A Critique of Wilayat al-Faqih,
the Religious Ideology in Iran

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Background

This article is a translation of Chapter 20 in my book 'Värderingar, Liberalism och Islam' (meaning Values, Liberalism, and Islam) which was published in May, 2022. A major part of this book has now been translated into English, but the chapters that specifically address Islam have not been included there. Their contents will be presented as separate articles in English, and this paper is one of them.

Ahmad Vaezi: ideologue for the Islamic Republic of Iran

In his book *Shia Political Thought* [Vaezi, 2004] Ahmad Vaezi describes the political system in the Islamic Republic of Iran, which is called *Wilayat al-Faqih*. Dr. Vaezi is an eminent authority on this subject since he is the director of the Islamic Propagation Office, in the religious city of Qom in Iran. His perspective is reflected in the following statement that he made at a conference in 2014 [Vaezi, 2014]

The turning point in Shi'ite history was the establishment of the Islamic Revolution in Iran. Amongst both Sunnis and Shi'ites, the formation of the Islamic Republic of Iran has been the only successful implementation of political Islam in the last hundred years.

Ahmad Vaezi has a certain international background in addition to his Iranian origins. After his studies in his home country, he also spent several years in the United Kingdom, where he taught at the University of Cambridge and at Islamic College London, before returning to Iran. During his stay in the UK he authored the book that will be reviewed here.

Notes:

Liberal Kommentar is published at www.liberalkommentar.se
This article resides at liberalkommentar.se/artiklar/239/critique-wilayat-al-fakih.pdf
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Guardianship, democracy and *Wilayat al-Faqih*

Vaezi describes *Wilayat al-Faqih* as a variant of guardianship which has limited elements of democracy. As a first step, he defines the pure guardianship model as follows (p. 66):

By guardianship, we mean a political system in which the state is governed by qualified rulers (guardians). – – The ruler or rulers are not subject to election and do not come to office through free election. They deserve to govern the people due to their specific qualifications and abilities. Therefore, the delegation of authority in a guardianship model of state is not due to a democratic process, but rather to the qualities of a guardian. Advocates of guardianship commonly believe that the entrustment of political power to a highly qualified minority, who has exceptional expertise, guarantees the interests and good of the people.

The Arabic word *wilayat* is a derivation from the stem *wali* which has several meanings, such as "friend", "supporter", "convinced" and 'protector'. The word and its various derivations are used in situations where *someone's affairs have been taken care of by someone else.* Vaezi continues (p. 29):

Therefore, whoever takes charge of these affairs is the latter's Wali, and consequently it is often applied to governance as well.

The meaning can then be extended to include "to be in charge", "to govern", or "to exercise authority" (p. 34). It is this broad concept that is used in the book, and that is regularly translated into the English word 'guardian'. Ahmad Vaezi refers to earlier thinkers who advocated varieties of guardianship as the best form of government, but with a variety of criteria for the qualifications of the guardians' (page 29 again):

... the guardianship supported by Plato is rationally different from the Marxist Leninist interpretation of it. Plato's guardians are a minority of well-qualified philosophers, whereas the latter's are an organized group of revolutionaries.

In the case of *Wilayat al-Faqih,* the guardians should instead be appointed from among jurists. The word *faqih* means 'jurist', meaning a person who has education and competence in matters of law and justice, to be precise within sharia. The literal translation of the expression *Wilayat al-Faqih* is therefore 'government by jurists' but, according to Vaezi, the term can also denote guardianship by jurists supplemented by certain elements of democratic decision-making.

This characteristic of *Wilayat al-Faqih* leads immediately to three questions,

namely (1) what shall be the procedure for appointing those jurists that are to be entrusted with the task of guardianship, (2) what is their legitimacy, and (3) what shall be the demarcation between the powers of the guardians and the elected representatives?

In Ahmad Vaezi's presentation, (2) is the central point and the other two become natural consequences. This is a result of basic principles within Shia. Under the heading "Political Theology" he writes (p. 25):

Shi'a political thought, the original and oldest Islamic political theory, is essentially theological because its primary concern is leadership; the characteristics of the rightful leader and the correct method of identifying and appointing him. The Shi'a school of thought does not restrict these issues to a solely political or juridical (fiqh) discussion, rather they are considered a fundamental component of Islamic ideology.

Before we go into the answers to the three questions asked above, we must therefore first consider the basic views of this political theology.

