The Legal Nature of Bei’at and Its Role in Islamic Political Education

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Abstract

This article examines the legal nature of Bei’at and its role in Islamic political education in the era of its presence. Since the effect of Bei’at is imperative in both theoretical and applied aspects (e.g. in Islamic political philosophy and then in the basis of Islamic State), therefore acting upon it will be crucial in Islamic political education. What has resulted from researching the topic, while investigating the nature of Bei’at in vocabulary and idiom, and examination of historical context of Bei’at and its various types has been the answer to an opening question brought up by the people in society: originating from their political awakening, “Would Bei’at, in the state of presence, play a role in legitimacy or competence?” and has successfully reached its goal that will take place after people pledge Bei’ate with Prophet Muhammad (S) and Imams.

Keywords: pledge, Bei’at, government, politics, political awakening, political education
Introduction

Before the advent of Islam in the Jazirat al-Arab, the “Island of the Arabs”, tribe, which was known for a small political group, contained people who believed obedience from the head of the tribe was necessary and must be met. Obedience would only be met by Bei’at with the head of the tribe (Grand Tribe). This was done by placing the right hand on the Grand Tribe’s hand, which implied they accept him as their leader. In the beginning of Islam when Aws and Khazraj pledged the allegiance (Bei’at) with Prophet Muhammad in Aqaba (City in Jordan) they realized that Bei’at was not invented by Muslims (R.Jafarian). By the advent of Islam the position of Bei’at in the basis of Islamic state was reinforced.

Main contents

Definition

Ahd (احد) and the convention

The word “Ahd” has been used in many different vocabulary books with different variations. Words such as safe, kind, protective, debt, time, will, and covenant that some have the same root and meaning as “promise or vow”, some mean the necessity in obedience from the Grand Tribe, and some others mean Commitment and Obligation. In Quran also, the word (Ahd) has been used as (Naks) Arabic : (نَ نَ نَ) meaning breaking the Bei’at or promise (Hasan Mostafavi).

State

Every human being upon entering infinite world sees him/herself in a society that contains and organized dependence therefore the social order is an inevitable reality and environmental aspect. (دُنْ الوَلَت) (Dolat) is a modern political idiom that its equivalent juridical term is (hokomat). “The state is a structural power that dominates certain people in certain territories. Internally it is the guardian of discipline and externally the guardian of territorial integrity and national interests of its own citizens”.

Politics in Islamic political science

According to the literal meaning (al-Khalil ibn Ahmad Alfarahidi, 1414) meaning of politics in addition to managing and maintaining Relations matters, a kind of education and guidance is also included; this definition is exactly what the rule of men of God, generous and righteous men states.

The main objectives of the government is to establish justice and educate people to Divine morality. A profound difference between politics and True Politics is in this very accurate point. The first one is the Forman of the public administration and the second is in connection with the administration and training programs. (SM Saghafian, the first Islamic State, 1376)

Political revival

Political revival in a place where someone lives is the legitimacy and effectiveness of government, which all originates from political education.. (Mohammad Javad Larijani, 1377)
Political education

Political education consists of three areas:

A) Philosophical Nature (legitimacy)

B) The field efficiency

C) Political techniques, the third area is out of our league:

The first area is the philosophical nature and it is the question of the legitimacy. In the social order certain dos and don’ts are presented that why should I follow the rules? This is a question of legitimacy, this means being skeptical of the nature’s principle.

The second area is surrounding the field efficiency. Once we find a basis for the legitimacy of a regime and a justification for domination, to reach our goals and objectives what are people’s responsibilities and governmental matters?

The relationship between the two areas is presented in this question. Implementations and operations knowhow of a political system is known as an efficiency of a system.

Literal meaning of Bei’at

A group of scholars have translated the word Bei’at into trade and contract and some others have translated it into obedience from the leader. This difference has also reflected in phrase.

Judge Abu Yly Hanbali, continues with stated terms and specific words: "We satisfactorily made a Bei’at with you so that justice gets established and leadership responsibilities take place”. In fact Prophet Muhammad (S) had placed Bei’at between the leader and the people so that people could be able to obey and learn justice from the leader.

Allama Murtaza Askari: "Bei’at has three sections: “Leader, Follower, Obedience commitment” and state that the issue of obedience and the types obedience must first be understood.

The treaty is legitimate only by shaking hands between both parties. (Allameh Askari, 1988)

Ayatollah Sobhani: “In Bei’at, the follower lets himself in full control of the leader and learns and follows his orders. In other words, participates in a commercial work because both parties are committed to each other”.

