and ulama. A student of Shaykh Mofid, Shaykh Tusi was the first person who made Najaf the center of knowledge of Shias. Among his works, the following may be cited: Istebsar wa Tahzib alAhkam among other Shi'at four books.

24. Jawahir refers to Jawahir al-Kalam, a book written on various subjects of fiqh or jurisprudence written by Shaykh Muhammad Hasan ibn Baqir an-Najafi (d. Sha'ban 1266 AH), a great faqih or jurisprudent as well as a prominent Marja'i Taqlid (Reference Authority), explaining Sharaye al-Islam by Muhaqiq Hilli Sahib al-Jawahir refers to Shaykh Muhammad Hasan ibn Baqir an-Najafi, renowned as Sahib al-Jawahir, literally meaning 'owner of Jawahir'. Sahib al-Jawahir began

writing the book at the age of 25 and worked on it for 30 years to complete.

25. Muhammad–Mahdi al-Asifi, "Theology of al-Imam al-Khomeini fi dowr az-Zaman wal-Makan fi al-ijtihad", (anthology of articles, papers), the Congress on the Fundamental thoughts of Imam Khomeini: The rule of time and place in ijtihad, Tehran: 'Oruj Publication Institute, v.5, 1374, p. 11.

26. Jawaheri Ijtihad is derived from the method of reasoning of the late Shaykh Muhammad Hasan Najafi (died in 1266 AH) author or the book Jawahir al –Kalam. The book is a complete and comprehensive encyclopedia of fiqh containing utterances of 'ulama and their arguments. This book of fiqh is indicative of the peak of fiqhi movement and its writing in extensive form; it also provided samples of the research and profound study of the utterances made by former fuqaha (Jurisprudents), demonstrating power of reasoning inspired from the Qur'an and hadith. Imam Khomeini here intended to encourage attention to be given to reasoning and discovery of the fundamental viewpoint of Islam and underscore the need for delving into the four sources: book , sunnah, Ijma' and 'aql for the deduction of Divine laws with the method adopted by the author of Jawaher. In some of his expressions, Imam Khomeini considered the ijtihad applied in Theological seminaries to be insufficient. It appears by insufficiency of ijtihad (while being committed to traditional and Jawahiri ijtihad) he meant disregard of methodology and knowledge of opportunity, time and place as well as the government dimension of fiqhi subjects.

27. Sahife–ye Imam, v. 21, p. 289.

28. Many social laws and relationships required by Muslims have been provided in the Book and Sunnah, with their ruling having been determined generally or specifically. This group of ordinances is called "primary ordinances."

29. Ordinances that fully qualified fiqh deduces from the four sources: Book, Sunnah, consensus and aql (intellect). The book entitled Islamic Government or Wilayat–e Faqih (guardianship of a supreme Muslim jurisprudent) provides Imam Khomeini's opinions deduced from the four sources highlighting inseparability of religion and politics and underscoring Wilayat–e Faqih at the time of occultation. The book, which has been published in Arabic and Persian in pre and post-revolution period consists of a series of speeches made by Imam .Khomeini in the holy city of Najaf in 1348 AHS. The Institute has reprinted the latest version of the hook together with a preface, explanations and index for Compilation and Publication of the Works of Imam Khomeini in 1372 AHS.

30. Sahife–ye Imam, v. 20, p. 452.

31. Sahife–ye Imam, v. 21, p. 178.

32. Majid Amini, "Interpretation of Imam Khomeini's Viewpoint on the Role of Time and Place", Jurisprudents, time and place, v. 1, p. 50, quoted from speeches of Imam Khomeini dated 10/10/1375 AHS.

33. Sahife–ye Imam, v. 21, p. 289.

34. Imam Khomeini, interpretation of Surah Hamd of the Qur'an, Tehran: Institute for Compilation and Publication of the Works of Imam Khomeini (S), p. 145.

35. Ibid, Wilayat–e–Faqih (Islamic government), Qum: Azadi publication, Bita, p. 5.

36. Refer to ibid, pp. 50–53.

37. Sahife–ye Imam, v. 1, p, 269.

38. Ibid, v. 3, p. 227.

39. Ibid, v. 1, p. 270.

40. Ibid, v. 1, p. 270.

41. Imam Khomeini, Tahrir al-Wasilih, Qum: Isma'iliyan Press Institute, Bita; al-Najaf alAshraf Matba'at al-Adab, al-Tab al-Thaniyah, 1390 AH al-Juz' al-Awwal, pp. 234, question 9.

42. Ibid, Kitab al-Bay', Qum: Isma'iliyan Press Institute, [Bita], v. 2, p. 472; Positions and Authorities of Wali–e–Faqih (translation of discussion on Wilayat–e Faqih from Kitab al-Bay'), translation and publication; Tehran: Ministry of Culture and Islamic Guidance, 2nd Edition, 1988, p. 42 (with minor changes in translation).

43. Sahife–ye Imam, v. 18, p. 23.

44. Sahife–ye Imam, v. 4, p. 523.

45. Ibid, v. 1, p. 22.

46. 'Ali–Akhar Diya'i, Role of Imam Khomeini in Reviving Philosophical Thought, Tehran: Qadr–e Wilayat Cultural Institute, published in 1372 AHS, p.21.

47. A school of thought founded by Abu 'l–Hasan Ash'ari (260–324 AH). Due to theological controversies on vision of God, free will and predestination, God's attributes and other questions were widely debated in the society: gradually some Muslim scholars began negating the role of human intellect in understanding religious questions in the name of defending the Prophet's sunnah or tradition. The views of the Islamic theologian, al– Ash'ari, and his followers, known as the Ash'arites, prevailed amid such theological controversies.

48. Haj Aqa Mustafa, the eldest son of Imam Khomeini (r) (1930–1997) began the study of Islamic disciplines at the age of 15 and attained the advanced level of ijtihad at the age of 27. A young student of theology, he was versed in most or Islamic disciplines. His teachers were Imam Khomeini (r), the late Ayatollah Borojerdi and the late Haj Sayyid Muhammad Damad. He was arrested in Aban 13, 1343 AHS (4/11/1964) by the Shah's regime and imprisoned for 58 days in Qezel Qal'a Prison. After his release, Haj Aqa Mustafa moved to Qum. Like his honorable father, he was uncompromising and believed that the overthrow of the Pahlavi regime called for a nationwide uprising for which he made enormous efforts. The intelligence agents of the Shah's regime martyred Haj Aqa Mustafa at the age of 47 in Iraq one year prior to the victory of Islamic Revolution in Iran.

49. Ibid, pp. 22–23. In this respect, refer to Imam Khomeini, interpretation of Surah Hamd, Tehran: Institute for Compilation and Publication of the Works of Imam Khomeini, 3rd edition, 1376, pp. 189–191.

50. Sayyid Ahmad Khomeini was born in Isfand 24, 1324 AHS in the Holy City of Mashhad. After completing high school at the time of his honorable father's, Imam Khomeini (r), exile to Najaf, he began to study Islamic Sciences. He received schooling under the guidance of teachers such as his honorable father, Imam Khomeini (r), Ayatullah Sultani, Ayatullah Murtada Hairi and Ayatullah Musawi Shobeyri Zanjani and attained a lofty scholarly station. After martyrdom of his honorable brother Ayatullah Mustafa Khomeini, Ahmad Khomeini undertook the main responsibility for Imam's liaison with the friends of the revolution, keeping this role up to the victory of Islamic Revolution and afterwards. He was a friend and the confidante of Imam in fateful moments of the revolution. In so doing, he forwent accepting any government responsibility. This paradigm of patience and resistance, who was undoubtedly one of the unknown and innocent 'ulama of the Shi'ah world, passed away on Friday Isfand 28, 1374 and was laid to rest beside his beloved after an acute illness. Prior to his departure, Sayyid Ahmad Khomeini was in charge of the Holy Shrine of Imam Khomeini and directed the Insitute for Compilation and Publication of the Works of Imam Khomeini (r), publishing the works and ideas of the great leader of the Islamic Revolution.