Basic thinking and values

The view of man's ability to build a good society

In his book, Ahmad Faezi discusses some possible objections against *Wilayat al-Faqih,* both from an intra-Islamic perspective and from an external one. One of the external objections that he raises is that this ideology may seem to look down on ordinary people as being unable to participate fully on the government of their country. He responds to this objection as follows (p. 66):

Some rational proofs of 'Wilayat al-faqih' depend on the belief that it is not in the power of human beings to establish an ideal, ordered society with no aid of God's revelation. Clearly, this premise expresses the deficiency of human beings as such, and not simply the imperfection of ordinary people, confirming the competence of a small minority as guardians. Indeed, this deficiency justifies man's need of religion, and its important role in organizing social relationships.

The view of the state's mission and of the human character

On this topic, Ahmad Vaezi writes (p. 19):

Objectives such as creating a welfare state and extending education or promoting prosperity and defending a nation's borders are not specific to any one model of political system. In fact, almost all political theories commonly emphasize upon these targets. Therefore, it is necessary that we define the unique objectives of a religious government and discuss how they set it apart from other political systems.

After this, the following specific assignments are stated:

Implementation of the Shari'ah
To Enjoin the Good and Forbid the Evil
To Protect True Freedom of Human Beings

The first item is a religious duty:

The Holy Qur'an obliges the believers to implement, protect and respect Islamic laws in all spheres of their public and private lives.

Item two is explained as follows:

Calling people to do what is right and to prevent injustice is the joint responsibility of the state and its citizens. An Islamic government cannot remain neutral concerning the moral-religious conditions of society. Also, as well as being accountable for affairs such as security, welfare and social order, the government is also charged with maintaining human virtues, common good, morality and religious commitment.

And further on:

However, it must be pointed out that the duty of a religious government, regarding the moral-religious position of society, does not allow Muslim rulers or citizens to impose Islamic beliefs and values upon others. - - - Essentially, [the governments] role is to maintain a healthy social atmosphere. People are free to adopt their own beliefs and opinions, but in public they must respect and abide by Islamic laws.

With regard to the third item concerning freedom, Vaezi notes first of all that the word 'freedom' is interpreted in many different ways in the world, and he continues:

According to the Islamic conception of human nature, we are subject to various desires and capacities. Those who follow merely their natural instincts will remain in the prison of their low desires, unable to realize their potential. But those who exercise control over themselves and strive for self-purification, rather than merely obeying their impulses, are truly free.

These thoughts are in line with the previously mention position concerning the people's inability to build a good society and their need for divine guidance in this regard.

The Islamic State as a Cardinal Valuation

Previous chapters have discussed the need for one or a few overriding goals for human endeavour. On this topic, Ahmad Vaezi writes (page 48):

Ayatollah Khomeini, in a revolutionary view, stated that although the implementation of Shari'ah is very important, it is not the ultimate goal. Islamic laws (Shari'ah) serve as a means to achieve the primary aim embodied in the protection of Islam and the extension of Justice. For him the Islamic State is not merely one part of Islam amongst others, but it is Islam itself. Consequently the significance of Islamic laws is overshadowed by the significance of protecting the Islamic system and the interest (maslahat) of Islam. He expressed the view during his lectures in Iraq - the seminary of Najaf - years before the Islamic Revolution in Iran. newline newline After the Islamic Revolution in Iran he explored this view more explicitly. In his famous letter to Ayatollah Khamenei (the current Wali al-Faqih), he insists that the authority of the Prophet and Imams to govern is not only a first order divine law but also it has priority over others such as praying, fasting, Hajj and so on.

Review and critique

Each main section of this chapter will conclude with a sub-section entitled 'Review and critique'. The term 'critique' is taken to include both critical and appreciative remarks.

With respect to the claim of human inability to build a good society without divine assistance, one must then ask what it is the empirical and historical evidence for the general ability of religion to contribute in this regard.

Regarding the state's task of safeguarding virtues and morals in society, this may well be a good idea in principle, but it is also an idea that can be abused in the grossest way. Value liberalism takes the opposite view when it emphasizes the individual's capability for autonomy. According to this view, it is important that each person shall be allowed to make his or her own mistakes and to learn from them. The social environment and the society should limit itself to setting up certain barriers so that mistakes do not have too serious consequences. The same objection can also be raised against the rule to "enforce the good and forbid the evil".

The thesis of 'protecting the true freedom of the people' allows for several interpretations, for example that the state should ban such activities in society that may tempt the people to follow their natural urges and instincts, as these are in opposition to 'true freedom'. But the same thesis can also be used to justify coercive measures whereby people are actively prevented from following these so-called instincts, with the argument that this will help them so they do not lose their true freedom. This line of reasoning is reminiscent of the slogans in George Orwell's '1984' where words are redefined so that they take the opposite of their original meaning.