Ayatollah Makarem Shirazi in Anvaralfeqahe has presented statements in this regard such that Bei’at is a commitment that takes place predominantly from the follower to follow the leader’s commands and not to deviate from his orders. In return the leader promises support and providerscare and forethought. (Naser Makarem Shirazi, Anvaralfeqahe, 1413 AH)

Ayatollah Marefat:

"Bei’at means commitment and covenant and all parties commit to be loyal to each other… In fact it’s the leader who demands commitment and the follower to provide it". (MH Marefat, velayat-e faqih, 1377 p)
Ayatollah Montazeri: “What comes to mind when thinking of the word Bei’at is contract. As in contact all parties promise to follow certain criteria, in Bei’at too, once the promise is made rules and instructions have to be followed”. (Montazeri, Drasah layer fi al-Faqih, 1411 AH).

Is Bei’ata legal term?

In the discussion of principles of jurisprudence it has been indicated that Holy Religion, after the advent of Islam, has used some terms in favor of its particular legal goals, different than the way they have been used. Is its applications in order to obey the Islamic orders and Prophet (S) a legal term?

Bei’at in the same sense coincides with the sacred religion of Islam and had been used by Prophet Muhammad (S). However, it had not been used in the same sense before the advent of Islam. As a proof to that Hazrat Allama in the series of “The Role of Holy Imams (a.s.) in the Revival of Religion” books on several occasions has accepted the existence of so-called Bei’at. For instance in Volume VIII of the same book (p. 38) he continues: “if someone shook hands with another as a form of synergy, which would be called Bei’at, the so-called follower would sacrifice his life for the leader or the person demanding Bei’at”. And in Volume IX of the same book (p.33) on the importance of promises and contracts he says: “Also, sometimes in positive contracts, both parties would shake hands, which would then be called Bei’at”. Now in an analysis of the point mentioned above it can be said:

Firstly, the premise of philologists indicates that Bei’at could also mean obedience, which we can conclude that philologists as well, indicated this under the influence of Islam.

Secondly, in the course of pre-Islamic Bei’at history, there are cases in which, the people of the tribe would call the obedience from the head of the tribe the Bei’at. We refuse to reiterate as it has been stated in pre-Islamic political treaty debate.

Thirdly, Prophet Muhammad (S) during the primary warning used the word Bei’at but it had no improbability for the people of that period. Therefore, what has been said, strengthens this idea that Bei’at is in fact illegitimate.

Historical course of Bei’at in Prophet Muhammad’s (S) lifestyle

Searching for usage of the word Bei’at before the first Aqaba, will lead us to give a correct answer to the question of whether Bei’at is legitimate.

1. The individual Bei’ats
2. A - The first usage of the word Bei’at

3. The first time during the Close Tribe warning, the word Bei’at was used. The basis of Bei’at was presented in Indhâr Hadith and in the Verse of Indhâr (Arabic: آيت الإٔراز; the verse of warning) and the first Imam of all Shi’a sects) in a total of seven different ways that each expresses how the Verse of Indhâr was revealed(Muhammad Ibn Jarir Tabari, 1983).

Warn the nearest of your kinsfolk. In this verse, the Prophet (s) is ordered to warn the nearest of his kinsfolk and invite them to Islam. Indhâr Hadith had been mentioned by Imam Ali (A)

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B) Other Types of Individual Bei’ats

Typically all the ones who would accept Imam Ali (A) would then make a Bei’at with Prophet (S). According to our research after the first usage of the word Bei’at in public invitation to Islam, many cases of companions have been found to convert to Islamand evidence show that Bei’at ceremony would have been performed for new Muslims.

In a hadith narrated from Imam Sadiq and his father appears that the Prophet (S) in some cases, those who would come to him would also make Bei’at (Allama Muhammad Baqir Majlisi, 1983).

In addition, according to the testimony of historians, in the fourth year of Bi’that Prophet (S) would invite Hajj - Pilgrimage to Mecca tribes into Islam (Ibn Hisham, Alsire Alnabavie).

2. General Bei’ats

After these individual Bei’ats, we get to Bei’at between Prophet Muhammad (S) and people in Aqaba.

A) The First Aqaba

When Prophet (S) was preoccupied with the Pilgrimage (Hajj), in “Aqaba” he encountered a group of Ansar tribes called Khazraj group. Prophet (S) offered them the basis of Islam and invited them to Allah and read Quran for them.

They accepted Prophet’s (S) invitation and promised to acknowledge him and embrace all Islamic Laws that are being told (Prophet Muhammad Ibrahim Ayati date, 1359 p).

B) The second Aqaba or Soqra Bei’at

Twelve people from Yathrib came to Macca and met Prophet Muhammad (S) in the same place. All historians admit that the meeting ended in Bei’at.

Denomination cause to "Bei’at al-Nisa": The second Bei’at or some believe the first Bei’at is known as "Bei’at al-Nisa” in historical contexts.