51. Sayyid Ahmad Khomeini, "Imam, Hawzah and Politics," Quarterly Hodur, no. 1, Khordad 1370, p. 9.

52. Sayyid Jamaluddin Asad Abadi (1245–1314 AH) was a liberal man with philosophical, political and social ideas disposed to the establishment of democracy in eastern countries, the promotion of unity among Muslims and the establishment of a Union of Islamic States. He devoted his life to struggles against the dictatorship of the kings in Iraq, the Ottoman Empire and Egypt, also fighting the colonialist policies of Britain. He frequented the East and West in this line. In 1306 AH, he was exiled at the behest of Nasiruddin Shah of the Qajar Dynasty. Finally, he was imprisoned in Istanbul and poisoned to death.

53. Sahife–ye Imam, v. 10, p. 130

54. Forty Hadiths: An exposition of ethical and mystical traditions, p. 14.

55. Imam Khomeini, Interpretation of Surah al–Hamd, Ibid, pp. 170–171 .

56. Ibid, p. 173.

57. Ibid, p. 187.

58. Interpretation of Surah Hamd, Ibid, p. 142.

59. Ibid, p. 142–143.

60. Refer to Ibid, pp. 152 and 192–193.

61. Forty Hadiths: An exposition of ethical and mystical traditions, p. 184.

62. Surah Saba, 34: 46.

63. Interpretation of Surah Hamd, Ibid. p. 128.

64. Ibrahim (Abraham) was among the great prophets and progenitor of the Hebrews through his son, Isaac, and an ancestor of the Arabs through Ishmael. Christians, Muslims and Jews accept Abraham as an epitome of the man of unswerving faith. The Holy Qur'an has a chapter in Ibrahim's name, narrating the story of Nimrod throwing Ibrahim into the fire that turned to a garden for him at the behest of God. He died at the biblical age of 175 and was buried beside Sarah in

the Cave of Machpelah, in what is now Hebron, West Bank.

65. Khillat means friendship and is a station God granted to Ibrahim (peace be upon him). Imam Sadiq ('a) has been quoted as narrating: "God chose Ibrahim as His friend because he was a useful servant of God, and struggled for God's gratification."

66. Sahife-ye Imam, v. 1,p. 21.

67. Imam Khomeini, Turning Point, Tehran: Institute for the Compilation and Publication of the Works of Imam Khomeini, 5th edition, 1373, p. 14.

68. Ibid, pp. 15–18.

69. Interpretation of Surah Hamd, Previous, pp. 30–31 Ritual of Islamic Revolution, pp. 202– 203.

70. Imam Khomeini, Exposition of Forty Hadiths, p. 17.

71. Sahife-ye Imam, v. 16, p. 162.

72. Interpretation of Surah Hamd, p. 129.

73. Surah Hud, 11: 57.

74. Surah Hud, 11: 56.

75. Exposition of the Hadith on Army of Intellect and Ignorance, p. 148; Divine 'idalah in Imam Khomeini's Perspective, p. 23.

76. It is a theory on the world of existence in terms of its unity and multiplicity propounded by Mulla Sadra. According to this theory, both unity and multiplicity are real. That is to say, in the outside world there are diverse beings, something that is obvious and free from demonstration. This multiplicity does not contradict unity, as contended by some philosophers. The multiplicity governing the outside beings returns to a form of unity. There is a unity and commonality among all the diverse beings.

77. The Holy Qur'an introduces the Prophet (s) as prototype and epitome to his followers. What history has recorded, the Holy Prophet prayed: "O, God! Show me the truth of objects as they are." The true followers of the Prophet's school observe the verities of the world as they are by following the Prophet's footsteps and experiencing the spiritual journey in the names and attributes of God. Obviously, the spiritual wayfarer in this state sees the world supported by a light and unitary source, which is the sacred essence of the glorious God. Whatever exists in the world of existence is His manifestation.

78. Exposition of the Hadith on Army of Intellect and Ignorance, p. 148; Divine 'idalah in Imam Khomeini's Perspective, p. 24.

79. Sahife-ye Imam, v. 14, p. 153; Ritual of Islamic Revolution, p. 201.

80. Interpretation of Surah Hamd, ibid, p. 129.

81. Sahife-ye Nur, v. 14, p. 254; Ritual of Islamic Revolution, p. 202.

82. Sahife-ye Nur, v. 14, p. 103; Ritual of Islamic Revolution, p. 201; Interpretation of Surah Hamd, Ibid. p. 129.

83. Exposition of the Hadith on Army of Intellect and Ignorance, p. 147; Divine 'idalah in Imam Khomeini's perspective, p. 23.

84. Exposition of the Hadith on Army of Intellect and Ignorance, p. 147; Divine 'idalah in Imam Khomeini's perspective, p. 23.

85. Ibid. p. 150; ibid, p. 24.

86. Ibid, p. 151; ibid., p. 25.

87. Muhammad Ibn Ibrahim Shirazi (Mulla Sadra), Interpretation of the Holy Qur'an, v. 4, p. 52.

88. Exposition of the Hadith on Army of Intellect and Ignorance, p. 152; Divine 'idalah in Imam Khomeini's Perspective, p. 25.

89. Divine 'idalah in Imam Khomeini's Perspective, p. 26; Exposition of Forty Hadith, Tehran: Institute for Compilation and Publication of the Works of Imam Khomeini, 2nd Edition, 1368, p. 113.

90. Imam Khomeini, Wilayat-e-Faqih, ibid, p. 31.

91. Sahife-ye Imam, v. 3, p.304; Divine 'idalah from Imam Khomeini's Perspective, p. 29.

92. Raghib Isfahani, Al-Mofradat Fi Gharib Al-Qur'an, Ibid .p. 315.

93. Mustafa Rahimi Nia, Islamic Sciences Terminology Lexicon, Tehran: Fu'ad Publication, 1377, p. 134.

94. Kowthar, Anthology of Imam Khomeini's speeches along with events of Islamic Revolution. Tehran: Institute for

Compilation and Publication of the Works of Imam Khomeini, 2nd Edition, v. 3, 1374, p. 183.

95. Imam Khomeini, Tahrir al-Wasileh, Qum: Ismailian Publication, Bita, v. 1, Question 28, (subsidiary rules of taqlid or imitation); translation of Tahrir al-Wasilah by 'Ali Islami, Qum: Islamic Publications Office, 1371, pp. 12–13.

96. Exposition of Forty Hadiths, p. 169.

97. Sahife-ye Imam, v. 5, p. 387; Ritual of Islamic Revolution, p. 1.

98. On views of philosophers and mystics refer to Sadr ad-Din Muhammad Shirazi (Mulla Sadra), al-Asfar al-Arba', Qum, Maktab Mustafavi, Bita, v. 7, pp. 55–105.

99. On views of theologians refer to 'Allamah Hilli, Kashf al-Morad Fi Sharh-e Tajrid al'Itiqad, Sida, Maktaba al-Irfan, 1353 AHS, p. 234 (3rd part, Chapter 2, Section 3, note eight, Chapter 1–9).

100. Exposition of forty Hadith, ibid. p. 112; Divine 'idalah from Imam .Khomeini's Perspective, p. 132.

101. Exposition of the Hadith on Army of Intellect and Ignorance, pp. 147–148; Divine 'idalid in Imam Khomeini's Perspective, p 23.