The statements on the issue of the Islamic State as a cardinal value mean that the purpose and intention of Ayatollah Khomeini's political program was to seize power in Iran, to keep it no matter what, and to justify this as a mission from God. Other totalitarian regimes have made similar claims, for example through the thesis of the dictatorship of the proletariat.

The Doctrine of the Imams in Shia Islam

The lines of thinking that have now been described support an authoritarian and theocratic system of governance, where the state is led by a religious elite that is to govern according to its own understanding of God's instructions. This leads to a very important question: how shall this elite be appointed? In Catholicism, the pope is appointed by a 'conclave' consisting of cardinals and bishops, but within Islam there is no similar hierarchy.

The solution to this problem, according to *Wilayat al-Faqih,* is that all jurists, i.e. everyone who demonstrated the required competence has the right to govern by issuing fatwas, i.e. decrees. Also, it is prescribed which fatwas shall only apply for those who 'follow' the jurist in question, and which shall apply everywhere. In addition, there is a system for appointing some of these jurists for leadership positions. This is presented as the democratic component of the system.

For an outsider, this must seem as a strange way of governing a state and leading a society. Some knowledge of the underlying doctrine of the Imams is required for understanding it. There are several schools within Shia Islam, but *Wilayat al-*

Faqih is founded on *Imami Shiism* which is also the school that Vaezi adheres to. According to this school, jurists (faqih) have the right to issue judgments if they have been appointed to it by an imam. Vaezi writes (p. 28):

The political status of the Imams is an essential component of Imami Shi'ism. They are considered to be the true successors of the most noble Prophet Muhammad (pbuh), and those who subscribe to this Islamic perspective believe that any successor must be appointed by Allah, through his Prophet.

He quotes the following description of the Imams:

The twelve Imams themselves, and above all the present twelfth or hidden Imam, were held to be necessary to the constitution of the Universe and of true religion. The Imam is God's proof (Hujjah: guarantee), he is the pillar of the Universe, the 'gate' through whom God is approached. Knowledge of revelation depends upon him.

Ayatollah Khomeini has explained the phrase "God's proof" as follows:

A 'proof of God' is one whom God has designated to conduct affairs, all his deeds, actions, and sayings constitute a proof for the Muslims. . . . If the 'proof' commands you to perform a certain act. . . and if you fail to obey him in any of these respects, then God Almighty will advance a 'proof' against you on the day of Judgment.

And further on (p. 28):

The Imams are considered to be the successors of the Prophet (pbuh) and the rightful recipients of his authority. This is not because they are from his family; rather, it is because they are pious, obedient to Allah and embody characteristics that are pre-required for this level of religious-political leadership. Equally so, they are not appointed by any popular consensus; Imamate is instituted by divine installation; only Allah truly knows who possesses the qualities required to fulfill this duty, therefore only He is capable of appointing them. Shi'a considers Imamate, like Prophethood, to be a fundamental belief, and obedience to the authority of their Imam a religious obligation.

This in itself is clear and distinct, but it raises the question of how God will announce his decision when he appoints an imam? However, the problem is still more difficult than that. It was stated and known from the outset that there will be exactly twelve imams and no more, until the end of time. Eleven of them died

between the years 661 and 874 AD, and the twelfth Imam is currently hidden so there can be no communication with him.

The twelfth imam in the hidden, al-Mahdi

According to Shia Islam, the following applies. A certain Muhammad ibn al-Hassan, alias al-Mahdi, born in 868 in Samarra in present-day Iraq, is alive in the occultation since 872, and he will continue so as long as God wills it. On the day of the resurrection, *Qiyamah,* al-Mahdi will appear in order to *reestablish the rightful governance of Islam and replete the earth with justice and peace.* This article of faith leads to a problem that must be solved in order to use the doctrine that jurists should be given their task by God as communicated by an Imam. Therefore, there must be an additional method for giving the divine commission to the jurists who are worthy of it.

The solution to this is as follows (page 44):

... the guardianship of the jurists during the greater absence is a 'general' designation. This means that no faqih is exclusively appointed as 'Wali' and deputy; all Imami jurists who are just and qualified in fiqh (ijtihad) have the right to exercise the Imam's authority as his deputies. Accordingly, universal authority has been entrusted to many jurists in every age and generation.

