“The political legitimacy and its parameters based on Nahjolbalagheh point of view”

Dr. Akbar Ghafoori  
Assistant professor in group of political sciences at Yazd University, Iran

Um-Al-Banin Kamshaki  
MA in field of Nahjolbalagheh book, Iran

Abstract

With respect to establishment of system Islamic Republic of Iran, political legitimacy is deemed especially important from perspective of Nahjolbalagheh. There are many different hermeneutics about legitimacy, but what it taken into consideration was vindication (legality). According to Islamic Alawi school, a government is endorsed by legitimacy that has been firstly formed according to divine criteria and at the second place, people accompanied to it. They are the people that can pave the way for actualization of just government. The present article is intended to analyze legitimacy of government based on Imam Ali’s (PBUH) attitude. The methodology of this study is of descriptive- analytic type.

Keywords: Political legitimacy, Vindication (legality), Nahjolbalagheh and Imam Ali.
Introduction

Political legitimacy is considered as one of the most basic concepts in politics since it overshadows all details in politics. The political legitimacy indicates the rate of power and influence of a government. Overall, the legitimate governments may deal with handling the affairs by easier mind and more facilitation. The government which lacks the needed legitimacy will consume mainly its time and cost for stabilization of governmental system and surpassing the oppositions.

But this question may be raised that from what point such legitimacy may originate. Perhaps this question may have different answers in various beliefs and schools. This essay tries to express the parameters of political legitimacy from perspective of Nahjolbalagheh Book.

legitimacy in terminology

Term ‘مشروعيّت’ (legitimacy) has derived from ‘شرع’ (law) and it is cognate with some words such as ‘شريعت’ (Sharia) and ‘مشرع’ (legitimate) but it does not exclusively allocated to follower of religion and Sharia and it is a term in politics. In Persian, ‘vindication and legality’ are assumed as suitable equivalents for this term. In the current political texts, the word ‘مشروعيّت’ is the equivalent for Latin term ‘Legitimacy’ that its root is ‘leg’ means law.

Political legitimacy

The closest and most suitable word is vindication or legality (حقّانيّت) for specific concept of legitimacy in political literature. According to Matthew Dugan, the contemporary French philosopher, legitimacy denotes this belief that the governing sovereignty over any country is assumed as legal to issue order and the citizens shall obey it.

The opposite term against political legitimacy is usurpation that may contribute us to perceive it. Namely, this term means that person or persons came to power unlawfully and try to make it legitimate to achieve popularity (Ali Reza ShojaeiZand, 1997: 51).

The political legitimacy will be deemed as basis and cornerstone for the government and at the same time it refers to two reciprocal subjects: 1) Creation of government right for the rulers; and 2) Recognition and acceptance of this right by those over whom it governs.

The legitimacy of government in Islamic ideology

According to Islam, that government enjoys legitimacy that acts according to Islamic Sharia and injunctions and unless it lack legitimacy. In Islamic community, legitimacy stems from a source to which the absolute government belongs. In Islam, only God possesses the absolute governance since based on Islamic approach, all of universe belongs to God and no one has any right to possess them without permission from God.
‘Blessed is He in Whose hand is the kingdom, and He has power over all things’¹ (Holy Quran- MulkSura 67:1)

The government over humans is deemed as one of aspects of religious divinity in Islamic clear religion; in other words, only those ones have right of governing over others that have been appointed by God. It is obvious that anyone may not claim for attribution to God. This issue includes some criteria which are proposed by the Sharia. There have been and are several rulers over the time that falsely claimed for attribution to God because of religious influence in communities and thereby they intended to achieve popularity in society to be accepted by people.

The values and criteria that have been implied in Islamic sources are assumed as parameters of legitimacy.

We, as Muslims, are sure that legitimacy of prophet’s government (PBUH) is determined from the God; although, the basis of legitimacy was manipulated after Holy Prophet, Shiites emphasize in this point that the Pure Imams (PBUT) who have been also appointed by Almighty God have legitimacy similar to Prophet (PBUH). Holy Prophet (PBUH) introduced Imam Ali (PBUH) as his successor from God for several times and in Qadir event and he notified God’s commandment to Muslims.