102. Wilayat-e-Faqih (Islamic government, the guardianship of the jurist), Azadi Publications, Bita, p. 42.

103. Abu Ja'far Muhammad ibn Ya'qub Kolayni, ibid, v. 1, p. 99.

104. Ibid, p.24

105. Exposition of the Hadith on Army of Intellect and Ignorance, p. 99.

106. Ibid, pp. 76–77.

107. Exposition of Forty Hadith, Ibid. p. 113.

108. The last message of Imam Khomeini, Tehran: 1369, pp. 23–22; Sahife-ye Imam, Institution for Compilation and Publication of the Works of Imam Khomeini, Tehran: 1st Edition, 1378, v. 21, p. 405.

109. Exposition on the Army of Intellect and Ignorance, p. 145; Divine 'idalah from Imam Khomeini's Perspective, p. 23.

110. Exposition on the Army of Intellect and Ignorance, p. 150; Divine 'idalah from Imam Khomeini's Perspective, p. 24.

111. Exposition of Forty Hadiths, p. 391.

112. Surah Al-e Imran, 3: 153.

113. Surah Hamd, 1: 6

114. Jalal ad-Din Seyuti, Al-Dur Al-Mansur, Qum: Ayatullah Mara'shi, 1404 AH, p. 56. This narration has been related in different forms by Ibn Mas'ud and others.

115. Muhsin Faid Kashani, 'Ilm Al -Yaqin, Qum: Bidar Publication, 1358, v. 2, p. 969; Bihar AlAnwar, Ibid. v. 8, p. 65 and other sources.

116. Exposition on the Army of Intellect and Ignorance, p. 152; Divine 'idalah from Imam Khomeini's Perspective, p. 25.

117. Exposition on the Army of Intellect and Ignorance, pp. 152–153; Divine 'idalah from Imam Khomeini's Perspective, pp. 25–26.

118. Exposition on the Army of Intellect and Ignorance, p. 148; Divine 'idalah from Imam Khomeini's Perspective, p. 243.

119. Exposition on the Army of Intellect and Ignorance, p. 148; Divine 'idalah from Imam Khomeini's Perspective, p. 23.

120. Ibn Abi al-Hadid, Exposition of Nahj al-Balaghah, v. 6, p. 37.

121. Imam Khomeini's fatwas (religious decrees) in Arabic written at the time of his exile in Turkey (1343–1344 AHS). The book was published for the first time in Najaf in two volumes on two occasions and reprinted in Najaf, Beirut and Iran several times.

122. Imam Khomeini, Tahrir Al-Wasilah, Qum: v. 1, question 28 of subsidiary rules of Taqlid (imitation in matters of religion), also Translation of Tahrir al-Wasilah, translated by 'Ali Islami, Qum: Islamic Publications Office, 1371, pp. 12–13.

123. Tahrir Al-Wasilah, v. 1, p. 10, Question No. 28, Translation of Tahrir Al-Wasilah, v. 1, pp. 12–13.

124. Ibid, p. 10, Question No. 29, pp. 12–13.

125. Ibid, p. 9, Question No. 27, pp. 12–13.

126. Ibid.

127. Ibid.

128. Ibid.

129. Ibid.

130. Islamic Publications Office, Religious Inquiries, Qum: Islamic Publications Office affiliated to the Society of Teachers of

Qum Theological Seminary, 3-volume book, 2nd v. 1994, p. 621.

131. Kazim Qadi Zadeh in collaboration with Sa'id Diya'ifar, Jurisprudential-Political Thoughts of Imam Khomeini, Tehran: Presidential Center of Strategic Studies, 1999, p. 289.

132. Sahife-ye Imam, v. 6, p. 525.

133. Imam Khomeini, Kitab Al-Bay', Qum: Isma'iliyan Publications, Bita, 5-volume book, v. 2, p. 472.

134. Sahife-ye Imam, v. 5, p.81.

135. Imam Khomeini, Interpretation of Surah Hamd, p. 174.

136. Anthology of the family letters, religious permission, telegraphs, political and social letters, decrees, messages, speeches, interviews and utterances of Imam Khomeini, Great Leader of Islamic Revolution, compiled and published by the Institute for Compilation and Publication of the Works of Imam Khomeini in 22 volumes.

137. Sahife-ye Imam, v. 3, p. 323.

138. Ibid, v. 9, p. 425.

139. Ibid. v. 17, p. 140.

140. Imam Khomeini, Exposition of Hadith on Army of Intellect and Ignorance, p. 147.

141. Exposition of Hadith on Army of Intellect and Ignorance, p. 147.

142. Exposition of Forty Hadith is one of the valuable moral and mystical works of Imam Khomeini (r) written in 1358 AH (1318 AHS) in Persian. In this precious book, the forty hadith or narration of infallible religious leaders have been selected from the noble book Usul al-Kafi (34 of the ahadith or narrations excluding hadith no. 11, focus on moral issues and the last 6 hadith on ideological subjects) and explained in detail in fluent and impressive diction.

143. Abu. Ja 'far Muhammad ibn Ya'qub Kolayni, Usul al-Kafi, v. 1, p. 32, Book of Fazm al-Ilm, Chapter on Sefat al-Alim and Fazle, Hadith no. 1.

144. Exposition of Forty Hadith, p. 391.

145. Divine 'idalah from Imam Khomeini's Viewpoint, p. 26.

146. Exposition of Forty Hadith, p. 391.

147. Ibid p. 148.

148. Ibid. p. 150.

149. Muhsin Fayd Kashani, 'Ilm al-Yaqin, Qum: Bidar Publication, 1978, v. 2, p. 969; Bihar Al-Anwar, ibid v. 8, p. 65 and other sources.

150. Ibid. p.152.

151. Exposition of Forty Hadiths, p. 169.

Chapter 4: The Subject and Requirements of 'Idalah

● The Subject of 'idalah

● The Combat against Oppression, Injustice and Tyrants in Imam Khomeini's Attitude

● The Imam and Social *idalah*

First Discourse: Subject and Requirements of ʿidalah

The Subject of ʿidalah

From Imam Khomeini's perspective, the subject of *ʿidalah*, Divine names and attributes and their realization in existential truth and man and human society is the greatest of virtues. Therefore, the attributes of the Almighty, the coming into being of the world of existence and its administration, beliefs and the truth of faith, spiritual journey, becoming man, the manifestation of Divine attributes in the heart of man, human perfection, the moderation of man's powers, the creation of law, the administration of society and government, the legislation of laws and their interpretation are subjects of *ʿidalah*. Here, for a more extensive investigation, we take the subject in four axes:

The World of existence as a subject of ʿidalah

The One God is the absolute just. As a result in the realm of action and the coming into existence of the world and the legislation of laws required by man, God acts in no other way but justly. From this perspective, borrowing from Imam Khomeini's views, the subject of *ʿidalah* can be taken as the manifestation of Divine names and attributes in existential truths. Therefore, the generality of the world of existence in creation and essence is the diffusion of Divine grace, which is based on *ʿidalah*. Therefore, Divine *ʿidalah* flows in what has been issued from Him and this current is in absolute and perfect form. Hence, the existing order is the absolute and the best order and no defect and shortcoming is observed in it. "General goodness and moderation reign over it"1 From this perspective, Imam Khomeini follows Farabi and Mulla Sadra.