By this doctrine, there can be a considerable number of jurists that are considered to speak for God at any one time. This can lead to several problems, but the biggest problem in the present context concern its consequences for governance. According to the principle of all power ultimately coming from God, the political leaders should also be appointed by the jurists. But what happens if they disagree and appoint different leaders? The solution is as follows:

Wilayat al-Faqih defines the criteria required of a ruler, and maintains that anyone who fulfills these qualities has the right to govern. In principle, authority (Wilayat) does not demand any extra conditions. However, to be practically applied such authority requires suitable political circumstances and the recognition of the people. According to Imami doctrine, if Muslims appoint a just and capable jurist as their leader, then other fuqaha are obliged to support him and obey his orders, as long as he fulfills the qualities of Wilayat.

This means that in the imam's absence, it may occur that there is a large number of persons who are qualified to lead the country, and then the people will have to choose between them. This is what is meant by saying that *Wilayat al-Faqih* is guardianship with limited elements of democracy.

A natural follow-up question will be what rules should apply if there are several states each of which needs a leader. Will the decision of a jurist only be valid in his own country then? And if so, what is the religious justification for this? This question is not addressed in Vaezi's book, as far as I can see.

This was just one of the practical problems that can arise when one has a large number of jurists with far-reaching powers, and concurrently. Vaezi describes rules that imply that some of their decisions are only valid for the jurist's own followers, while others are intended to be valid for Muslims in general. (One must however assume that such a broad validity is not respected outside of Shia Islam).

With this we return to the question of religious legitimacy for jurists that have not been personally nominated by an imam, so that they are only qualified under 'universal authority' as described above. Vaezi cites several justifications for their legitimacy, including the following one. I shall omit the first two steps in his argument (p. 62):

(3) Within the early period of Islam, the Prophet (pbuh) and the Imams (pbut) were the legitimate political leaders, and the organization of political and social affairs was their duty.

(4) The need to regulate social relationships according to divine laws and values is not confined to a specific period of time. Rather it is a crucial need for every age and generation. Certainly when infallible Imams were present amongst people, they appointed reliable people as their representatives to undertake Shi'a social affairs and prevent their followers from recourse to tyrannical governments (taghut) for their affairs. The assumption that Imams encouraged people to avoid referring to taghut without presenting an alternative solution to their problems is illogical.

After some further reasoning, this leads to the following conclusion: Imams should appoint competent jurists as their representatives because these are necessary for the persistence of the Islamic society but, on the other hand, the current Imam can not do this since he is hidden. It follows that all competent jurists have the right to act as his representative, albeit within the framework of given guidelines. Some of their decisions are also given the status of being God's will.

This doctrine can be summarized as follows:

Political and religious guidance emanate from [the Imams] and they are guardians for the believers. This is a manifestation of Allah's guardianship over human beings. In addition to this, the concept of guardianship is another crucial element of Shi'a political doctrine.

and, on p. 36:

Imami jurists commonly agree that the responsibility to judge in legal cases, (Wilayat al-qada), is entrusted to the just faqih as a deputy of the Imam.

With this, the question of legitimacy should have been clarified, although in a quite authoritarian way.

The demarcation between the powers of the guardians and the elected representatives

We now turn to the third of the issues raised earlier, that is, how to define the demarcation of powers between guardians and elected officials. Vaezi writes (p. 50):

Indeed, the theory of 'Wilayat al-Faqih', ... is mixed between guardianship and democracy. While the authority of the faqih and the supervision of Islamic laws and values over all political and social functions of the government emphasize the guardianship dimension of this political system, the approval of representative democracy and the participation of people in electing members of the Assembly of Experts (who choose and can remove the Wilayat al-Faqih '), parliament, president and many parts and local councils, show the democratic aspect of this political ideology. Article 56 of the constitution emphasizes people's sovereignty: Absolute sovereignty over the word and man belongs to God, and it is He who has made man master of his own social destiny. No one can deprive man of this Divine right, ...

This view is supplemented on p. 66:

What distinguishes this model of 'meritocracy' (Wilayat al-Faqih) from guardianship is the role of the people in participating in the distribution of political power and in shaping political decisions through their representatives. However, people and their representatives are not religiously free to delegate the political authority to a non-faqih or those who have no tendency to rule, legislate and execute within the framework of divine laws and Islamic values and teachings. Consequently, in this meritocracy, a just Imami jurist as 'Wilayat al-Faqih' and a group of fuqaha as the 'guardian council' [väktarrådet, in Swedish] , supervise and control the decisions and functions of representatives and bureaucrats, who are themselves subject to the democratic process.

Review and critique

For Western ears, this state of affairs must seem very strange, and one wonders if it can really work this way in Iran, or elsewhere. What is described is one complicated thought construction with a hidden imam who has all the power, and who in his absence (probably without his knowledge) delegates his power to a large number of independent *faqih*. Is this a real frame of reference for decision makers and officials at various levels, or is it an official story that does not have any practical importance?

