Velayat Faghih, Tyranny, democracy or superior system?

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Abstract

Velayat faghih on shiya culture after innocent imam has an important role on expansion, broadening and protecting of followers of this religion. Because of that on recent century, especially on years after Islamic revolution of Iran, it has been under the Propaganda invasion and ambiguities of enemies of Islam and shiya. this article with the subject of Velayat faghih, Tyranny, democracy or superior system, with the tendency of responding to the intellectuals Doubts, has attended to a common doubt on this discussion and tries to explain some of the weaknesses of western democracies and drop the charges of Dictatorship from the pure face of velayat faghih, and clarifies that velayat faghig system has no conflict with democracy, and even the vali faghih himself is chosen directly or indirectly by people, but also covers many of the weak points which exist on western democracies and solves them. Comparison between indicators of dictatorship system and democracy with indicators of velayat faghih system proves this claim. the words of diseased imam and magham moazam rahbari as two obvious examples of vali faghih on recent century, in order of clarifying indicators of each one of these concepts is the best confirmation on this word, which it is indicated on this article.

Keywords: Government, velayat faghih, democracy, Tyrannical system, democracy
Introduction

The subject of government and velayat, because of that they play an important role on life of human societies has been under consideration for long times. Does a religion such as Islam which has considered to all aspect of human life, considered this specific subject? Surely its not like that and a look at articles and reasons show us to this truth that Islam has a special consideration to this matter. Velayat faghih is a very pure Islamic theory which was planned in a new shape and formation by great architecture of revolution, Imam Khomeini on Islamic Iran.

From the very beginning this system faced lots of disagreements, because it was established based on justification and Rejecting Oppression and arrogant powers of the world invaded it from west to east and these objections till today are also continued by Westernized intellectuals to the extent that they named it a dictatorship system and denied the role of people and presented western democracy for young people and they considered it the ultimate goal.

This study was also has been written with respect of Necessity of responding to this doubts on this subject so that in addition of showing the pure f=side of velayat faghih theory and counting dictatorship systems characteristics, the fundamental difference between this theory and dictatorship systems can be determined more than ever, and from the other side by explaining western democracy and its ugly face, show that people role on determining their fate can be imagined in a true form on velayat faghih system.

First speech – fundamental differences between velayat faghih theory and dictatorship system

We can count down the fundamental characteristics of dictatorship and tyranny system on following bases:

1- Supreme and unlimited power of government
2- Obtaining power through force and exerting pressure
3- Indifference of government toward citizens best interests.
4- Power holders are extralegal.
5- Lack of benefiting from political freedoms among citizens.
6- Existence of insecurity and fear and anxiety

Therefore dictatorship system possess Violence and repressive power which has assigned power on one person or group authority and its Authorities domain is so broad that to some extent it also covers the duration of governing as well, there is no distribution of power or even If there is, its not fair.

Usually on this dictatorship system, major politics will be decided on very Centralized method, by governor or governing group and their will, will set the fate of entire society and people will have no role on political decisions of society. Choosing governor will be performed on a forcing related manner and without Interference of the will of people and governing force has no logical – regional source and there will be no logistical process to end
his governance. On this system, governor is free of any Common provisions of Surveillance and practically no law or tradition which would be able to provide a basis for Public oversight on governor performance is existing and most important then all, there is no Rule and law to choose the Successor of tyrant governor. Restriction of power is only on hand of one man and Rotation of power among political and social elites has no meaning at all. Social and administrative justice will manifest on will of ruler. General obedience from rules of the ruler can be analyzed only based on fear from the Power of ruling government and using terror is one of the main tools of dictatorship governance. Thus in continuation, we will try by evaluating different dimensions of velayat faghih theory, attempt to assess its relation to these features and we will express important indicators of this theory which has a determining role on Deterioration of tyranny and dictatorship.

We will continue to compare between velayat faghih and dictatorship system on 3 sections of governance goals, conditions of vali faghih and Regulations governing on performance of vali faghih to that it can be obvious that despite the claim of dictatorship status of velayat faghih theory, easily we can find out about emptiness of such claim and Acknowledge to capacities of velayat faghih theory on Deterioration of tyranny and dictatorship.

A) goals of government on velayat faghih theory

Goals of velayat faghih theory are in such a way that they have no realtion with goals of a dictatorship system but they are exactly in opposition with those goals, in continue, by investigating goals of government on velayat faghih theory, we will discuss about more dimensions of this matter. These goals include of:

1- The pursuit of happiness

Happiness is a subject which was always under the consideration of the political philosophy of Islam and it has an important place on velayat faghih system. While this subject is not much under consideraton on dictatorship system and tyrant person is often a Profit-driven person.

On Islamic thoughts the ultimate happiness of men will be sought on reaching to Nearness to God and people will have more happiness when they can achieve to more nearness to God. on quran karim, the goal of messengers mission and Islam religion is introduced as holiness of human and society. Of course that this holiness will be fulfilled on the way of moving toward the God, This is a book to leave people who are in wrong and guide them toward God, the way of greatness (Ibrahim, 14, 1).

This is a book that we have sent to you to send people from darkness toward light and the way of your beloved god.