One of the learning attended by philosopher, theologian and people of the book with no slightest doubt for any is that what has streamed by the omnipotence of the absolute wise, great is his power, ranging from existence and its perfections and expansion of blessing and division of death and subsistence, is the best plan and most beautiful order and in conformity with absolute perfect interests and general order conceivable.2

Now it should be seen that if in the eye of Imam Khomeini, the world is pure *ʿidalah*, what place do issues such as evil, deficiencies, differences, intercession and the like have in the world? His works such as Exposition of Forty *Hadith*, Taqrirat-i Sharh Asfar and Kashf al-Asrar3 deal with these misgivings and finally assert that none of these can be a defect on Divine *ʿidalah* and on the fact that the order of existence is the most perfect order. He had written:

"One who observes the order in its entirety can see the virtue of this perfect order. One better than this order, that is, the general order, is not possible, if not impossible, because the beautiful One is the best of beauties, the perfect and absolute beauty and it is not possible for something to be better and more complete than Him. Therefore, His impact and shadow is both the manifestation and reflection of this best beauty."4

Therefore, we realize that the world is considered as the action of the Creator and since the Creator of the world is Perfect, Beautiful and Pure *'Adil*, His action is also pure Beauty and Pure *'idalah*. However, we do not have the power to understand and comprehend the truth of existence in its entirety and we are confined to the limits of the time and our situation, thus we are unable to perceive that the order of the world is the best order. We do not realize the cause of disasters and catastrophes, which are life–giving and humanizing and have no way into the depth of the truth of the world. Hence, we imagine that in the world, there is evil and imperfection. However, this is not the case. The essence of evil is non–existent and not existent, relative and not absolute. At times, also, what we consider evil for us is good. Anyhow, one should heed the good in the world in general so that we can understand that the establishment of the world is based on *'idalah*. We should not look at the good in single components, for the world is a harmonious and balanced whole.

Man's self as a subject of justice

In Imam Khomeini's philosophical–mystical perspective, man has characteristics that other beings do not. Man enjoys a nature consisting of an inner dimension and intellect. Within him, different faculties and, occasionally, apparently conflicting ones have been ingrained, making him a multi–dimensional being. On this basis, he can plunge into an abyss of evil and vice and be degraded lower than any animal, the lowest degree conceivable."...They are like cattle, – nay more misguided: for they are heedless."[5] He can also soar to perfection and happiness so high that "this man can be elevated to the stages of the supernatural and actualizes whatever he is capable of."[6]

Therefore, based on this perspective, man is on the path one side of which leads to annihilation and corruption and the other to happiness and genuine prosperity of man. For man to move on the road[7] – towards the positive side – he needs *'idalah* as the way and method. And as pointed out earlier, one of the concepts of *'idalah*, from the view of Imam Khomeini, is its path in the sense that 'idalah is the straight path and line treading by which man can reach happiness.

Therefore, man is the subject of *'idalah* and *'idalah* helps man in his movement and development towards perfection so that *'idalah* actualizes in him as a firm habit and lasting attribute, transforming him into a moderate and upright being. In this outlook, *'idalah* causes that no concealment exists between him and the truth and that one witnesses God without any veil and openly, manifesting His attributes in him.[8] "The absence of concealment of truth from people and of people from the truth, and in other words, observation of unity in multiplicity and multiplicity in unity."[9] Therefore, treading the path and the spiritual journey of the perfect man and men of God is the subject of *'idalah* – a journey that leads to the manifestation of the truth of Divine names and attributes in the soul and heart and existence of man, elevating him to a state that:

"When I love him, I am the car by which to hear, the eyes by which to see, the tongue by which to speak and hands by which to take. If he calls me I respond and if he demands something of me I will grant."[10]

Also, one can consider the perception of existential truths from the creation to resurrection day and the actualization of theoretical reason in man as *'idalah*, because man traverses the way in the dimension of beliefs so as to understand the existential truths. This traversing on the path is either logical or intuitive. In both cases, man proceeds on the road of *'idalah*. That is why, Imam Khomeini considered the perception of existential truths and faith in the realm of beliefs and Divine knowledge to be *'idalah*.

In general, from his viewpoint, *'idalah* is the path traversed by perfect man, because in the moral dimension *'idalah* also means moderation, whether in the moderation of the three main powers of existence or that of all esoteric and exoteric powers and those of spirit and body,[11] and moderation is a type of traversing the path.

Moreover, if Imam Khomeini called *'idalah* as the path of man to become a real man, it is because the subject of *'idalah* is this selfsame development and the making of man, his movement on the straight path and attaining true moderation. Hence, the way the perfect man traverses from the point of imperfection of servitude to the perfection of glory of Divinity is *'idalah*, which is the straight path and moderate way.[12]

Society as subject of 'idalah

Society, too, can be the subject of *'idalah*, because individuals constitute the society, and if the individual is the subject of *'idalah*, the society can also be a subject of *'idalah*. This question, particularly in view of the principle of equality of human beings at creation and before law, as substantiated by Imam Khomeini, is of greater significance. Therefore, whatever disrupts equality in the society and implements meaningless and hollow privileges in the society should be fought."[13]

Furthermore, the society, for Imam Khomeini, is of paramount significance because it is the integration of individuals while individual is merely an individual. If we want to specify the preference between the interests of the individual and the society, the priority belongs to society's interests. Hence, all individuals should think of the society and dissolve in the society so that their humanity will actualize in the real sense of the word, because the transformation of man into a just being finds meaning in the society not in pure individuality and seclusion and isolation from assembly and society.

When faith is absent and all one's attention is given to oneself, then one wants everything for the self, and this is where confusion arises [like when one says: "I want this position for myself; you want it for yourself."] this is not possible in society.[14]

Regarding the significance of congregating and the necessity of actualizing justice in the society, he said: "All the pains suffered by the prophets were because of building a social *'idalah* for man in the society and an inward *'idalah* for man in individuals."[15]

Therefore, if *'idalah* in the society is important and applicable to all its aspects, then the main goal of the Islamic movement is to actualize *'idalah* and equity. For this reason, the most important characteristic of

the Islamic Republic's establishment from his viewpoint is reliance on *'idalah* and equity. Hence, society is the subject of *'idalah* whether as a way in which the society should traverse or a goal that society should attain or as a criterion on which society should be built. It is not unreasonable that the acceptance of responsibility in all social and political posts should be based on the existence of the quality of *'idalah*.

Islam's God is just, its prophet is just and infallible, and its Imams are just and immaculate, its judge is creditable and just, its jurisprudent had better be just, and its Friday prayer leader should be just; its ruler and his appointees should be just.[16]

Law and fiqh as subject of 'idalah

From Imam Khomeini's viewpoint, law – be it religious laws and devised laws of men – should be based on 'idalah. The basis and pillar is *'idalah* and the laws and regulations are instruments for the actualization of *'idalah*.

Religious injunctions are the laws of Islam and these injunctions are one of the stations of government. In fact, injunctions are desirable [on the life of man] on earth and are instruments for the establishment of a government and promotion of *'idalah*.[17]

Also, he considered all Islamic laws and rules to be based on *'idalah*:

"Verily, Islam revolted for the establishment of a just government in which the law dealing with tax and public treasury and its collection from all classes would be based on *'idalah* and the laws relating to penal codes and laws connected with the judiciary and rights would be based on *'idalah*."[18]
In general, he considered the foundation of all laws and religious injunctions to be *'idalah*. For example, in a discussion on the prohibition of bribery he referred to *'idalah* and oppression by saying:

Excessive collection signifies oppression and veneration of excessive collection is called bribery, which is a result of this oppression. In other words, oppression is the cause of this veneration.[19]

In fact, veneration of bribery is that it is inconsistent with *'idalah* and just. Therefore, legislation and law are the main subjects of *'idalah*.