After having served in a variety of organizations in my own country, my experience has been that an obscure and confusing organizational structure can easily be exploited, in particular since a small group of those in power can then take advantage of the 'occlusion' in order to make their own decisions, without external constraints or accountability.

The view of democracy

Limited and unlimited democracy

Ahmad Vaezi initially defines two variants of democracy, namely liberal democracy of the western type, and religious democracy . By the latter term he means a democracy where shariah constitutes a set of rules that limits what decisions the people's government is entitled to to make. Based on this distinction, he formulates a critique of liberal democracy as he perceives it.

This religious democracy seems to be completely in line with the current state of affairs in Iran. Ahmad Vaezi's thinking is therefore analogous to other situations where a regime makes its own reinterpretation of the concept of democracy, such as 'people's democracy' which was applied in Eastern Europe during the communist era, or 'illiberal democracy 'which is now being promoted in parts of the same region.

Alongside the liberal-religious distinction, Vaezi proposes another and more principled one, namely, between unlimited and limited democracy. According to him, the latter is characterized by its presupposition that certain fundamental views or values cannot be overridden by the democratic decision-making process. In unlimited democracy, there are no such restrictions on the will of the people. With respect to the framework of limited democracy, he then identifies liberal and religious democracy through their different choices regarding the established value base. In the case of religious democracy in his sense, he considers shariah

to be the base, which means that he considers 'religious' to be synonymous with 'islamic'.

The following quote from Vaezi's article clarifies what he means by limited democracy as opposed to the unlimited one:

Conversely the idea of a limited democracy is based on the doctrine that there are many fundamental rights - including political rights - that possess a moral standing and a philosophical ontological basis that is independent of democracy and the democratic process. Since the validity and foundational justification of these rights does not depend on majority rule or the democratic process, they can serve as limits on what can be done by means of the democratic process. Citizens are entitled to exercise these rights, against the democratic process if need be, to preserve fundamental political rights and liberties and in order to protect themselves from infringement even by means of the democratic process itself.

and furthermore:

The justification for limited democracy should not be restricted to fundamental rights; rather, it also embraces moral and religious values. According to this justification, whatever possesses a moral or philosophical standing - a reliable and valid foundation - independent of democracy and the democratic process, should be protected from possible democratic harms. Consequently the limits of democracy could be constitutional, moral or even religious.

Religious Democracy

The section containing the definition of the term "limited democracy" is followed by a section with the heading "What is the Conception of a 'Religious Democracy'?" where he introduces a certain kind of limited democracy. It is only defined for one religion, namely for Islam, with the following explanation:

In Islam, no conflict exists between the supreme authority of religion - the definite and unquestionable status of divine laws and Islamic values - and the political status of people in an ideal Islamic state. As there are limitations for the will and desire of the people, they have authority within the framework of Islamic rules and values. Hence, a majority of the people or their representatives have no power to legislate or make judgments that contradict Islam.

The following sections of the same chapter are devoted to discussing whether, and

to what extent the term 'shura' (counsel) in Islam should be seen as an equivalent of democracy. These sections emphasize that 'shura' must take place within the framework set by Islam. This point is emphasized in a section entitled "Usurpation of God's Sovereignity" which states the following:

In conclusion, Islam holds that sovereignty is with God (Divine law = Shari'ah) and not with the ummah (people), thus the ummah does not possess the right to legislate on any matter. For example, even if all the Muslims were to gather together and agree to permit usury, usury would remain prohibited because it is a decree from Allah and Muslims have no choice in the matter. On the other hand, in democracy sovereignty is with the people, thus they are able to legislate according to their own free will and desires.

The word 'usury' is interpreted so broadly that taking interest on a loan is always considered as usury, regardless of the interest rate. The same applies for other arrangements that involve a rate of return, for example, for life insurance. -- A little later it is said:

The Egyptian revivalist scholar, Sayyid Qutb holds that the essential doctrine of liberal democracy, namely the sovereignty of man, is a usurpation of God's sovereignty and a rebellion against His authority, for it subordinates the individual to the will of other individuals instead of God's governance on the earth.

Sayyid Qutb was one of the founders of the Muslim Brotherhood. Ahmad Vaezi is of the same opinion:

Islam holds that sovereignty is with God (Divine law = Shari'ah) and not with the ummah (people), thus the ummah does not possess the right to legislate on any matter.

Through these sections in Chapter 3, Vaezi shows his strict and dogmatic approaches to religious issues. Further comments are not needed.

In the following sections, he sets out to show that political liberalism is incompatible with Islam as he interprets it. This is obvious for a person with a liberal mind, already in the light of what has been said here. At the same time, it is interesting to take part of his argument for this, as it may provide some furhter insight into his thinking about these matters.