This light is the same Nearness to God and his Infinite Essence which can be obtained by moving and solok on God's ways. But reaching to this stage requires preconditions and lots of Terms which on their own turn will obviate any formation of dictatorship and tyranny.

When the goal is happiness of humans, surely this goal cannot be fulfilled by force and dictatorship, but it needs wisdom, intelligence, awareness and free will. It is not the duty of
government to enforce something to people, but it should create an appropriate base for Perfection of the community and by continues effort tries on developing awareness and morale development and increasing level of wisdom and intelligence on people, so that they choose the right path themselves. Khaje nasir oldin tosi famous hakim of Muslims Emphasis on this note that happiness is one of the matters related to willing actions of men and in shadow of these willing actions it will be obtained. Yes, ultimately on higher levels of nahy az monkar which practical action is required, government on necessary scale is obligated to fight with monkarat and should Prevent prostitution, corruption and oppression, but this does not mean that they want to get someone to ultimate happiness by forcing him/her.

Even zami kafars are living under the protection of Islamic government without anyone protesting to them and enforce iman on them, because Islamic government has duty against preserving life, namos, keeps and their security, just like other Muslims people.

Thus happiness and taali manavi of humans as one of the greatest goals of government on velayat faghih theory is one of the elements which is against any kind of dictatorship and considers human freedom as one of the needed terms in order of fulfilling human perfection, as an essential matter. Based on this, using existing tools on dictatorship systems for fulfilling the most principal goal of Islamic system, not only lacks any kind of value, but also it will be against all values.

**Right to justice**

Nature of justice is one of the concepts which has been started in order of describing lots of various opinions. But most of Islamic Scholars on definition of justice would say:

"Eta kol zi hagh haghoho"

Give everyone, as much as they are deserved. Some of western scholars have also accepted a similar definition. As for example adam swift on book of Political Philosophy on definition of justice says: justice is defined as something that belongs to people will be given to them and what is not theirs, would not be given to them.

The other purpose of government on Islamic system and velayat faghih is that human life on individual and social areas would be constructed based on justice. On Islam, social justice because of its importance as a phenomenon which has an Intrinsic Value is considered. Because of this, on this view, justice is the main purpose, not that it would be a mean or tool for reaching to other social goals – except happiness.

One of the Intellectual bases and practical principles which Quran is emphasizing on it justice and seeking righteousness

"Asked you to follow justice and be kind"

God orders to justice and Beneficence. Justice will be done for all people and nations, even enemies. Quran karim says to Muslims:

Jus, this can make balance and justice, this is the way of Ali to be close God (Ma'edeh, 5, 8).
Being enemies with groups should not make you to do not treat them with justice. Seek justice because that’s closer to being faithful.

This aye advises justice not only in ordinary circumstances , but also on special circumstances as well, meaning that even on circumstances that you have bad feelings toward a certain group, this should not make you to treat them with injustice.

Islamic scholars had also emphasized on this definition, including that imam khomeini on velayat faghih book Emphasizes that holding justice and expanding ghest is among goals of messengers and they had formed governments for that purpose.

The thing that should be considered is that Islamic government has such a strong bod its relation with justice that imam interprets that as the reign of justice.

These all show that on Islamic government, justice and its unique position has an important role on putting down dictatorship, because that one of the main features of dictatorship systems, is cruelty and indifference to justice, while on velayat faghih theory, government suggest holding justice on different levels and destroying cruelty on different forms, as one of its most important goals, so far that if they act in opposition to that, government will lose its religious nature. So because of that, such government will always stay against dictatorship, because dictatorship itself is one of the most important examples of cruelty, tyranny and injustice, and just like how founder of Islamic republic of Iran expresses it, it’s a huge tyranny for nations and Islamic government, on justifying its existence, suggests Fighting against oppression as one of its fundamental components.

3- Serving to people

On velayat faghih theory, governor is the servant of people, while there is not such necessity on dictatorship system. This necessity is driven out from Islamic articles, and it has been suggested as one of the government goals. Marhom kalini had expressed on kafi book:

: Men Asbah va la Yahtom be omoure Al-moslemin falaysa be moslem (Kalini, 1365).

The one who endures till morning while he had not tried to help to Muslims on their works, is not a Muslim at all.

This word is saying that anyone who does not tries to fix difficulties of Islamic society and its people, is out of Muslims dominance and his Islam is not complete.

The result that is obvious here is that on Islamic system, ruling brings responsibility. and Islamic ruler, not only will get any personal right, but also his responsibility and burden toward people will be higher and should make more efforts in order to serve the people and this is exactly what cannot be found on dictatorship and tyrant system.

4- Providing security

Security, safety from protest, and Mandatory takeover, is without consent and about people it means that they should not fear for their legitimate freedoms and under no circumstances their legitimate rights should not be under danger and no factors should threat their rights.
Establishing security, without doubt is one of the most important goals of any government, to the extent that purpose of forming government has been considered as establishing security in such a way that citizens should even feel safe from government itself.