Requirements of 'idalah

Establishing religion, laws and society on 'idalah

From Imam Khomeini's viewpoint, *'idalah* is the source of religion and law, in the sense that *'idalah* is regarded as a principle on which religion and law is established. It is for this reason that a just quality is applied to religion and law. Also, *'idalah* is the most important cause for the legislation of injunctions and laws. On this basis, from Imam Khomeini's viewpoint, Islam as a set of comprehensive Divine–human laws cannot be separate from *'idalah*. In fact, it constitutes the basis and foundation of *'idalah*. It has

been legislated based on *'idalah* and sent to man. Foregoing this would not be compatible with the human primordial nature and, as a result, would not be accepted by him. However, Islam is a natural religion: "So set thy purpose (O Muhammad) for religion as a man by nature upright the nature (framed) of Allah, in which He hath created man. There is no altering (the laws of) Allah's creation. That is the right religion, but most men know not."[20] It being Qa'im lies in it being natural. Therefore, Imam comments on Islam in the following words:

"The Islam that is founded on *'idalah* and its most higher authorities and its lower ones are equal before *'idalah*."[21]

It should not go unsaid that Islam is a religion and a school of thought and different interpretations can be made of its generality and of each and every aspect of it. However, Imam Khomeini referred to two general interpretations of Islam: American-oriented Islam and the genuine Muhammadan Islam. He collated the two against each other and by negating the American-oriented Islam, he sided with the genuine Muhammadan Islam, which is based on *'idalah*. For instance, in explaining the genuine Islam, he said:

"The Islam whose standard-bearers are the bare-footed, oppressed and poor people of the world and its enemies are atheists and disbelievers and capitalists and Mammonists."[22]

Elsewhere he said:

"Islam is the religion of struggling individuals who seek the right and *'idalah*."[23]

Expressing the features of American-oriented Islam, the Imam wrote:

"Capitalistic Islam, the Islam of the arrogant powers, the Islam of the stolid affluent people, the Islam of the hypocrites, the Islam of luxuryseekers, the Islam of opportunists and in other words, an American-oriented Islam."[24]

In this way, Imam Khomeini, considered *'idalah* as the basis of every single Islamic law and regulation. For instance, he referred to the ideas of Shaykh Ansari[25] and 'Allamah Hilli[26] in the book entitled Kitab Al-Bai'y[27] on the criterion of claiming indemnity on the question of surety[28] and had accepted a second idea based on which he considered the criterion to be what Islamic *'idalah* necessitated.[29]

In another case, in the same book he cites the fatwa (religious decree) by Abu Hanifah regarding a person who hired an animal to demand his money from a debtor. When he reached the dwelling of the debtor, who had gone somewhere else, he had to look for the debtor in another place. Finally, the renter went back to the owner of the animal and the owner demanded greater fee, thus resulting in a quarrel between them. They then referred to Abu Hanifah for arbitration. Abu Hanifah pronounced a judgment that "since the renter has violated (the agreement), he stands surety for the animal and that now that he has returned the animal safely to the owner, nothing extra is charged on him", Imam Khomeini said: "This

judgement runs counter to reason."[30] Of course, prior to the Imam, Imam Ja'far Sadiq ('a) had also commented on this fatwa saying that 'Abu Hanifah's judgemcnt was unjust and tyrannical."[31] The seizure of fallow land is religiously forbidden, because it is oppression.[32] For this reason, Imam paid special attention to the implementation of law as one of the important requirements of *'idalah*. If Islam is based on *'idalah* and the Holy Qur'an privileges *'idalah*, other privilege s are abolished and people are equal in principle and basis. These privileges should be removed and all people are equal and the rights of all strata of people are restored to them, as all are equal.[33]

From Imam Khomeini's viewpoint, law has a special status in Islam. Hence, everybody, from the Holy Prophet of God down to others, should humble themselves before it and submit to it.

The Holy prophet of Islam, the immaculate Imams and the caliphs of Islam had been humble before the law and submitted to it. We, too, should follow the Prophet of Islam and immaculate Imams ('a).[34]

It is because, the law is the manifestation of '*adl* and, in fact, perhaps it can be said that *'idalah* is the foundation and by its realization one can reach a favorable and just society.

The law of Islam pioneered the all laws of the world's civilizations. With its materialization utopia will find expression.[35]

Education and Edification of Man

Among the requirements of *'idalah* is edification and the making of man and his transformation into an accomplished and just man, the conversion of the society into a just society, because when man becomes just the society will also become just. *'idalah*, if taken to mean a path, is the way of man's becoming m an in the sense that man attains the truth of his humanity in theoretical and practical dimensions. In these two dimensions of *'idalah*, the "manifestation of Divine knowledge and monotheism should develop in the hearts of the men of knowledge"[36] in a way that "refusing to conceal the truth from the people and of the people from the truth"[37] will come about in man. At lower stages, too, man can attain "perception of existential truth per se"[38] and is transformed into a world of knowledge.

Imam Khomeini considered man's education to lie in the establishment of *'idalah* and is, therefore, a fundamental requirement of *'idalah*.

The dispensation of *'idalah* is the same as the making of human beings. *'Idalah* emanates from no other creature but man. The dispensation of *'idalah* signifies transforming the tyrant into a just person, changing a polytheist into a believer.[39]

From Imam Khomeini's viewpoint, the education of man and his making is prelude to the correction of societies and the world of existence. All corruptions of the world are the result of lack of man's edification. Hence, with of making of men, all affairs and the world would be improved.[40]

Government

The realization of *'idalah* and the dispensation of *'idalah* and equity need an organization to actualize *'idalah* that encompasses all aspects of life in the society. The realization of this move calls for three important factors:

a) drawing up a law based on *'idalah* or in a sense transformation of unwritten *'idalah* to written and foundational *'idalah*, b) the implementation of laws based on *'idalah*, and c) just supervision over the implementation of laws. The government and its affiliated organizations are in charge of implementing these three important measures. Therefore, the most important organization for the actualization of *'idalah* is the government.

On this basis, although the government has a role of being an instrument in the actualization of *'idalah* and spirituality, this role is very important, because it is an instrument without which *'idalah* will not be materialized in human society. Imam Khomeini had written on the importance of the institution of government in Islam as follows:

The institution of a government is so important that not only does a government exist in Islam but also Islam is nothing but government, and religious laws are laws that constitute one of the pillars of the government.41 Hence, *'idalah* necessitates that a government be established based on *'idalah* and equity in a way that *'idalah* is manifested in all its warp and woof and dimensions such as performance, goals, responsibilities, duties and deeds of the government and administrators. From his view, the realization of *'idalah* is not only a duty of the government and the greatest aim of Islam but also the foundation and basis of a desirable and competent government. The competency of the government will be crystallized in the characteristic of *'idalah*. That is why the honorable Imam had repeatedly underscored this important notion.