Review and critique

According to the above section on limited and on religious democracy Vaezi claims that there are principles that are above the will of the people, and that therefore the people have no right to change them. This approach is made possible by the principle of guardianship. Vaezi thus represents a purely fundamentalist approach to what should be the basis of law and morality.

In another context, Vaezi also points to the risk that temporary fluctuations in the will of the people could lead to the enactment of laws that no longer express the proclaimed fundamental principles. But this is, after all, a classical issue in connection with democracy, and it was already considered by the fathers of the American Constitution. The usual solution to this problem is to formulate fundamental legal principles in the form of a constitution, including principles for the government of the state, and to set particularly strict requirements before any changes or additions to the constitution can be made.

Vaezi's views on and objections to liberal democracy

Vaezi's view of liberal democracy

It is aganst the background now described that Ahmad Vaezi moves on to a section entitled 'Reconciling Islam and Liberal Democracy' which is of particular interest for this review. In that section, Vaezi discusses

... a political approach that strives to reconcile Islam and the western conception of human rights, justice and rationality, by reducing the status of Shari'ah to legal conflicts with no connection to the management of society or the regulation of social relationships.

Here he describes a possible approach where sharia is only applied on the individual's personal life and (to a limited extent) on the relationship with other people, but not on society at large. In other words: he describes the separation between state and religion in a secular state. This is the approach that Vaezi rejects. He discusses its consequences and states initially that

... many substantial changes of modern humankind in its ideas, attitudes, worldviews and lifestyle must (then) be admitted and respected by religion. These profound and widespread alterations [of the religion] include the desirable political system, human rights, the structure of fundamental rights and duties and the limited role of religion in human life.

On a quick reading, one may think that he is exaggerating the problem: even in a fully secular society, there shall not be any obstacles for a religious person or a religious movement that has its own views on the political system and on human rights, for example. They also have full rights to advance their views in the general debate. The problem lies however in Vaezi's phrase "must be admitted and respected by religion ". He thus objects to the fact that the religion at hand may be required to *accept* a political system that is foreign to it, and to accept a limited role for religion in the life of the society. The pursuit of religious hegemony could not be more clearly expressed.

The connection between fundamentalism and the pursuit of hegemony is confirmed when Vaezi then writes that the approach that he criticizes has, as its basis:

... the concept that the traditional Islamic thought - religious knowledge - is temporally limited and must therefore undergo a drastic metamorphosis in order that it be brought into line according to the views of "modern mankind".

Vaezi's objections to liberal democracy

Ahmad Vaezi has three objections to what he describes as liberal democracy. The first objection is that it is based on a subjectivist basic view, namely, that the the religious texts are interpreted relative to the reader's perceptions, and that they are considered time-bound. (He does not address the possibility that the religious text itself may have been influenced by the time-bound conditions of the the author or the recorder). Vaezi objects to this way of relating to the text, with five arguments where only the most interesting one will be reported here. The others are more internal to Islam.

Objection No. 2 states that if the message and content of religion is reconsidered as public opinion changes, there is no longer any reason to use religion as a basis for legislation. Then you can base the legislation directly on the will of the people. The secular reader does not see this as a problem, but Vaezi points out that *Soroush emphasizes that religious democracies in order to remain religious, need to establish religion as the guide and arbiter of their problems and conflicts.* He then asks how religion can be "guide and arbiter "if it is changeable?

Abdolkarim Soroush is one of the leading representatives of liberal Islam, and Vaezi returns to him several times in his book. At this point, it seems that those two attach different meanings in the expression "guide and arbiter": for Vaezi it is an authority that lays down what one must believe, and for Soroush it is a person who supports the guided person's independent thinking, for example by asking good questions.

Objection No 3 is as follows:

This doctrine fails to demonstrate why the problem of human rights and the system of rights and duties are extra-religious and why we should not respect the explanation of religious sciences from intra-religious contents. It seems that the only reason that could possibly justify this approach rests on an extremely subjective conception of the nature of religious knowledge and the interpretation of texts. ... Clearly many fundamental notions in the modern conception of human rights are deeply influenced by concepts and values of liberalism, which in turn suffer from absence of valid justification.

Review and critique

With respect to the first and last objection above, the immediate response from a liberal point of view would be that Vaezi tries to reverse the burden of proof. In a reasonable exchange of opinions. it seems that when someone proposes to invoke "explanations from the religious sciences" in a discussion of human rights, it must be up to him to justify why such "explanations" are relevant. He should not request that other participants justify why they are not considered relevant.