Now what has led to this name, some believe one of the reasons was the presence of Afra’a (Hafra’a) the daughter of Obeid ibn Sa’lebe, who was known for the first woman who made Bei’at.

Bei’at al-Nisa in Abad ibn Samet narrative is as follows: “…This Bei’at was before the necessity of Jihad. We made a Bei’at on the grounds that we don’t impose enmity, we don’t steal or commit adultery, we don’t commit filicide, and take responsibility of the child born (be the father of your child and don’t deliberately accuse another man to be the father of your child).

C) The third Aqaba or Kobra Bei’at

One of the aims of Prophet (S) was to send euphonious men like Mus’ab bin Umair to Medina, in order to reach people’s hearts with the pleasant verses of Quran. This plan was a success as a number of Muslims came to Maccain order to make Bei’at with Prophet (S) into the hearts of people.
The provisions of Bei’at and its implications:
Such Bei’at was of paramount importance.

Imperative for follower because people would scapegoat themselves against Jews and spiteful Quraysh and therefore they must have been taught what they were supposed to do?

Imperative for leader because by increasing its followers and especially clever and active followers, his responsibility has highlighted for the political organization and it is required to:

1) Again asks people to protect his life against all dangers. It was in this context that he demanded Bei’at (Ibn Hisham Haman).

Thus adding some themes of defense to protect Prophet’s (S) life was the first ideological – political lesson that Prophet (S) taught Muslims.

The second step is when Prophet (S) puts an emphasis on his defense in order to form his government and then use his defense to protect the government. As a result he added another meaning to the word Bei’at as it is clearly defined in Abad ibn Samet’s narration:

“We pledged Bei’at with the messenger of Allah and promise to remain loyal until the last breath and to remain obedient in ease and harsh and never deviate from the truth (Baladhuri Haman)

3) In the third stage of preparations for the political organization, discipline and tactics were needed and he was supposed to be a soldier and a proficient. Consequently, he chose twelve of the followers as the companions of Musa who were in charge of communication between people and Prophet (S).

After forming his government, Prophet (S) was only needed to have absolute obedience that was met by such Bei’at. And in addition to the literal meaning of Bei’at what was really important was not to abandon the government or the managements.

D) Rezvan Bei’at or Hadibiye Bei’at

This Bei’at is one of the Prophet’s (S) public Bei’ats that had been recorded in the sixth year of Hijra. (Ibn Hisham, Haman)

Analysis of parties that perform Bei’at
There are discrepancies between Shia and Sunni on who was the first person to perform Bei’at. Ibn al-Athir says: “the first person who performed Bei’at was Abusanan bin Wahab from Bani Asad (Ibn al-Athir). On the other hand Shia Masader, says Ali ibn Abi Talib (A) was the pioneer in this field.
And MuhammadBagher Majlesi mentioned Amar as the second person who performed Bei’at and some others believe Abdullah bin Wahab was second (Haman).

Imam MuhammadBagher (A) was once asked Shajare companions consisted of how many people, Imam replied: one thousand and two hundred. Then, in answer to whether Ali ibn Abi Talib was among them, he responded: “Yes, he was the master and the head of the group”.

According to a narration from Allama Majlisi Haman the number of all the people who pledged Bei’at with Prophet (S) was said to have been either one thousand and three hundred people or one thousand and four hundred people or one thousand and five hundred people and among whom were
some number of women including Bey Benat Masut, Om Hesham Ansarieh, and Nasibeh the daughter of Hareth (Ali Mohammad Dakhil, E’lam al-Nisa al-Momenat).

The provisions and meaning of Rezvan Bei’at

The purpose of this Bei’at was mainly to invite people to fight and Jihad in order to protect their religion, government, and nation and for that the instructions were to be followed in order to become victorious. Their slogan was: “keep fighting until the last breath (martyrdom)”. Some others believe the actual slogan meant: “remain in battlefield and do not run away”. Elsewhere it has been stated that Bei’at was built on “patience” not on “death”.

Analysis and conclusion of Rezvan Bei’at

It seems that Rezvan Bei’at was to prevent a coup that Prophet (S) decided to take such a huge step to implement it (Sayed Ibrahim Sayed Alawi, 1999). Looking through the resources indicate that some violated this Bei’at and they were the once who escaped the battlefields. The elimination of the phenomena was for that reason. Since if it stayed static, the memories of Bei’at would remain to this day and the violators would be ashamed (Haman).

E) Bei’at of the day of Macca conquerence

Another Bei’at that took place during Prophet (S) was carried out during the conquest of Mecca. With the fall of paganism site in Mecca, people went to pledge Bei’at with Prophet (S) in groups. Women had a huge participation rate.