"We who say Islamic government mean a government of *'idalah*; we say a ruler should not commit treason against the Muslim public treasury, not aggress the Muslims' public treasury. This is what we say. This is a desirable thing that all human societies and people will accept."42

In this expression, Imam Khomeini, firstly, considered Islamic government, which had been his most favored demand in the realization of the Islamic Revolution, to be synonymous with a government of *'idalah* and, therefore, being Islamic in this attitude was synonymous with being just. Obviously, a government may be a disbelieving one, yet not be unjust within the framework of disbelief. However, this does not mean that it is really just. Although some thinkers have propounded that being Islamic differs from being just, if we accept the viewpoint of Muslim philosophers who considered the foundation to be *'idalah*, it cannot be said that being Islamic is different from being just. The concept of *'idalah* might be more extensive, but being Islamic cannot be separate from being just: the Islam which is founded on *'idalah*.43

Secondly, the proposition that "the government favored by Imam Khomeini is the government of *'idalah*

and a desirable thing" signifies that it is in conformity to human nature and disposition and that which conforms to man's primordial nature is also a human thing. Therefore, it is acceptable to all. That is why Imam Khomeini raised that it would be accepted in every society and that no one would raise voice against it. In another expression, he said:

"We want a just government, a just Islamic government. This is the wish of every human being to have a ruler to work for them and not to fill up his pockets after a while."[44]

He stressed: "Establish Islamic *'idalah*. With Islamic *'idalah* all will enjoy freedom, independence and welfare."[45]

Therefore, the definitions and explanations provided by Imam Khomeini in continuation of his discussion dealing with *'idalah* is expressive of the indicators or prototypes of *'idalah* and the government of *'idalah*. Some of the most important indicators and prototypes of a government being just from Imam Khomeini's viewpoint consist of:

l– The absence of oppression and submission to oppression (we commit neither oppression nor do we surrender to oppression),[46] 2– The realization of freedom, independence and public welfare, 3– The attainment of rights by all the strata of people and lack of discrimination,[47] 4– The prevalence of equity and absence of injustice, 5– An interest in the subjects or citizens and equality of officials with them in their living standards, 6– The refusal to betray the public treasury, 7– The negation of colonialist order, 8– The acceptance of the people's vote and God's command. From this perspective, the government of the Messenger of Allah (s) was established with the motive of promoting *'idalah* and it was a just government.

"The Prophet of Islam (s) established a government like other governments in the world, but with the motive of promoting social *'idalah*."[48]

Also, combating oppression, injustice and discrimination and the negation of debauchery and corruption and other similar acts are maintained as the most important requirements of *'idalah*.

Second Discourse: The Combat against Oppression, Injustice and Tyrants in Imam Khomeini's perspective

The combat against oppression

One of the most important requirements of *'idalah* from Imam Khomeini's perspective is the combat against oppression. He launched incessant struggles against oppression, injustice and tyrants both in word and action culminating in the victory of the Islamic Revolution of Iran, thus achieving the greatest goal of his struggle. One of the foremost measures taken by the Imam both in theoretical and practical realm aimed at realizing *'idalah* and struggling against oppression and tyranny was writing the book

entitled *'Kashf al-Asrar'* in 1963. In this book, he rejected the claims made by the author of the book entitled 'One Thousand Year Secrets', who was in favor of the measures taken by the regime ruling Iran. In the concluding section of the book we read:

"To conclude, authors of books or newspapers are requested to enlighten the nation with their literary courage and self-sacrifice hand in hand, reviving the sense of religiosity suppressed in the long past years so as not to be taken advantage by others."[49]

In those days, in a letter addressed to the entire strata of the society called the people to revolt in the cause of God and combat oppression and injustice.

"If you lose the opportunity and fail to rise up for God and refuse to uphold religious rituals, a handful of profligate lust-seekers will dominate you and will make all your rituals and honor a plaything of their corrupt intentions."[50]

Henceforth, Imam Khomeini's struggles continued. Considering the lucidity of his struggles in our time, here we will touch on the necessity of combat against oppression and tyranny and establishment of *'idalah* from his viewpoint. Imam Khomeini maintained the reason for the delegation of prophets to be a revolt for *'idalah* and combat against oppression.

'The Prophethood was ordained and prophets sent to shatter the pillars of oppression wrought by tyrants."[51]

The mission of the Prophet of Islam (s) aimed at combating oppression and injustice and actualizing *'idalah* in society. The lifestyle and tradition of our Immaculate Imams also substantiate this fact.

The mission of the Messenger of God was to make people understand the 'way of repelling oppression, and combating against big powers ... eliminate the tenebrous vestiges of tyranny and supplant them with the light of *'idalah*, helping us understand His path.[52]

The Imam also defined the revolt of 'Ali ('a) against Mu'awiyah and that of Husayn ('a) against Yazid a just uprising aimed at the realization of *'idalah* and combating a tyrant ruler. This struggle is a religious and rational need and man is responsible before it; he cannot remain reticent and fail to take any action. After quoting the events which had befallen Imam Hussein, he dwells on the cause of the honorable Imam's revolt against Yazid in the following words:

"One who violates God's laws has taken the role of the same tyrant ruler. In any layer of hell the tyrant ruler is lodged, the one who keeps mum and overlooks whatever this tyrant ruler does, will dwell in the same lodging as the tyrant ruler is."[53] Therefore, revolt against tyrants at any time and any situation is a duty and one should not evade it. "For me, it is not a question of where (the combat must take place), what counts is the combat against oppression. Wherever this combat can be accomplished I will be there."[54]

The most important thing is that one should not fall short of doing one's duty in this way; war and struggle is legitimate and being killed in this cause is martyrdom, a phenomenon that is blissful.

"Tell the world that one should be eager in the cause of God, the dispensation of divine *'idalah* and curtailing the hands of the polytheists of the time and one should give up everything as Ismail *Zabih Allah*55 did so that the truth will be perpetuated."56

Negation of unjust governments

Some other requirements of *'idalah* regarding governments, based on Imam Khomeini's perspective consist of:

A) The need for government organizations in the society to implement *'idalah* pervasively, making it permeate all sectors of the society. Acting in accordance with Islamic *'idalah* is not exclusive to the judiciary and its attachments; other organizations of the Islamic Republic ranging from the parliament (Majlis), the government and its affiliates to the military and disciplinary forces, *Sepah-e Pasdaran* (Islamic Revolutionary Guards Corps) and *basij* (volunteer paramilitary forces) and other administrators are to observe it seriously.57

B) The illegitimacy, in jurisprudential concept, of unjust people to occupy politico-religious posts. From Imam Khomeini's perspective, the acceptance of religious posts, such as judgment and testimony as well as political posts such as government and jurisdiction office will be legitimate when their heads are just. For example, regarding judges, the Imam wrote: "A judge should be just; he should possess the power to shun violating the laws of God: one who violates the law and is sinful is not entitled to become a judge."58

Regarding a faqih (jurisprudent) who is endowed with the *velayat* (guardianship or leadership) of the society, Imam Khomeini stated: "If a *faqih* steps out of the right way and if he commits a minor sin, he will be deprived of the *wilayah*."59

In the jurisprudential view of Imam Khomeini and some Shia jurists, *'idalah* is among the significant requirements and criterion of government.

C) A just government is not a dictatorial and despotic government, because dictatorship and despotism run counter to *'idalah* in its true sense. The Islamic government is not a dictatorial government. Religion stands against dictators, Islam stands against dictators.60

D) An unjust individual is corrupt and a corrupt man's testimony is invalid. A corrupt person is one who commits cardinal sins or insists on committing minor one's or even sets out to commit them.

E) Assisting the oppressor and accepting of *Velayat* by the tyrant and helping him.61

Third Discourse: The Imam and Social ʿIdalah

Imam Khomeini has said: "The Creator's wisdom wills that people should live in a just manner and take steps within the limits set by divine commands. This wisdom is perpetual and is God Almighty's unalterable tradition."62 This statement indicates that man is potentially capable of leading such a life. Hence, the highest duty of prophets is to realize ʿidalah. One of the most important goals of the mission of prophets and perhaps their sole aim was the "establishment of *qist* among people."

Some thinkers have presumed that when it comes to social issues, Imam Khomeini paid greater regard to the distribution of economic resources of the society, while this is not the case. In addition to reliance on a just distribution of wealth and resources of society, he accorded great significance to the correct and just distribution of posts, equality of human beings before law, just treatment of people by the government and other relevant matters. For example, from his viewpoint, it is the implementation of *ʿidalah* that transforms the society to an outward form of the Qur'an.