On Islamic thoughts, security is one of the most important and greatest divine gifts. There are lots of revayat found which notes about the importance of security on political life. From these revayat, we indicate to two of them from imam ali Shar Al-belad balad la amn (Tamimi, Amadi, 1377)

The worst of communities is the community which there is no security in it. Shar al-avtan ma lam yamen fiehe al-ghetan (ibid).

The worst of places for residence, the place which its Residents have no security.

Including these, in order of fulfilling security on society, existence of some factors has been considered Necessary which each one of them is in opposition with dictatorship. These factors include of:

1- Exerting and expanding justice and law equally and Rejection of any Discrimination on society.

2- Constant fight with violating factors and exerting needed preventions for Exsiccate the roots of abuse.

3- Familiarity of people with their rights and giving awareness to people in order of respecting to rights of others.

4- Guarantee of Strong enforcement of spiritually

5- Guarantee of legitimate Implementation for punishing abusers to the rights of people

It should be noted that government goals on velayat faghih theory are much more than what was mentioned, but since the purpose is only to suggest a perspective of government goals on decay of tyranny and dictatorship, thus we see it Suffice enough to mentioned these subjects and explanation of their roles.

Regulations governing the performance of velayat faghih and fighting dictatorship On velayat faghih system, there are Principles and instructions which in overall, define regulations and limitations of rahbari velai and set terms upon ruler which not only we cannot find any relation of them with tyranny and dictatorship, but also quite an opposite status occurs:

These factors are including:

1- Divine law

On velayat faghih system, behavior and performance of all responsible persons are defined and described on the framework of divine law, thus, on this theory, behavior of vali faghih, is constrained and limited to divine law.

Imam khomeyni indicate at this point that messengers and kholafaye anbia are also Basically enforcer and subject of divine law, and they are protectors of Islamic rules. Thus if
they want to run dictatorship they will fall from this protecting position and will be removed. Because vali faghig is the enforcer of islam ahkams, and the basis of his legitimacy and the reason which proves his velayat, is implementing islam ahkams and providing best interests of Islamic society in light of implementing these ahkams. It's obvious that the basis of decisions, choices, Appointments and dismissals, and all of faghig jobs, is islam ahkams and providing the best interests of Islamic society and satisfaction of god and if a vali faghig deviates from this basis, he will be disqualified and his velayat will be removed, thus instead of velayat faghig definition, we can use the definition of reign of law.

2. Enacted laws

Enacted laws are from the Category of laws which are enacted on framework of divine law and Constitution. After final Enactment of these laws, ruler faghig will be under rule of these laws just like other people and he will be equal with them against these laws. Imam khomeyni words guide us to this point that on this theory, there will be no one beyond legislated Laws. It is obvious that vali faghig in a ola form, is obligated to Respect for and commitment to Constitution, because he commits to people to exert his velayat on framework of Constitution and comply with his authorities based on principals of Constitution. Thus violation from Constitution will not be permitted for leader. It should be mentioned that based on explanation of imam and lots of scholars from velayat faghig theory, faghig authorities on gheybat age, is including to all of maasom (innocent) rights on managing Islamic society which we define it as velayat motlaghe faghig. thus, on this theory, in addition to primary and secondary verdicts, governmental verdicts Have been also proposed, which their Criterion is the Expedient of islam, such a way that based on that vali faghig can make necessary decisions for managing islamic society and solving the issues of system which can not be solved in an ordinary way.

3- amr be maarof and nay az monkar

One of the most important instruments of Islam for regulation and supervision over community is amr be maarof and nay az monkar which there is an important consideration over it on islam and requires from all of society to do not stay indifferent on their individual and social life toward what is happening around them. Imam Khomein says about this:

Now we are all obligated, we are all responsible, all of us are responsible, not only for our own deeds, but also we are responsible for other peoples works as well.

"Lolakom ra va lolokom masoul an rayate"

Everyone should comply with others. My responsibility is your burden and your responsibility is my burden as well. If I deviate, you are responsible for not saying why did you deviate? You should all invade and say why?

Based on this teaching of amr be maarof and nay az monkar, to all of islamic community members, from rahbari to the lowest levels, they are all responsible against each other. So if it should be witnessed that a rahbar is acting against his legitimate and religious tasks, it is obligatory for everyone to feel responsible against it. Legitimacy of this supervision, is divine law and beginning and ending of its legitimacy, is not driven out from faghig, the same source which legitimates faghig, and forges velayat for him, in return will put supervision right for people as well. In fact share has considered Reciprocal rights for
Governor and people and both sides are obligated to respect that and otherwise, they will lose their legitimacy.

With this analysis it can be concluded that in the light of this education, two kinds of informal supervision and at the same time, effective and active will be formed upon behavior and performance of rahabari.

First one is the supervision of the people who will react in case of deviation based on their religious duty and will not stay silent.

Second one, is the supervision which on a religious society, will be exerted upon community matters by Religious leaders, maraje taghlid, religious scholars. These people have an origin completely independent from government and they will watch over the progress of community matters and even if by assumption, a part of them turn to Silence and compromise, there will be always people who would tell the truth. Thus, rahbari velai, is not only a higher supervision, but will be more than others under informally effective outdoor supervisions.