‘O Apostle! Deliver what has been revealed to you from your Lord; and if you do it not, then you have not delivered His message, and Allah will protect you from the people; surely Allah will not guide the unbelieving people.’² (MaedehSura 5: 67)

**Legitimacy of government in the west**

Most of western authors have mentioned legitimacy as popularity among society since based on contemporary attitude of the west, all efforts are made to achieve human’s consent not the powerful creator. It is the human who has positioned instead of God and his satisfaction with the system is sign of legitimacy of governance.

Max Weber is one of those who deal with sources of authority and legitimacy bases. He refers to three types of authority with legitimate hegemony or dominance: traditional legitimacy, legal- rational legitimacy, and charismatic legitimacy. In traditional legitimacy, the authority (sovereignty) is justified according to previous customs and traditions while in charismatic legitimacy (i.e. penetration into heart), the exceptional characteristics of leader determine this aspect and in legal and rational legitimacy, bureaucratic regulations and official rules may meet this requirement. If the rulers could not justify their own by one of these three methods, the ground is prepared for their elimination and they may be overthrown if this lack of legitimacy is continued and type of their authority is changed (MostafaKavakebian, 1999: 18).
As it implied above, term ‘حقائیت’ (legality) the closest equivalent word for specific concept of legitimacy in political literature. But now this question may be raised that by which means such legality may be determined and verified and what features should be embedded in a political system in order to be endorsed by seal of legitimacy?

Parameters of political legitimacy from Nahjolbalagheh attitude

In general, it may be implied that Islamic legitimacy includes two dimensions according to attitude of Imam Ali (PBUH):

1. Divine dimension

Holy Quran assumes authority over human being as specific to God, prophet, and some of God-believers and it expresses:

‘Only Allah is your Vali and His Apostle and those who believe, those who keep up prayers and pay the poor-rate while they bow’\(^3\) (SuraMaedeh 5: 55). According to many narratives, the phrase ‘الذين أمروا’ (those who believe) in this Quranic verse means Imam Ali (PBUH) and employing plural form is used for a single person in Arabic and other languages. This application may be intended to refer to respect and courtesy and or other objectives.

1. According to this verse and other verses and narratives, Imam Ali (Master of God-believers) is the divine authority and leader of Islamic community after the Grand Holy Prophet (PBUH) of Islam. According to wisdom and divine revelation, it is necessary to obey God and leadership that is appointed by God as Holy Quran has expressed:

‘O you who believe! Obey Allah and obey the Apostle and those in authority from among you...’\(^4\) (NesaSura4: 59)

‘God has stipulated a right for you over me because of your religious authority.’ \(^3\) (الله فقد جعل لي علیکن دقا ةْلایج اهدنکن). The concept of this topic is that authority and government in Islamic community is a right that has granted to Imam Ali (PBUH) by God therefore God’s will and wish is the basis for legitimacy of his government over people.

2. ‘The Glorified God has required some rights of his own rights for some of people over the others.’ \(^4\). This phrase denotes a general principle regarding social rights and that is no one is deemed primarily and intuitively has right against others and social rights are subject to divine will and authority and God has stipulated His own justice and wisdom for members of community. In another position, the requisite for Imamate (Islamic governance) has been implied along with some commendable issues such as faith in Unitarianism, prayer, Zakat, fasting, Hajj rites, Jihad, enjoining of the good and
prohibition from the evil, legal retaliation and *Hodood* (limits) and she has assumed establishment of order among Islamic community (Umma) as the philosophy of their mandatory nature and their obedience as factor for consolidation of Imamate institute and she has mentioned: ‘God has stipulated faith for purification from polytheism... and Imamate as order for Islamic community and obedience as bowing to Imamate’ (فرض الله الایواى تطهیرا من الشرک... و الأعماة نظاما للاعما و الطاعج تعظیماً للإمام فی بال). If the authority and imamate is according to divine religious testament it will be also legitimate and obeying it is the requisite for such legitimacy. Of course, authority and leadership based on divine will includes special features that will be explained later.

‘I see my heritage to be plundered.’

‘We have a right if it is given us we will take it unless we will ride on camel and move although there is long journey.’

(ارى تراثى نهبا)

(ان لنا حقا ان نعطى ناخذة و ان نمنعه نركب أعجار الابل و ان طال السرى) (It means if the reign of leadership and government as our right is not in our hand, we do not assume it expedient to resort to compulsion and coercive force and we will be adapted to those ones who take the power.) (Ali Alikhani, 1997: 52)

2) Public dimension

They changed the path of caliphate by usurpation after Holy Prophet (PBUH) and they overlooked public votes of people and appointed the first caliph by a few votes without counseling and free elections and referendum and second caliph based on the will of first caliph and also they appointed third caliph according votes of only three persons among them *Abdul Rahman IbnOuf* played decisive role to cause him to come power and it was a type of erosive and aristocratic government and they suppressed any protest and opposition in whatsoever (Mohammad Dashti, 2002).