Types of Bei’at

A) Bei’at for Islam

At the beginning of the mission, before the Muslim political organization was formed, the Muslim Bei’at was only to enter into the realm of Islam from idolatry implying that the pagans embraced Islam ideally. However, some form of contract or promise (Bei’at) had to be made and that promise was often done individually.

B) Bei’at to obey from messenger

Obey Allah and the Messenger has been contained in matters of belief, ethics and law. However, sometimes following the instructions of the Prophet, marked with specific topics and sometimes Bei’at is only obedience.

C) Bei’at for War and Jihad

Hadibiye Bei’at includes concepts such as jihad and war (Tabari).

D) Bei’at on Hegira

In addition to Bei’at on Hegira we can also talk about Arabic Bei’at. Bei’at on Hegira was a kind of Bei’at in which the person who pledges Bei’at must go to Medina and follow Prophet’s (S) orders whereas in Arabic Bei’at the person who pledges Bei’at must return to his hometown (Sayed Ali Kamali, 1993).

E) Bei’at for rule and reign

TheBei’at people pledged with Imam Ali (A) for rule and reign as well as the Bei’at with Imam Hasan (A) and Imam Hossein (A) exemplify this form of Bei’at which we will discuss in more
details in the following pages. Element of “obedience” is commonly shared among all forms of Bei’at. Whenever Imam felt the need he would pledge Bei’at no matter what the occasion or situation was.

Dividing Bei’at in terms of comprehensiveness or limitations

General Bei’at and Specific Bei’at: Prophet (S) certainly had public Bei’at twice: in Kobra Bei’at and in Hadibie Peace. Of course we can add Soghra Bei’at in to the list of Public Bei’ats. It was the Bei’at in which twelve people from Medina pledged Bei’at with Prophet Muhammad (S). Imam Ali (A) expressed his Bei’atsas “Public Bei’ats” (Sheikh Mofid, 1992). All the specific Bei’ats we mentioned earlier were individual Bei’ats that the newly converted pagans would pledge with Prophet (S).

Primary Bei’at and Secondary Bei’at: Bei’at could be thought of a primary Bei’at if tribes went to Prophet and promised to obey both the Islamic laws and his commands. Whereas a secondary Bei’at could be thought of a case when in times of crisis people who had already pledged Bei’at with Prophet would have shown their loyalty to Prophet and return to him to pledge Bei’at for once more.

Steps of Bei’at

Bei’at consists of some steps that the person who pledges Bei’at can decide the limits upon pledging Bei’at.

The Perfect Bei’at

Prophet’s (S) Bei’ats have been narrated from Ebad ibn Samet in various forms:

"بایعنا رسول الله علی السمع الطاعة فی النشاط و الکسل و علی النفوذ فی العسر و الیسر و علی الامر بالمعروف و النهی عن المنكر و علی ان تقوم الله لاتأخذنا لومة لام و علی ان ننصره اذا قدم علینا یترب فمنعه مما تمنع منه الفننا و ازدواجا و ابدیانا"

We pledged Bei’at with messenger such that we listen to and obey all of his orders; both in wellness and in illness, and to financially support him; both in hardship and in convenience, and to enjoin what is right and to not be affected by their advertisings and to accompany him upon entering Medina an to support him in the same way we support our wives and children. (A.R. Seyvati)

Quran and other documents state that this Bei’at goes back to third Aqaba and in such Bei’at people would give full control of their assets and their lives to Prophet (S) and would be committed to obey all of his orders and to protect his life and support him.

Bei’at until the last breath

In a narration Salme ibn Akou’ says:

"بابنع عیسوعلی اللهعتش شهد ویل: عیسی کمتیباون قامتعلالموت"

Which means, I pledged with Prophet in Rezvan Bei’at, I was asked what was it regarding to? I replied, to be committed until my last breath.

Bei’at to the extent of not running back (escaping) from war or the battlefield

Expressions such as:

"بابنع عیسوعلی ان لانفر"
imply that Bei’at was made based on the promise not to run back (escape) from the battlefields (remain and fight until the last breath).

Nesaee pointed to eleven oaths of Bei’at in his speech:


Pledging To Hear And Obey, Pledging Not To Content, Pledging To Speak The Truth, Pledging To Speak Justly, Pledging Obedience Even When Other Are Preferred Over Us, Pledging To Be Sincere Toward Every Muslim, Pledging Not To Flee (From The Battlefield), Pledging For Death, Pledging To Engage In Jihad, Pledging To Emigrate (Al-Hijrah), Pledging To Forsake The Idolaters.

Quality and Methods of Bei’at

Referring to the views of philologist and their interpretation of the word “deal” we notice that in declaration of Bei’at and obedience, hand has a key role and by shaking hands one of the key provisions of Bei’at is met.