In this regard, one of the most basic rights of citizens on society and Islamic governance is the right to criticize and question authorities of Islamic system. Every person from nation has the right to directly question the leader of Muslims in front of others and criticize him and the leader should respond by a Convincing answer, and otherwise, if he had act against his Islamic duties, automatically, is he dismissed from his leadership position. It is obvious that because of this principle, the performance of Islamic governor is controlled and this imagination that leadership is without any Standard on his actions, will be removed.

4. The good of society

Based on velayat faghih theory, Islamic ruler is obligated to consider the good of society on his decisions and based on them, decides for Advancement of Islamic government goals. Islamic ruler cannot be indifferent upon the interest of its citizens and only pursue to implement Islamic basic rules or to provide interests of a certain group of Islamic society citizens.

Thus, the one who rules over Muslims and society should always consider general conditions and interests of public and do not seek personal directions or personal interests. While on dictatorship and tyranny systems, usually public interests are not being considered, rather that efforts will be spent to provide the interests of a certain group or people.

Vali faghig and fighting against oppression on other levels of political system

Absence of formation of dictatorship on lower levels of political system is also affected by the goals which were introduced for Islamic government, but in order of a better control, it’s needed that we consider alternative approaches on these levels as well. The truth is that against power, should exist another power so that it would be able to control and suppress that power effectively. This power on democratic liberal systems are the groups which play an important role on the process of acquiring power. But on system based on velayat faghih theory, rahbari velai who both have governmental and social-spiritual position, will play this important role. Of course such supervision, has not considered any special right for vali faghh, but it has been considered as one of the fundamental and principal duties of rahabri.
Imam Khomeini clearly says that one of the duties of vali faghih on Islamic system, is to prevent from formation of any dictatorship and tyranny. He says about the role of vali faghih toward fighting with oppression and decay of dictatorship that:

Though, those who are not aware of Islam programs conditions , may think that if vali faghih would be present on constitution , it may result in dictatorship. While it is velayat faghih which is stopping dictatorship. If there is no velayat faghih , dictatorship will happen. The one who stops president from dictatorship, from chief of military to make dictatorship, chief of policemen to make dictatorship, head of Municipality to make dictatorship, prime minister to make dictatorship, is that faghih. That faghih who has been assigned to people and has been assigned as imam of people, is the one who wants to break these dictatorships.

With respect to what has been just said, the principals and Theoretical support of words which imam Khomeini said in relation of opposition of velayat faghih with dictatorship, can be clearly concluded. This is based on these principals and Theoretical support which he always emphasized on oppression of velayat faghigh with tyranny and dictatorship.

With respect to what has been just said, it can be concluded that dictatorship and tyranny during history, was under consideration of political scholars and its fundamental and primary features has been described. Thus in our judgment we should consider them. On velayat faghih theory, there are factors which are not only in relation with dictatorship system components, but also they are completely in oppression with them and they will result on decay of those suggested elements. The purposes government on velayat faghih theory, features and characteristics of vali faghih and Criteria ruling over his behavior, are in such a way that will not tolerate any kind of dictatorship and tyranny, and they are among the matters which will result on fading of dictatorship as well. In addition, vali faghih on Islamic system is obligated to supervise over the behaviors and performance of the other authorities so that in case of observation of behavior's Contrary to Islamic principles, deal with them on the appropriate way.

Second speech: relation between democracy system and velayat faghih

In overall, suggested definitions for democracy can be divided into two groups:

A) Some of the definitions consider democratic system as a value which its basis is Humanism and human orientation. The most important indicators of it are:

A-1 relativism: on this kind of government there are no fixed facts, rather everything from personal morale to politics and social relations, are all relative and they will change on different circumstances. Hindu does a right job, and just like them Christians and Muslims, they are all equal and in same level.

Public legitimacy: on democracy, the will of people will be set as the law and will be the criteria of legitimacy and the power will have the right of enforcing governance who has received it by people, and the other channels of power transfer are not recognized.

Liberalism: on western democracies, Liberalism method is dominant, even though they have put different names on it. Even in such cases that a group introduce themselves as socials, but in practice they are only different on minor details with those who introduce...
themselves as liberals and both of them are trapped under the same Liberal capitalist and monopoly system which has based their origins on more enjoyment of individual.

The other group, the approaches and definitions which consider democracy as only similar to a method for distribution of political power and a means for decision making. Democracy as a method is seeking to minimize the management errors of society and maximizing people's participation and decreasing the role of people, as individuals, on political decisions.

The differences between democracy and velayat faghih

Velayat faghih system and in overall Islam, cannot be summed with democracy as a value definition. The most important differences between them are:

1- On velayat faghih system relativism and lack of belief to fixed facts is not accepted, because on islamic view there are always fixed and unvarying facts which had been sent by God by means of Vahy to guide human society, Islam According to the Quran ayat and the various logical reasons, consider itself the only true religion. The ayat mentioned below specifically have Contradiction with Valued principles of democracy

"There is everything after Hagh, except darkness"

After the right, what is there except straying?
"Va man yabtagh ghair al-Islam dina falan yaghbal menho"

And anyone who chooses any religion except Islam, it will not be accepted from him.