But Imam Ali (PBUH) addressed the allegiance by referring to public vote. When the people rushed toward Imam Ali (PBUH) for allegiance to him after murder of third caliph he implied the allegiance should be taken in mosque and among the public.

And he expressed against too persistentMohajer (immigrants) and Ansar (prophet’s helpers):

Please wait the people to gather and counsel with each other and to take allegiance freely from group of Muslims.

Imam Ali expressed public allegiance of people and their free participation in election of leadership as follows:

‘You opened my hand [to take allegiance] and I closed it but you pulled it toward your own and I dragged it out! Afterward, you have gathered hurriedly around me like the thirsty camel that invaded toward water basin at the promised day for water and pushed together so that my shoe lace was torn and my robe fell and the disable persons became
downtrodden! Happiness and pleasure of people was intensified to take allegiance by me as the children were shocked and the old women left their home with their shaky legs to see image of this allegiance and the patients rode on shoulders of individuals to observe it and the young mistresses attended there without mask (due to hurry and rush)!!

Due to requisite for God’s governance over humans, the people-over-people government is as follows in Islamic school: government of soul and its management to human attributes and activities and the main objective such a government is to strengthen two physical and spiritual dimensions in people and to reduce their pains and to provide their comforts in path toward the higher goal of life that is called rational life (For the sake of necessity of divine governance over humans, people-over-people government is as follows in Islamic school: government of spirituality and its management to human attributes and activities and the main objective such a government is to strengthen two physical and spiritual dimensions in people and to reduce their pains and to provide their comforts in path toward the higher objective of life that is called rational life (Mohammad TaghiJafari, 304).

Implication of some points:

1- Imam considers allegiance as a religious and secondary obligation that shall be observed and breach of it is forbidden. One who has concluded in allegiance deliberatively and after weighing the terms of allegiance and then infringes it he will be excluded from Muslims and committed heavy crime.

2- Imam Ali (PBUH) has referred to his election and public satisfaction with this choice in many cases including for proving his own legality, fulfillment of rights, execution of reforming and social plans, responsiveness to enemies, and blaming of people etc. Such strong deduction and documentations may not be something in which Imam Ali (PBUH) has not believed.

3- When people came toward him for taking allegiance, Imam said: Leave me alone and elect another one for leadership and I will obey him more than you. Therefore Imam should firstly attach (right of election of leader) for the people and then he tells them to deposit their government to another person.

4- As we know personality of Imam Ali (PBUH), Imam (PBUH) was not ready to divert from right path and or to make a wrong tradition as legitimate and confirm or to refer to something in which he did not believe. In his government, If Imam (PBUH) did not assume something as expedient and duly he rejected it perfectly with resolution and even though other people totally opposed it. If the role of people was not verified by Imam (PBUH) in election of leader and public legitimacy of leader he never confirmed the given wrong method and not referred to it so that later to be referred by others as well.
5- When Imam Ali (PBUH) appointed a governors or state ruler in addition to giving recommendation letter to him to be read between people, Imam told him to ask about public opinion so that if they agreed to your government and sovereignty then you may start your work and if they opposed him that person should return to government capital. However, as Muslim leader Imam (PBUH) could introduce someone as governor while public agreement was not also necessary (Ali Akbar Alikhani, 2000: 110).

Similarly, it should be noted that according to Imam’s statement, expediency and order of people and ruler is required and dependent on each other.

‘Thus the expediency is not achieved for the people except by expediency of rulers and at the same time the expediency of rulers is not provided except by persistence of people.’

(فلیست تصلح الرعیة الا بصلاح الولاة باستقامة الرعیه) (Nahjolbalagheh, Oration 216)

Conclusion

The people are the most original element in formation and continuity of a legitimate government. The people should counsel and gather around someone whose total concerns are focused in consent of Almighty God. It was presence of people that convinced Imam Ali (PBUH) to accept the government and at the same time absence of people compelled Imam Hassan (PBUH) to accept peace and rushing of group of public letters caused Imam Hossein (PBUH) to move toward Kufa and surely our absence has led the present Imam to be hidden as well.
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