Direct Bei’at

It implies that each person would either shake hands with Prophet or Imam or touch their hands (Haman).

Bei’at with an intermediary representative selected by Prophet or Imam

If people were not able to directly pledge Bei’at with Prophet or Imam due to a long distance or any other issues, they would pledge Bei’at with his representative (e.g. people pledged Bei’at with Hazrat Muslim, a representative of Imam Hossein (A) in Kufa (Haman).

Bei’at with an intermediary representative selected by the people in cities

People would send their cities’ representatives to meet with Prophet or Imam in order to complete their pledge of allegiance. In some cases Bei’at would have been done this way.

These two ways were of especial use after expansion of Islam and dispersion of people. Groups of representatives who were known as “Vofood” would visit Prophet (S) during (perhaps before or after) the ninth year of Hegira in order to complete the pledge of allegiance and they were kindly greeted by Prophet (S). In here we will point to one of those case:

Three people from “Bani Agil bin Ka’ab” tribe came to visit Prophet (S) and converted into Islam and committed that they themselves and the people they represented would obey and follow Prophet’s orders and hence pledged Bei’at with Prophet Muhammad (S). Prophet (S) gave them the land of “Aqiq Bani Oqail” and wrote them a legal script. “Laqit bin Amer bin Montafeq” from “Bani Oqail” also came to visit Prophet (S) and converted into Islam and pledged Bei’at on the behalf of his people and himself. Prophet (S) granted him a lake called “Nazim” (Haman).
Mediation of Tools

In some cases due to long distance and other issues people were not able to have a direct Bei’at with Prophet (S) or Imam (A). As a result, other methods of Bei’at were revealed which would make Bei’at both possible and convenient even for women.

New tools in modern era

Nowadays if we are to pledge Bei’at, evidently it will be affected by recent innovations and changes, and pledge of Bei’at would at least be done in the same way as casting votes.

If we admit that Bei’at had some influence in the efficiency of the system and not in its legitimacy and if we don’t acknowledge people’s votes in legitimizing the current system and only accept it as a way to govern the state, voting may be compared with Bei’at.

The main difference between voting and Bei’at is that voting is for choosing and selection. While Bei’at is a promise to accompany and follow the orders of messenger (some whom was chosen by God).

This is why Bei’at can never be the same as voting and not all elections does confirm to support and accompany, rather selection and confirmation is done through voting system. In other words for example, agreement which was a tool for announcement, through time has changed and transformed into a voting system.

Bei’at, Shia, Sunni

Bei’at and Sunni

It brings to mind that according to existing views among Islamic denominations, Bei’at was only common among Sunni and it has no place in Shia tradition. However, by looking deep through history it is clearly evident that this subject, like many others, has been common among both Shia and Sunni and it is not a feature that belongs to a particular religion. However, it had been much more prevalent among Sunni and it had continued from Rashedin caliphs all the way to Omavi and Abbasi Caliphs.

Bei’at and Shia

In Shia also, Bei’at has had a significant role which would be referred to as positive (pledge Bei’at or promise) or negative (refuse to pledge) and Imams and their representatives had huge respect for them and praised them the most. Here we will name a few:

A) Prophet (S) gathered Bei’at for Imam Ali (A) (Tabarsi)

B) Imam Ali (A) pledged Bei’at with Three-Caliphs
   - Pledge of Bei’at between Imam Ali (A) and Abubakr (Masoudi)
   - Pledge of Bei’at between Imam Ali (A) and Omar
   - (However we do not have a clear proof that Imam Ali (A) pledged Bei’at with Omar)
   - Pledge of Bei’at between Imam Ali (A) and Uthman (Allama Askari, 1992)
In an assessment of the Council and the arguments between Ali (A) and the three caliphs there has been a lot of narrations (Allameh Askari Haman) and it is sufficient to say that Bei’at with them was not optional but expediency was the reason why Imam Ali (A) pledged Bei’at with the three-caliphs.

C) Imam Ali (A) Refused to pledge Bei’at with Abusofian

D) People pledged Bei’at with Imam Ali (A)

In this section we will examine the qualitative and quantitative features of Imam Ali’s (A) Bei’at with the people and we will also talk about people’s interest to pledge Bei’at with Imam, number of people, and the provisions of Bei’at.

People’s strong desire to pledge Bei’at with Imam Ali (A): After Uthman was killed, a large number of people showed interest in pledging Bei’at with Imam (A). We have come to this conclusion after carefully assessing the documents relating to Uthman’s death (Belazari).