2- On Islamic system, legitimacy can be only derived from the Absolute truth which is god himself and this on contradiction with valued principles of democracy which considers vote of people the basis and the foundation of legitimacy of government and leadership.

3- On velayat faghih system, all of matters, from Appointments to dismissals, to all of the other matters, are only on gods hand, directly or indirectly, these Appointments and dismissals are not by peoples will, except in level of accepting gods will, which if they don’t accept it by their own will, they will be moagheb.

4- Worshipping god, is the highest level of perfection and obedience from gods rules, ensures happiness of human. Thus democracy if it means about the value of peoples vote against gods rule, will have no legitimacy, because we should be Obedient to the rule of god, and not votes of people.

1- On western democracies, liberalism has filled their content which is based on origin of individual and individual freedoms along with Capitalism. Islam is on the contradiction to these kinds of democracies because including to the fact that considers both person and society genuine, it's in oppression with unlimited freedoms and it is in disagreement with unleashed capitalism which has been obtained from any way.

But if we choose democracy as a method, which people would be participating on their fate based on gods rules framework, such thing is defiantly in compliance with Islam and
velayat faghih system, because on Islamic system, vote of people and opinion of experts, on planning and choosing structure and organization and the method of implementing religious rules based on below ayeh, can publicly be exerted.

**Ordered to be discuss and coordinate**

In addition to that shariat ahkam have secret areas and they have mantagh al feragh, which happens not to be low, which on these situations, the measure is the vote of people and Representatives of the people. so in overall, both planning and methods of implementing religious rules areas and also on secret areas, and also on choosing people, groups and tastes, there is a wide area for Legislation and public consultation and competition.

The sum between western democracy and religious ruling this is from this part that difficulty and even impossibility of adding together today's democracy of Westerners with Islamic rule can be identified. Every kind of definition and image which would be suggested from Islam rule, Criteria and principles of Islam, and Principles of non-infringement of religion, is obvious and necessary matters, and thus public participation on that area will be limited, but liberal democracy is seeking to fulfill desires of every individual.

Some of Islamic scholars who consider western democracy as the most advanced form of ruling, asked to by decreasing the flaws of democracy, to gather it with Islamic government, among them, we will suggest 3 of their theories:

**Theories of democracy adjustment and the rule of religious**

Some has collected the Islamic rule with democracy as followers:

“Theocracies that rely on religious communities and have been derived from them will be democratic if they want the consent (satisfaction) of both the creature and creator, and fulfill both inter and intra religion and respect to the former of reason and ethics as well as preceded it. And maintaining the balance between that to, they achieve the hermetic that because of negligence it is inaccessible or unwanted for today’s human” (sorush, 1322).

In addition to some specific problems of this theory, that is not relevant to our discussion, what is necessary to be considered is that this theory is based on the relativism that he was caught up in it, because he says; “(the reason and morality formerly the religion) emphasize this phrase that except the right and truth religion, there are some facts and rational principles that they are right and truth, but religion hasn’t considered them, and in gathering (community) of Islamic government and democracy, we should consider them.

How can we accept the gathering of Islamic government and democracy while Islam denies the existence of the Supernatural truths post it explicitly? How does he explain this verse! : (There is everything after Hagh except darkness) (Yunus, verse 32) that defines anything as void other than Islam which is right.

Are there any principles in democracy that they haven’t been paid in Islam? What are they? If these rational principles haven’t mentioned in religion and are contras with it, how they can be gathered (used) with religion? Since to sum (gather) everything common ground is necessary and this common ground has been denied (neglected) in their statement.
What does (the outside of religious) mean? Where can this self –formed statement are appeared in religious literature?

If the purpose of morality and the former principles of religion are freedom and justice, so how does he claim that there principle have not mentioned in the moral principle preceded by religion, the principles that Islam has had special attention to them and anywhere in Islam resources are insisting on these principles. If the purpose is western freedom and liberalism, it seems unlikely to prove it rationally and morally, these issues have been criticized and this debate doesn’t have the capacity (isn’t suitable) to bring them up. (nabavi, 1373).

Elsewhere it is stated: “They-religious government-in order to be considered religious need to use religion as guidance and judge for their challenges and problems, for being democratic, (they) need to match the Ejtehadi understanding of religion with the fluid collective wisdom.” (soroush, 1372)

What does this sentence (make the ejtehadi understanding of religion fluid) mean? Can we change some of the religious principles because of (for the sake of) what have been said in collective wisdom? If so, that religion is not the intended religion.

What is the collective wisdom? And what is the criteria? If the aim is all of the society, so such a thing has not happened. And if aim is half of the society plus one, so this will not be the collective wisdom. Maximum it can be called maximum wisdom. In addition, naming it as “wisdom is nothing but deception. However, this is stating nothing but repetition the contracting and expansion theory in new words; it is the legitimation of majority votes that requires relativism.

After all, before religion and extra-religious ethics, the human right can be accepted of somebody who at least. Valorizes for wisdom. Or nature or general agreement-with the assumption of gaining it- and also in some valves, but someone who can’t accept any value without divine authority and with cutting the ties between knowledge and valves (both rational and empirical) accept the origin of valves in some “must” that will be issued by lord, (soroush, 1358) such a person doesn’t have any right to talk about human right and the valves before religion.