Besides the concrete objections to Vaezi's views that have been made in this text so far, one may add the following overall observations about his objections to liberal democracy:

- They are legalistic and have a weak basis in reality.
- They do not account for the general development of values in society.
- And finally: Ahmad Vaezi does not take into account that a liberal democracy can only be expected to function under certain conditions in the society where it is to be used. If those conditions are not met, then liberal democracy does not work well at all. This should not be seen as an objection to democracy as such, but as a restriction on its use. A critique of liberal democracy that does not take this into account will be misdirected.

Critique of the requirement for legitimation and validation of moral rules

An important feature of the third objection above also reappears in several of the arguments for the first objection, viz the requirement of "valid justification" and of "reliability and validity of religious knowledge". This means that each doctrine and every reinterpretation of it must be able to justify its validity on the basis of other doctrines which in turn must be valid, until it can be deduced them from the immutable principles. Their validity should not be questionable.

What Vaezi describes as 'justification' is what was called legitimacy in chapters 8 and 10, and it is an obvious activity whether one uses prescriptive or free-thinking moral criteria. In the prescriptive case, however, the justification acquires a different character since one then has to try to do the derivation all the way back to some established doctrines of a general kind. I shall use the term *validation* for such strict and formal attempts at justification.

A problem with any justification of this kind is that only classic logic does not go far enough in deriving moral rules from more general rules, or when applying religious precepts in practical situations. Islamic jurisprudence has therefore specified what other means may be used to draw conclusions. For example, in the case of a situation that is analogous to one described in the religious sources, it may be correct to apply their instructions also in the present case.

Another method which gives even greater freedom of action is that one tries to find out the author's real intentions with what is written written, and then select actions that are in line with those intentions. Here the "author" can thus be either Allah himself or one of the teachers of Islam.

There may be several ways to draw conclusions, therefore, but there is anyway a basic principle that a moral rule is only considered valid if it has been validated in this way from what is written in sharia or the scriptures. A similar way of thinking is found in Orthodox variants of some other religions. This mabe a clear and systematic way of defining moral rules validity, but its relevance depends crucially on the relevance of its sources. Other approaches to the justification of moral rules were discussed in Chapters 8 and 10 of this book.

The commandment to worship God

The ideology described by Ahmad Vaezi, *Wilayat al-Faqih,* is a pure fundamentalist approach which he applies to the state governance and to the relationship between citizens and government. It is ultimately based on what is considered to be the word of God through the Qur'an and leaves no room for questioning or reinterpretation of this. It is therefore in line with the following statement in Koran, surah 51, 56: 60

I did not create the jinn and the humans except that they may worship Me. I desire no provision from them, nor do I desire that they should feed Me. Indeed it is Allah who is the All-provider, Powerful, All-strong. Indeed the lot of those who do wrong [now] will be like the lot of their [earlier] counterparts. So let them not ask Me to hasten on [that fate] .

The English word 'worship' has a fairly broad meaning, but the intention becomes more clear by referring to the Arabic source text. Wikipedia writes the following

under the keyword 'ibadah':

In Arabic. ibadah is connected with related words such as "Ubudiyyah" ("slavery"), and has connotations of obedience, submission, and humility. The word linguistically means "obedience with submission". - In Islam, ibadah is usually translated as "worship" and means obedience, submission, and devotion to God.

This interpretation is also confirmed by recognized interpretations of the quote from the Qur'an, for example:

The Almighty has informed us that He created them (mankind and jinns) for 'ibaadah, and He sent upon them His Messengers and Books in order that they submit to Him and obey Him. So 'ibaadah is the only purpose they were created for. (Badaa'i at-Tafseer, volume 4, page 248)

From such a basic attitude, it is natural to say that human freedom of action, both individually and in groups, is restricted by absolute regulations that cannot and may not be questioned. On the other hand, as long as a person conforms to these regulation, she (or he) retains her freedom. Wilayat al-Faqih is one concrete realization of this thinking.

Therefore, in combination with the belief in the imperfection of man, the absolute requirement to 'worship' God apparently leads to the conclusion that an authoritarian and theocratic social system is necessary. Liberalism represents a completely different approach.

For answers to the classical and eternal question "what is the meaning of my life", one would usually expect a concrete goal, such as to contribute to the the well-being of fellow human beings, or to make the Earth a better place to live. But here we have encountered an entirely different view: there is only one meaning to life, namely to worship God. It is difficult for us, as outsiders, to imagine what it must be like to live under such a doctrine.