There are three descriptions about the people who pledged Bei’at with Imam (A):

1. First description shows Al-Ansar Bei’at, which we have evidence to prove no one had violated this agreement.
2. A second description shows that all immigrants, al-Ansar, and all Arabs and non-Arabs who were present in Medina pledged Bei’at.
3. This description gives an exception to some of the members of al-Ansar who were ruled out of Bei’at.

Apparently, those who were ruled out of Bei’at were the ones who did not participate in later battles such as the battles of Jamal, Siffin, and Nahrawan and not necessarily reluctant to pledge with Imam Ali (A).

The provisions of Bei’at between Imam Ali (A) and the people: the general condition in all Bei’ats (as was mentioned before) is loyalty. Yet, in this case since Imam Ali accepted to be the leader after so many requests, more conditions had to be applied because it was not an ordinary Bei’at. We will summarize them into three categories:

a) Bei’at was done based on Quran and Prophet Muhammad’s (S) tradition
b) Bei’at was based on friendship with Imam’s friends and animosity with his enemies
c) Bei’at was based on the fact that Ali (A) should not take a single Dirham from treasury.

Reason why Imam Ali (A) was reluctant: in Sermon 92 of Nahj al-Balagha, Imam explains why he accepted their offer which was due to his eloquent and proficiency in speaking and his clear and pleasant words. Imam (A) on the day of Bei’at said:

Leave me and seek someone else. We are facing a matter which has (several) faces and colors, which neither hearts can stand nor intelligence can accept. Clouds are hovering over the sky, and faces are not discernible. You should know that if I respond to you I would lead you as I know and would not listen to the utterance of any speaker or the reproof of any reprover. If you leave me then I am the same as you are. It is possible I would listen to and obey whomever you make in charge of your affairs. I am better for you as a counsellor than as chief.
Apparently, we can look at different aspects of why Imam was reluctant by taking into account the Bei’at which took place between Imam and the people.

1. Imam felt he can hardly meet society's health and lead with all the seditions and riots that could start.

2. Imam Ali (A) intended to prove that he was not, in any way, looking to gain power and was not seeking any position.

3. Imam demanded what was discussed in the previous Caliphs’ allegiances, do not find their way. The status of Imam’s Bei’at with people show everyone that it was neither done suddenly nor without thought and wisdom, but done freely and voluntarily.

4. Most importantly, Imam was aware that people would not pledge Bei’at with him because he was assigned from Allah, but they pledge Bei’at because they thought of him as a substitute or successor of Uthman and Caliph. Therefore, did not feel the needs. However, some people such as Malik al-Ashtar and Ammar pledged Bei’at with Imam as a pontificate. But the rest of the people did not take this aspect into account.

E) Bei’at between the people and Imam Hasan Mojtaba (A)

Historically, people rushed to pledge Bei’at with Imam Hasan (A) on the morning of the twenty-first day of Ramadan of the fortieth year of Hegirain Kufa mosque. Imam Hasan (A) came to the mosque among a group of emigrants and al-Ansar, and began his lecture. The lecture contained important clauses. For instance, it consisted of his acceptance of the invitation he received to pledge Bei’at and this invitation led to one of the most beautiful and interesting speeches.

Provision of Bei’at between Imam Hasan (A) and the people:

a) Kashf al-Ghame states; people pledged Bei’at with Hasan (A)as Caliph and Imam (Bagher Sharif al-Ghoreshi).

b) Bei’at was done under following Quran and Prophet’s (S) tradition condition

c) Ibn al-Ghoteybe adds another condition for those of whom willing to pledge Bei’at with Imam (A). Imam said to them, pledge Bei’at with me under some conditions. Those were to listen, accept, and follow my orders and fight alongside me with those I fight and remain in peace with those that I keep peace with (Haman).

F) Bei’at between Imam Hasan (A) and Muawiyah

Authorities on the subject, adopted different positions; historians such as Ibn al-Ghotaybe and some others, namely Al Yasin, have called Bei’at between Imam and Muawiyah just a myth (Sheik Razi Al Yasin). Nasekh al-Tavarikh reiterates from Imam: “I did not pledge Bei’at with him, rather I only compromised”. A large number of others talked only of peace between the two and not Bei’at.

However, in my opinion it seems that the above reasoning does not have a serious basis and can be answered by:

The first response: He claimed that Bei’at was not in the context of settlements and negotiations. While in the peaceful treaty text narrated by Ibn Asm Kufi settlements (Ibn Asm, Futuh) and Baladhuri (Baladhuri, Haman), the term Bei’at is used.
The second response: As already mentioned, it is evident that from the authenticity of the document and the authenticity of the settlements’ text, that existence of other conditions such as a witness seem far from mind.