What mentioned above, we can conclude that this theory is neither democracy nor Islamic.

We can imagine some models of general participation of scientific and religious elites and also the public in regulating the structure of Islamic republic, and interest the benefits of religious understanding and collective wisdom, as we have such a thing in some part, of Islamic republic, but naming such a models of religious government in a valuable meaning, is not accepted for western and it is nothing more than rhetoric. (Navabi, 1374).

2. The second consistency theory has been offered as follows: “in fact there is not any significant difference between the mechanisms and practices related to the management and human relations in the Islamic state and his current democracy systems. In other words, the Islamic government agrees with majority rule. That appears in the form of free elections, and parliament, and local assemblies, and independent judiciary and respect for public opinions. In these mechanisms, there is not any fundamental disagreement which is due to different civilizations” (Ghanoushi, 1372).
This theory believes that the appearance of Islamic and democratic stats are the same, in addition to this that knowing just one way to implement Islamic law is incomplete, we are not talking about (discussing) the governance and the face of rule (government) to know them as one unit, our problem with western democracy is because of their principles and roots. These methods may appear to be the same but each one tries to achieve a goal which is in conflict with another goal. So this theory has not been able to solve the compatibility problem.

This conflict Ghonoushi reduces because of the dignity of majority in theocracy and interprets it unlike (on the contrary) the basis of west democracy, because he respect (accept) the majority vote within the frame work of revelation (inspiration): “the difference (disagreement) between the philosophy that relies on objectivism and gentility of wisdom, and the goal of life and national challenge as a frame work of political relations, on one hand and on the other hand there model of Islamic system that accepts the faith in God as the philosophy and the mystery of human life and knows the human as the vice gerent of Allah and gives the revelation a full total legitimation and explains the legitimacy of the popular vote in the context of revelation, is clear” (Ibid).

Although Ghonushi shows that to some extend he understands the issue of conflict, but still the doesn’t give up and endlessly tries to introduce democracy as equals as to religion in as religious rule. However his effort is nothing but claim. And despite admitting the difference between the two philosophies, he has repented again that they can be “The model of democracy that is based on the rule of popular vote, does not negate the existence of legitimacy-covert and overt-such as faith in the principles of natural law and the universal values of human right and international law that is superior to the rule of the popular vote. Such a perception causes that faith in legitimacy and credibility of revelation is like an insurmountable bridge for the legitimacy of using the valves of a democracy model in organizing a Islamic stable, just according to what exists at the present time. Because the elements of democracy model such as elections, separation of powers and division of power through participation of parties in a political system can be placed with in the Islamic model. (Ibid)

It seems unlikely that any professional philosophers and scientists in the political arena accept such a collective and accept the establishment of such a compatible model as a good omen.

Interesting to note that Islamic intellectuals know that western philosophers haven’t used the west democracy appearance without resorting to its principles, and have considered such a model that integrate its democracy shell with other cores except its core, as totally non-democratic. Hence Moris Dovrzhe states, those who try to use the appearance mode of democracy to gain the majority vote in support of democracy ides, and after winning forget the essence of democracy (originality of individual) and forget their ideas into action, don’t have democracy. And it is correct to prevent them by force and violence and keep the nature of democracy by violence. To Dovrzhe democracy is acceptable when after winning, the winner (victor) is committed to both appearance and the content of its interior and principles, shouldn’t pay attention to the appearance and after winning deny both of them or at least the content of democracy. (Dovrzhe, 1369)
Now the secret reveals that why westerns have prevented Islamic in Algeria to become powerful while they earned the majority of votes. And why the western world have tended to move and mobilize the westerns in order to prevent of turning Islamic countries to another Algeria and why the mechanism of majority in governing Islamic Republic doesn’t make them satisfy (Navabi, 1373)

3. The third theory of compatibility of theocracy and democracy—unlike two previous theories, this theory does not seek compatibility between democracy and theocracy, but it is about the root and basis of democracy in the west that states about the origin of individual: “The main aim of liberalism is giving originality to human beings as irresponsible creature to GOD” (Torabi, 2372)

And also pointing to the lack of real success in the west it says truing to adopt the rule of Islam and western democracy is a result of intellectual weakness.

No one can claim that the west political system are a reflection of the will of people, because there are some layers of party leaders or the benefits of particular class between people and political systems. Despite the fact that some Muslims are trying to interpret Islam according to the current era, but it must be said that these effects are an example of Islamic thought under oppression.”(Ibid)

The Islamic government is considered as the fundamental in this theory, and its principles are the criterion and the public vote is respected in the context of religion. In theory may be this theory is similar to western democracy, but its foundation is differ from western democracy, and it is not restricted in the originate of human and liberalism.

Within the framework of the rule of Islamic law, it has been proposed that the council system will be established under the Islamic rule; of course a system that still exists in this idea has not been Islamic political philosophy, but in his model whatever is this council political philosophy, it is based on a religious basis. So in collection between democracy and Islamic rule, his theory is sacrificing west democracy philosophy for the sake of Islamic rule, because he realized that west democracy has relied on principles that preserving them it can’t be in compatible with Islamic rule.