"The Qur'an had come to eliminate oppression among human beings. One of its dimensions calls for the removal of oppression among mankind and introduce social *ʿidalah*. If those who consider themselves to be followers of the Qur'an, as well as the Muslims of the world and we strive, then a world will be built that can be described as an outward manifestation of the Qur'an.63

Elsewhere, Imam Khomeini presented the Islam he was seeking as follows: "an Islam in which *ʿidalah* prevails, an Islam in which oppression is absent, an Islam in which the first man and the last man are equal before the law."64

Therefore, Imam Khomeini with such an attitude to *ʿidalah* and its relation with freedom and man's free choice, hoisted vigorous struggle against any tyranny, dictatorship and oppression and the negation of the rights of people on the frontispiece of his book of life. He persisted in the support of the deprived and oppressed people in society and the negation of class gaps in such a way that by relying on the principle of toeing a middle way and rejecting extreme views, he presented a moderate view of distributive *ʿidalah* in the area of economics.

Based on this view, the extent to which an individual enjoy economic resources in society is subject to talents, capabilities, efficiencies and qualification by supporting the oppressed layers of the society. Accordingly, he launched an incessant struggle against the causes of and factors responsible for injustice in the society such as colonization, dictatorship, imperialism and poverty. Imam Khomeini, on the one hand, negated class gaps and supported the oppressed and deprived people of the society and, on the other, sanctioned reason and man's free choice.

However, he rejected the unlimited liberalist's freedom that triggered oppression against the deprived classes and strata of people in the society. He also did not accept the socialist attitude of absolute equalitarianism. Therefore, from his viewpoint, we should move towards a destination that "all individual

members of the nation enjoy an average standard of living conditions."[65]

Injustice, which is an accidental element in human society and has nothing to do with man's essence and nature of society, can be removed. Therefore, inspired by *'idalah*, it would be possible to create an average life in which there is no or minimum class, economic and social gaps. By enhancing welfare for lower classes of society and decreasing resources for the affluent stratum, the society can proceed towards a moderate level.

Furthermore, in the laws and regulations of Islam, such a situation has been potentially considered. Imam Khomeini outlined the overall attitude of Islam to distributive justice in society in the following words:

"Islam does not favor oppressive and inordinate capitalism, which deprives the oppressed and innocent masses of people, categorically denouncing it in the Book and tradition and considering it to be inconsistent with social *'idalah*. Islam also does not side with schools such as communism, Marxism, Leninism, and Islam is a moderate regime recognizing ownership and respecting it in limited manner; if Islam is truly practiced, the wheels of a healthy economy will be set in motion, and social *'idalah* that is requisite to any healthy regime finds expression."[66]

Imam Khomeini outlined some of the fundamental ways for making Islamic *'idalah* workable as follows:

1. Adjustments to eliminate class gaps.

2. Protection of the interests of the deprived, the expansion of their public participation and the effacing of deprivation.[67]

3. Fight against Mammonists and luxury seekers.[68]

4. Implementation of the laws and regulations of Islam.[69]

5. Sympathy of govern ent for the weaker layers of people.[70]

6. Principle of living a simple life, particularly for officials.[71]

7. Negation of ostentatious ceremonies and pomposity in government organizations.[72]

8. Negation of the infiltration of capitalists in the government.[73]

9. Negation of the love of world and its worship.[74]

10. Attention to the development and prosperity of villages and deprived regions.[75]

11. Legislation of laws in favor of the deprived people in the society.[76]

12. Negation of capitalistic and palace–dwelling ethics.[77]

Finally, in Imam Khomeini's viewpoint, the realization of *'idalah* in its true sense remote from any misgivings and its global implementation in its true sense is the work of the Savior (May God hasten his reappearance) who "will succeed in implementing *'idalah* across the world."78

1. Exposition of Forty Hadith, p. 112; Divine 'idalah from Imam Khomeini's Perspective, p. 132.

2. Exposition of Forty Hadith, p. 135; Divine 'idalah from Imam Khomeini's Perspective, p. 132.

3. Kashf al-Asrar is a political, ideological and social work written in 1323 AHS (1364 AH), two years after the deposal of Rida Khan from the monarchy. Imam Khomeini provided answers to the misgivings and anti-religious and anti-clerical propaganda prompted by a Wahhabi-inclined tilted author in his "One-Thousand-Year-Secrets." In this book, Imam Khomeini provided support from historical facts to throw light on the rightfulness of Shi'ism and the constructive role of the clerics in Islam, while putting forward the ideas of ancient Greek philosopher s as well as those of Muslim and contemporary Western philosophers. ·The idea of an Islamic Government and Wilayat-e Faqih during occultation has been presented, disclosing in detail the antinational and laic policies of Rida Khan and his-like minded friends in Islamic countries of the time.

4. Divine 'idalah from Imam Khomeini's Perspective, p. 135; Refer to Taqrirat-i Sharh-e Asfar, ibid.

5. Surah al-A'raf, 7: 179.

6. Sahife-ye Imam, v. 4, p. 176; Qadr-e Wilayat Cultural Institute, Chapters on Knowledge, Tehran; Qadr Wilayat Cultural Institute, 2nd Edition, 1374, p. 204.

7. "We are now on the path, the path one side of it is the world, one side the future and we are now proceeding on the path", Sahife-ye Imam, v. 19, pp. 20-21; Chapters on .Knowledge, p. 224.

8. Exposition of the Hadith on Army of Intellect and Ignorance, p. 148; Divine 'idalah from Imam Khomeini's Perspective, p. 23.

9. Exposition of the Hadith on Army of Intellect and Ignorance, p. 148; Divine 'idalah from Imam Khomeini's Perspective, p. 23.

10. Imam Muhammad Baqir ('a) in a narration stated that when the Prophet (s) ascended to heaven, he asked God how is the station of belief with You. God replied: "When I love him, I am the ear by which to hear and eyes by which to see and tongue by which to speak and hands by which to take. If he calls me I respond and if he demands something of me will grant." Exposition of Forty Hadith, pp. 581-582, Al-Hadith Ar-Rabi'ah·was Ath-thalathun (34).

11. Exposition of the Hadith on Army of Intellect and Ignorance, p. 151; Divine 'idalah from Imam Khomeini's Perspective, p. 25.

12. Exposition of the Hadith on Army of Intellect and Ignorance, pp. 152-153; Divine 'idalah from Imam Khomeini's Perspective, pp. 25-26.

13. Sahife-ye Imam, v. 5, p. 388.

14. Interpretation of Surah Hamd, p. 124.

15. Sahife-ye Imam, v. 11, p. 386

16. Sahife-ye Imam (new edition with revision and additions), v. 1, p. 444.

17. Imam Khomeini, Kitab al-Bay, v. 2, p. 472.

18. Ibid. Matba'-e Mehr, v. 2, p. 460: "Verily, Islam revolted for the establishment of a just government in which the law dealing with tax and public treasury and its collection from all classes would be based on 'idalah and the laws relating to penal rules and laws connected with judiciary and rights would be based on 'idalah.

19. Ibid, v. 2, p. 207.

20. Surah Rum, 30: 30.

21. Sahife-ye Imam, Ibid (1st Edition), v. 15, p. 96.

22. Sahife-ye Imam, v. 2, p. 204; Genuine Islam in the Words and Message of Imam Khomeini, Tehran: Institute for Compilation and Publication of the Works of Imam Khomeini (topical works foundation, fifth notebook/office), 2nd edition, 1374, p. 38.