The third response: If in role of Bei’at, we believe that besides credibility and efficiency of a system it has no other use, and if we combine this with ascription of Imams at the time of presence, hence Bei’at between Imam Hasan (A) and Muawiyah was not meant to deceive people in order to obtain credit for Muawiyah. And Allah knows better.

G) Bei’at with Imam Hossein (A)

History indicates Muslim ibn Aqeel pledged Bei’at on the behalf of Imam Hossein (A) with the people of Kufa.

H) Imam Hossein refusal to pledge Bei’at with Yazid ibn Muawiyah

We can see many reasons hiding in why Imam did not pledge Bei’at with Yazid. But in here we will only mention what relates to our topic. Since Yazid was a notorious, salacious, and drunkard man and Imam saw this as a great threat and disgrace to Islam, therefore he saw no reason why he should pledge Bei’at with him (Ahmad Sobhi Saleh).

I) People’s Bei’at for Imam Reza’s (A) guardianship commitment

The most important political aspect of Imam Reza (A) was the guardianship commitment role.

Al-Ma’mun view for planning the role of Guardianship commitment: Al-Ma’mun was a genius politician. He planned this out and had goals and beliefs for his plan:

1) Al-Ma’mun was intended to deceive Shia and pretend to show that he is a true Shia and rule out previous accusations against him for being a Shia critic.

2) Controlling and limiting Imam Reza (A) was one of the main goals of al-Ma’mun and thought by doing this the autonomy of Imam Ali’s descendants would be finished.

3) Al-Ma’mun knew that politics is seen dirty in the eyes of people and so one of his intentions was to represent Imam Reza (A) as a politician in the eyes of everyone and degrade him (Haman).

Imam views and his reactions:

1) Imam was always reluctant from moving to Marw. Because that was al-Ma’mun’s intention to force to move and Imam was never willing to accept al-Ma’mun’s requests. After all, Raja ibn abi Zahak who was sent on the behalf of al-Ma’mun brought Imam to Marw by force (Aziz Allah Atarodi).

2) After accepting Guardianship commitment role, Imam (A) attempted to imply his own opinion as much as possible. Imam’s responses in meetings are extremely attractive.

Imam before guardianship commitment offer, tried to come up with reasons in order to neutralize al-Ma’mun politics upon accepting guardianship commitment. Imam said:

If this reign belongs to you and God has left for you, then it is not permissible to take off the clothes that God had put on for you or to hand it over to someone else, and if it does not belong to you then it is not permissible to give away what that is not yours (Sheik Sadough).
When asked, why did you accept guardianship commitment role? he replied: “with the same reason my ancestor entered sourness”, he continued: “God knows I was reluctant in accepting this offer, but when I was left with two options, one was to accept and the other was to get killed, I preferred to stay alive and accept the offer” (Haman). Imam with insights got confession from al-Ma’mun that reign is the right of Prophet (S) and his decedents.

In order to prove that the reign of al-Ma’mun is unlawful and that it is dictatorship, he accepted al-Ma’mun’s guardianship commitment role under certain conditions. Those were that al-Ma’mun should not intervene in politics and in promotions and demotions.

Imam said: “I did not enter this unless like someone who exits”. Meaning because was reluctant to pledge Bei’at, he took it as futile.

How was Bei’at done:

Sadough dar Oyoun Akhbar al-Reza with his own reference, paraphrases Riyan ibn Shabib:

Since al-Ma’mun decided to pledge Bei’at with people for himself to become the master of Muslims and for Imam Reza to obtain the guardianship commitment role and for Fazl ibn al-Sahl to become a minister, he ordered some seats. As they sat on them, he allowed people to enter in order to pledge Bei’at. People would enter and touch their hands starting from the thumb all the way to pinky finger. Imam Reza smiled and said: “All of those who pledge Bei’at with us in fact revoked Bei’at except for this young man”. Al-Ma’mun asked: “What is the difference between pledging and revoking Bei’at?” Imam replied: “pledging Bei’at starts from the the pinky finger all the way to the thumb and revoking Bei’at is the opposite”. At this moment people panicked. Al-Ma’mun ordered people to repeat the process for a second time but this time Imam Reza’s way. But people said wondered why they should nominate someone who does even know the basics of Bei’at. He does not deserve to become our Master. It was then that al-Ma’mun was forced to poison Imam Reza (A) (Sheik Sadough).

Some points of the treaty are worth mentioning:

The first thing mentioned in the treaty is the name of all parties.

The names of the witnesses who were present and witnessed the Treaty are listed at the end.

The date in which it was signed and the authors’ names are all listed.