It should be noted that popularization the council system in the life of Islamic community is a very vague idea and perhaps in a careful analysis of the political sociology of modern societies it is just an imaginary ideals. However the principle of the benefit of the council system in specific areas where the system can demonstrate its efficiency is verifiable.

Also the opinion of Dr. Torabi that extending the council system is a device to reach consensus is an ultimate idea and imaginary and such a paved way can be imagined even within the religious thought. It is a clear fact that society—especially in today’s world—doesn’t live in consensus and doesn’t follow the advisory to reach in consensus, but the foal is increasing participation and rejection of tyranny. The positive side of what stated in the third theory was that it was founded on Islam, but there are some ambiguities in its way that points to consensus that have remained unresolved in Sunni thought, but in Shiite thought Imam Khomeini has established the model of Islamic rule on the basis of “velayat faghih” theoretically and practically. What Imam presented determine only the main and basic principle of Islamic rule, but the life of that immortal leader didn’t allow him to present a
comprehensive and inclusive model of governance of “system of jurisprudence” and experience it in practice.

After the same time based on the need for political structure of Iran, and his special attention to develop and complete the practical model of Islamic rule, the first reforming and developing program in the field of more accurate regulation of rule model of “system of jurisprudence” was conducted in the council of constitution. (Nabavi, 1373).

Emam Khomeini has mentioned the necessity achievement of Islamic scientists to a comprehensive model about Islamic rule that is appropriate to the time:

“Perhaps common methods of administration of people’s affairs will change during the coming years and societies need some new Islamic issues to solve their problems. The great scholars of Islam now have to find a solution” (Khomeini, 1378).

Debate about the rule of Islam is not the major discussion, but after assuming “system of jurisprudence” then it’s time to discuss about many components that play role in Islamic rule structure and regulating all of them requires a comprehensive and an all-encompassing model.

According to what was said, hereafter if the compliance of various forms of democracy with Islam will be questioned, the answer will be negative. So, the intended democracy of Islam is neither socialist-democratic, liberal democratic, nor something except these.

Islam is less concerned with forms of governments and regimes. What Islam offers and demands, is related to the concept. So, to GOD the most pleasing system is one where human being fined their desired happiness in freedom and social justice, different types of freedoms, participation in destiny, safe and excellence competition, pure ethics, and in short all human places and different types of virtues are available.

Islam wants the rule of people is exerted along the rule of GOD, and no one can refuse it. In liberal democracies it has not been determined that how should be the people’s wills. Is it sure to be opposed to the will of GOD or not. But apparently it shows the general face that is whether the will of people is along the will of GOD or across it, it is democracy. (Nabavi, 1373).

This type of government that is along the GOD government can be called as religious democracy that has some features and its superiority is because of these features.

Although these features to somehow were expressed in the theory of “system of jurisprudence”, but now for the summary and after the results of comparing, “system of jurisprudence” and democracy, will be mentioned in summary.

**Characteristic of religious democracy:**

Some of the positive indicators mentioned for democracy, can really be considered as principles of religious democracy, such as public participation, tolerance etc. that in religion cannot be found correctly. At the same time the rule of divine law, justice and real participation can be considered as principles of religious democracy system.
It can be said that if criteria of absolute democracy is in conformity with sacred religion and reason, it can be considered as the indicators of religion democracy. They are some indicators such as: tolerance on the opposite thought, acceptance of human right, (Islamic type of course), rule of people along with rule of GOD, acceptance the criticism, etc. But principles such as liberalism, common individualism and pluralism in today’s west epistemology, pragmatism, relativism, and things like this that it is impossible to adopt them with religion and reason, can never be considered as the characteristics of religious democracy.

Unlike the liberalism that has recommended personal profit, pragmatism, and relativism, Islam has recommended sacrifice, sacrifice for others, bound to Islamic-humanity principles, pragmatism with idealism, and relativism with absolutism (Mesbah Yazdi, 1380).

Therefore the characteristics of religious democracy are beyond the little speculations that come to mind at the first look. Here we explain some of them:

1. The rule of GOD (GOD’s sovereignty)

A society that GOD does not govern on any of its powers does not have a religious rule, even if people go to the mosques, churches and temples. On the contrary if the legislature is busy to explain the laws of GOD the judiciary judges base on GOD’s judge, and also the executive branch implements (exerts) based on the legal rules, and people do not want anything but it, in such a society the rule of GOD is at first (on the top) and then the rule of people will be along it. Of course speculators (traders) have abused of these ideas which should not be taken into account of originate of thought.

Muslim scholars have presented some intellectual and narrative arguments that the real rule belongs to Almighty GOD. The following verse is one of the narrative arguments: Everything is for GOD (belongs to GOD) because he has power over all things (Al-Imran, verse 198).