Criticism of Wilayat al-Faqih by Iranian scholars

The Islamic State in Iran has been in power since Ayatollah Khomeini's takeover in 1979, and it is governed according to the principles of Wilayat al-Faqih. There are no indications that this will change in the foreseeable future, but anyway there is a certain criticism within Iran against this form of government, a critique that Naser Ghobadzadeh has described in his book *Religious Secularity: A Theological Challenge to the Islamic State* from 2015 [brn-035] . The following is a brief summary of the main lines of his book.

The subject of the criticism is described as follows:

The key religious features of the Islamic state of Iran are divine sovereignty, uni-fication of the institutions of religion and state, and the clergy's exclusive right to political leadership. Religious-secularity discourse targets these features.

All these points are thus disputed in the overall critique, although different actors can emphasize different points among them. The first point is disputed e.g. by Grand ayatollah Montazeri. He and others certainly agree that the Prophet Muhammad and the infallible (Shiite) Imams have divine political authority, but they reject the idea that this authority could be delegated to jurists in general during the occultation period.

For an outsider, it is easy to sympathize with this criticism, since the idea that an absent imam should be able to give a general delegation seems quite peculiar.

Other scholars reject the integration of the religious and the political establishments since this has meant, in practice, that religion has become an instrument for the politicians. They claim that Iran's ruling clergy repeatedly violate Islamic principles in favor of the interests of the state. Furthermore, they believe that this confusion has led to a superficial attitude to religion:

... the creation of the Islamic state has seen widespread hypocrisy and the prior-itization of the exoteric layers of religion. The imposition of Shari'a on believers has not only perverted its voluntarily nature, but has also engendered religious hypocrisy, a trait strongly denounced in the Quran and hadiths. The jurispru-dential character of the Islamic state of Iran also privileges the exoteric layers of religion to the detriment of genuine religiosity.

Regarding the third point, Ghobadzadeh writes:

Their possession of political power has exposed the clergy to political, financial, and ethical corruption; their reputations have been further tarnished by failures in the sociopolitical and economic realms.

He gives the following explanation for this:

The clergy's claim to direct political leadership faces two principals challenges: first, the clergy are neither trained to assume the responsibility of governance, nor have their seminars equipped them with the requisite skills for dealing with the complexities of governance. Limited to jurisprudential knowledge, the seminary education system has failed to provide the comprehensive religious knowledge (let alone the general knowledge) required to manage modern sociopolitical issues.

As an alternative to the rule of jurists (Wilayat al-Faqih), Ghobadzadeh proposes the establishment of a *secular and democratic state* based on an Islamic frame of reference. It would take inspiration and guidance from the concord of Aqaba; this was the agreement that was made between Mohammed and the leaders of Medina when they had invited Mohammed to come to Medina in order to mediate in their internal conflicts.

Ghobadzadeh emphasizes that religious documents should not have the last word when the political system is being shaped:

Islamic scripts do not offer any timeless model of state; rather, they emphasize the necessity for justice in the sociopolitical sphere. The holy texts have left believers to develop a political system that captures the essence of religion - that is, justice.

He proposes furthermore that the political system that is then developed should not get involved in basic religious issues:

Religious experience is a voluntarily choice based upon the personal relationship between God and believer. Human beings (jurists) or organizations (state) may not claim a mediatory role in this relation.

All this feels natural and familiar, both from a Western point of view and within our Lutheran heritage. For Ghazali and (presumably) for like-minded persons in Iran, however, it differs from Western secularism as they know it:

Iranian religious secularity is emerging in a context that corresponds loosely to the French and Turkish experiences. - - - However, in contrast to the French and Turkish experiences, this [secular] discourse is by no means anti-religious. Religious secularity is based on an intimate connection with religion.

From a Swedish point of view, it must then be noted that the objections to the close ties between Church and State did not at all begin as an anti-religious movement. Instead, it was the early revival movements in the 18th and 19th centuries that had objections, both against the hegemony of the state church, against its role as an instrument of authorities, and against its inability to practice true Christianity. Moreover, during the first half of the 20th century, it was liberals that formed the 'Folkpartiet' and its predecessors, which were the natural political abode of the independent churches. Then, of course, it took until the turn of the millennium before church and state were separated from a formal point of view.

Ghazali proposes that the state should have an 'intimate connection with religion' instead of an antireligions stance. The experience in Sweden, like in several other European countries, suggests that one does not have to choose between those

two extreme positions, and that there are good alternatives in the middle.

Anyway, Naser Ghobadzadeh's description of public opinion and developments in Iran provides reasons for cautious optimism: what he describes as 'religious secularity' differs perhaps not very much at all from our way of thinking. Perhaps, since it will depend a lot on what will be meant by an 'Islamic frame of reference'.