23. Imam Khomeini, Wilayat-e Faqih, Ibid, p. 4; Genuine Islam in the Words and Message of Imam Khomeini, p. 39.

24. Sahife-ye Imam, v. 21, p. 11; Genuine Islam in the Words and Message of Imam Khomeini, p. 38.

25. Shaykh Murtada Ansari (born in 1214 AH and died in 1281 AH), who was among the renowned Shi'iat Mujtahid "Khatam al-Fughaha wal Mujtahidin", and the grandson of Jabir ibn 'Abdullah Ansari who was a companion of the Holy Prophet (s) was a genius in Usul and introduced a great evolution in the discipline. His ideas and works have been regarded with respect by prominent Muslim fuqaha to the present day. Many notes and annotations have been written on his works. His research on argumentative fiqh, Usul and rules of all Shi'iah laws was unprecedented. Among his works "Rasail" dealing with Usul and "Makasib" with fiqh provide the most precise legal research of the kind.

26. Hasan ibn Sayyid ad-Din Yusuf ibn Zein al-·Abidin Ali ibn Mutahhar Hilli (648-726 AH) known as Ayatullah Jamal ad-Din, and the 'Allamah of the Age was among the Imamiyeh Shi'iat 'ulama, faqih, traditionist, philosopher and theologian versed in usul, mathematics and literature. In his childhood he was renowned for his intelligence and sagacity. Some of his teachers were Khajeh Nasir ad-Din Tusi, Muhaqiq Hilli and Sayyid Ahmad ibn Tawus. He produced numerous writings on rational and narrational sciences, theology, philosophy and mathematics, some of which consist of "Absal al-Jabr", 'Tabsarat al-Mottaqin", "Talkhis al Keshaf, "Tahzib al-Usul", "Misbah al-Anwar", "A1-Asrar".

27. A five-volume precious work by Imam Khomeini on argumentative fiqh in different chapters dealing with the sale and trade written in the years between 1380 and 1396 AH (1340-1355 AHS) mostly in the holy city of Najaf where it was published for the first time.

28. According to this question, the guarantor is obliged to return the kind of the property or its price to the owner in case of spoilage of the property.

29. Kitah Al-Bai'y, v. 1, p. 363.

30. Ibid, p.409.

31. Shaykh Hurr-eAmoli, Wasa'il ash-Shi'iat, Ibid. v. 13, p. 255.

32. Kitab al-Bay', v. 1, p. 451.

33. Ibid, v. 5, p. 237.

34. Ibid. v. 14, p. 268; Refer to v. 14, pp. 268-269.

35. Imam Khomeini, Kashf Asrar, Qum: Azadi Publications, Bita, p. 222; Genuine Islam in the Words and Message of Imam Khomeini, p. 12.

36. Exposition of Hadith on the Army of Intellect and Ignorance, p. 148; Divine 'idalah from Imam Khomeini's Viewpoint, pp. 23-24.

37. Exposition of Hadith on the Army of Intellect and Ignorance, p. 148; Divine 'idalah from Imam Khomeini's Viewpoint, pp. 23-24.

38. Exposition of Hadith on the Army of Intellect and Ignorance, p. 148; Divine 'idalah from Imam Khomeini's Viewpoint, pp. 23-24.

39. Interpretation of Surah Hamd, p. 129.

40. Sahife-ye Imam, v. 14, p. 103; Ritual of Islamic Revolution, pp. 200-201.

41. Imam Khomeini, Kitab al-Bay', v. 5, p. 472; Refer to v. 2, p. 437.

42. Sahife-ye Imam, v . 3, p. 509; Economic Thoughts of Imam Khomeini, compiled by Muhsin Azhini, Islamic Revolution Cultural Documents Organization, Publications of the Ministry of Culture and Islamic Guidance, 1374, p. 232.

43. Sahife-ye Imam, v. 15, p. 109.

44. Ibid. v. 5, p. 49; Imam Khomeini Economic, Thoughts, pp. 233-234.

45. Sahife-ye Imam, v. 7, p. 115; Imam Khomeini's Economic Thoughts, pp. 236.

46. Sahife-ye Imam, v. 7, p. 291, v. 5, p. 149: Imam Khomeini's Economic Thoughts, pp. 236.

47. Refer to Sahife-ye Imam, v. 5, pp. 223-234.

48. Sahife-ye Imam, v. 7, p. 406.

49. Kashf al-Asrar, pp. 333-334.

50. Sahife-ye Imam, v. 1, p. 23.

51. Ibid, v. 4, p. 162; Ritual of Islamic Revolution, p. 59.

52. Sahife-ye Imam, v. 17, p. 435; Ritual of Islamic Revolution, p. 59.

53. Sahife-ye Imam, v. 5, p. 192; Genuine Islam in the Words and Message of Imam Khomeini, p.·202.

54. Sahife-ye Imam, v. 5, p. 301; Ritual of Islamic Revolution, p. 390.

55. Isma'il, the son of Ibrahim Khalil and Hajar, the ancestor of Isma'ili 'Arabs. When the order w s given lo Ibrahim (peace be upon him) by Gabriel for the immolation of Isma'il, both father and son got prepared for the execution of God's order. Ibrahim caused his son to lie on one side and placed the cleaver on his throat. At this time, Gabriel brought a sheep and conveyed God's message to Ibrahim to immolate the sheep in place of his son. Isma'il was then given the epithet, Zabihullah.

56. Aphorisms, advice and Wise sayings, Tehran: Institute for Compilation and Publication of the Works of Imam Khomeini, 1994, p. 219; in this respect refer to Muhammad Husayn Jamshidi's book entitled "Revival of Ideas of Combat against Oppression and Struggle for 'idalah in Imam Khomeini's Political Thoughts", anthology of papers presented at the International Congress on Imam Khomeini and Revival of Religious Thought, Tehran: Institute for Compilation and Publication of the Works of Imam Khomeini, v. 2, 1998, pp. 63- 94 and other sources.

57. Kazim Qadi Zadeh, ibid, p. 421.

58. Kashf al-Asrar, p. 298.

59. Sahife-ye Imam, v. 11, p. 306; Genuine Islam, p. 120.

60. Ibid.

61. Refer to Imam Khomeini, al-Makasib al-Muhraramat, Tehran: Institute for Compilation and Publication of the Works of Imam Khomeini, v. 2, 1994, pp. 142-254.

62. Imam Khomeini, Wilayat-e Faqih, p. 31.

63. Sahife-ye Imam, v. 17, p. 252; Divine 'idalah from Imam Khomeini's Perspective, p. 28.

64. Sahife-ye Imam, v. 9, p. 42.

65. Ibid, v. 17, p, 257.

66. Sahife-ye Imam, v. 21, pp. 20-21; Sahife-ye Imam, v. 21, p. 444.

67. Sahife-ye Imam, v. 8, pp. 36-37 and v. 21, p. 129 and v. 7, p. 23.

68. Ibid. v. 20, pp. 128-130.

69. Ibid. v. 4, pp. 1778-176.

70. Ibid, v. 10, pp.41-42 and v. 15, p. 82 and v. 20, pp. 128-130 and other sources.

71. Sahife-ye Imam, v. 6, p. 330; v. 7, p.257; v. 9, p. 510 and 517; v. 17, p.4452 and 453; v. 18, v. 471; v. 19, p.251 and ...

72. Ibid, v. 19, p.50 and other sources.

73. Ibid, v. 20, p. 128 and other sources.

74. Imam Khomeini, Greater Jihad, p, 56.

75. Sahife-ye Imam, v. 10, p. 144.

76. Ibid, v. 21, p. 38.

77. Ibid, v. 17, pp. 217-218 and v. 13, pp. 72-73 and v. 14, pp. 30-32 and other sources.

78. Ibid, v. 12, p. 207.

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