So the real government in all aspects of judging, legislation and implementation leads to GOD. In another verse we read:

for people who are sure, there is no rule better than the GOD’s sovereignty means that GOD’s rule is the only legitimate rule, and the rule of oppressors is illegitimate because sending the prophets has two purposes: Worship GOD and avoid evil:

We have raised a messenger in every nation to worship Allah and avoid evil (Shunfalse GODs) (Nahl-verse 36).

Intellectually the rule of GOD is important and legitimate because, first, GOD has infinite knowledge and since he is aware of all complex aspects of material and spiritual life of man, his commands apply (include) all aspects of human existence. Second GOD is absolutely needless and can’t be influenced by desired and tendencies, since social and even genesis rules do not have any advantage or disadvantage for him. Third, GOD’s sovereignty in accordance with lordship is genesis and legislation, because when we want to use a device we have purchased, it is reasonable to accept the law, instructions and catalogues from its manufacturer not the other.
2. Legalism:

In democratic societies because people are the source of law, and it is going that what they want will be the law, such a slogan is good and suitable. And furthermore, it is the religious society that the divine law is acceptable and Muslims believe in it and in many cases Almighty GOD has determined the legislation based and depended on the people will in religious democracy society. So if in a democracy society people are the only supporters of law, in a religious democracy community there are to supporters for law, ‘GOD’ and ‘people’.

3. Real participation of people

It maybe said how is it possible that both people and GOD will be leader (chieftain) ? The answer is that it is not improper except if say that Muslims who have accepted the religion of Allah, should also obey his commands, so as it has been proved in books in details, regarding to their freedom, people should pay attention to the quality of verdict, judgment and execution from GOD. So at the presence of Imams (peace be upon them) they should have them as a complete pattern and as political and religious leaders. And in the absence of that magnanimousness they should follow those who are their real successors and have been appointed by the loved ones directly or indirectly.

4. Justice

Justice in its nature is compatible with real democracy that is religious democracy. But maybe it does not have this relationship with non-religious democracy or non-democratic religion. Because the origin of justice is nothing but religion and human nature. So if someone does not pay attention to religion (it means that) he does not pay attention to his nature, and the human nature has been his only criterion while human is a two-dimensional being that is he has nature and mettle:

The mind opens his wings to the top *** the body has slicked to the ground

His mettle has always invited him to spirituality and the other world, but his nature knows nothing but material and temporal world to invite.

5. Islamic ethics

It is not exaggeration if we say that execution of Islamic morality in society is the most prominent or at least one of the most important indicators of religious democracy. The holy prophet did not say “I came to complete the principles or secondary principles among the mankind” but he said “I have been raised to complete the principles of morality among the mankind.”

However, the prophets have not even neglected a bit about the happiness of human in this world and thereafter. They have defined human happiness in personal and social ethics and have explained it well. It is clear that human can gain some of them through experience but all of them cannot be reached through experience. The problem of today’s western man is that he says: I even like and accept the ethics through experience.
6. Transparent and accountable government and the role of people in this area

The right and duty are not separated in Islamic society. People are both entitled and obligated and the relationship between the right and duty is correlative (Mesbah Yazdi, 1380).

On one hand with the duty of enjoining good and forbidden wrong people are required to keep the government accountable, and on the other hand, the government is obliged to respond to people. And Islam has ordered both of them from the Islamic texts.

Conclusion:

1. All communities including Muslim community need a government.
2. The Islamic community because of its nature and in order to remain Islamic, needs to know Islamic and jurisprudence in addition to managerial abilities. And this has been proved with intellectual and narrative reasons.
3. Velayat (leadership) in guardianship of the jurist means patronage, governance, control of society.
4. Legitimacy means being legal and legitimacy of ruling is caused by different factors such as: Anger and overcome, social contract, divine legitimacy of kings, traditions, heritage and so on. But legitimacy in Islam and the system of jurisprudence is different from current humanity legitimacy and is only due to permission of GOD.
5. The system of jurisprudence, in addition to legitimacy has significant differences with all human systems from autocratic, totalitarian and fascism to aristocracy as follows: objectives, the government specific functions, ways, legal origin, circumstances of authorities, and officials, control and monitoring... As a result there are some components in the theory of the system of jurisprudence that not only are not compatible with the components of dictatorship systems, but also is quite opposite and will lead to decline of its proposed factors. Goals in the theory of the system of jurisprudence, characteristics and attributes of the supreme leader and the regulation governing his behavior are so that cannot tolerate the least despotism and dictatorship and they are among the things that will lead to eliminate all forms of tyranny. In addition, supreme leader in Islamic system is obliged to monitor the behavior and performance of the other officials and in a case of observing a behavior that is opposite to Islamic principles deal with them.
6. Democracy has numerous definitions and different types, we cannot collect the regime of jurisprudence with valuable democracy that is based on secularism, Epistemic relativism, and popular legitimacy. But democracy means the method is certainly compatible with Islam and system of jurisprudence and the vote of people and elites planning and selecting the structure, organization and executives and representatives and the methodology to executive religious commands can have a clear and important role.
7. Therefore, gathering system of jurisprudence with democracy in the meaning of the way, not only we have benefited both the participation of people and the merits of democracy in true sense, but also have avoided the corruption of western democracies and tyranny. This is the hypothesis that we have proved.
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