J) Bei’at with Imam Mahdi (A):

There are evidence showing people pledged Bei’at with Imam Mahdi (A) which we will list a few here:

1. Ibn Basir narrated from Imam Muhammad Bagher about Imam Mahdi reign:

I swear, I see Imam Mahdi (A) in reign that people pledge Bei’at with him based on a new order, a new book, and a new power from God (Sheik Toosi). It is likely that a “new order” meant an Islamic state that is fair and honest, similar to the Islamic state Prophet Muhammad (S) brought to his people. And the “new book” meant Quran with the same exact commentary that Muhammad (S) told Imam Ali (A) and he wrote them down (Hossein Ali Montazeri).

Likely a "new fact", the Islamic state is just and righteous, with its pure Islam that the Prophet PBUH has brought to his nation, and to the "new book" Quran with commentary be that Prophet Muhammad PBUH himself to Imam Ali (PBUH) is his Holiness blessed spelling and handwriting.
It had been stated in many Hadiths that the literal meaning of Quran had been passed down from all Imams to Imam Mahdi (A) and will be kept secret until that day.

It is narrated from Obeid ibn Zarareh from Imam Sadeq (A):

Imam Mahdi will emerge by the name of “Ghaem” on his day of advent and although he is behind Prophet Ibrahim (A) they will say: “we called your name why are you still hiding? Come on out”. Then people will arrive to pledge Bei’at with him (sheik Toosi).

It is indicated from Imam Sadeq in Seraj news that Imam states: “At that moment he will appear (become visible) and people will pledge Bei’at with him”.

Bei’at in Quran, Hadith and history

In here we will indicate the importance of “Bei’at” from the perspectives of Quran, Islam, and history:

Bei’at in Quran

Quran in three verses points to Bei’at between people and Prophet (S):

A) Surah al-Fath, verse 10

Indeed, those who pledge allegiance to you, [O Muhammad] – they are actually pledging allegiance to Allah. The hand of Allah is over their hands. So he who breaks his word only breaks it to the detriment of himself. And he who fulfills that which he has promised Allah – He will give him a great reward (Sahih International).

B) Surah al-Fath, verse 18

Verily, Allah was pleased with believers when they gave pledge to you under the tree [at Hudaybiyya]: He knew what was in their hearts [of faith and sincerity] and He sent down serenity upon them, and He rewarded them with a near triumph

Giving pledge is a religious obligation whose keeping is obligatory and whose breaking is unlawful and entails evil consequences. God Almighty is satisfied with the faith accompanied by loyalty to His Messenger (S). It is noteworthy that religion is not discrete from politics. God is satisfied with the believers pledging allegiance with their Prophet (S) in social and political issues.

C) Surah al-Mumtahanah, verse 12

O Prophet, when the believing women come to you pledging to you that they will not associate anything with Allah, nor will they steal, nor will they commit unlawful sexual intercourse, nor will they kill their children, nor will they bring forth a slander they have invented between their arms
and legs, nor will they disobey you in what is right - then accept their pledge and ask forgiveness for them of Allah. Indeed, Allah is Forgiving and Merciful.

Bei’at in the history of Islam

Bei’ats in the era of Prophet (S), Rashedin Caliphs, Omavi Caliphs (Safiani and Marwani) and Iyasi had been recorder. But what relates to our topic here is Prophet (S) and Imams (A) pledge of Bei’at with people.

Review and Evaluation

Theoretical Foundations

These foundations can be grouped into three categories:

a) Bei’at is documented and reign similar to Bei’at is recorded and documented.

b) Bei’at from the aspect of commitment is a contract, in fact it is recorded as commitment. This idea can have two cases. One is that commitment can be in form of contract, but on the other hand both parties will be committed to one another. Second case is one party is committed to the other and the second party only accepts the offer.

c) Bei’at is in form of unilateral legal acts. One party promises to obey his leader in all or one particular field.

It is worth mentioning that in assessing opinions of philologists we face similar discrepancies. Some talk about commitment between both parties and some other namely Ragheb Isfahani and Ghayoumi, only talk about follower’s commitment to the leader.

However, Allama Askari set certain conditions for the truth of Bei’at, including obsequious, intention, consent, and legitimacy. He expresses it as “Bei’at same as contract”. But he did not clarify whether Bei’at is a mutual contract in which both parties are committed to each other or it is one-sided. One view is that he might have consideredBei’at as a religious duty and every adolescent has to have general conditions including maturity and wisdom, intention and consent.

One objection to Ayatollah Montazeri’s idea of Bei’at which he calls it as a two-sided contract in which both parties are entitled to termination of contract. While we know Bei’at cannot be terminated by people and can only be done by the leader.

Even though Saheb al-Anwar al-Faghahe calls Bei’at a two-sided contract (commitment), but in nature he calls it a one-sided contract in which people are supposed to obey the leader.

After examining Ayatollah Marefat’s view of Bei’at, we can say that he considers Bei’at as a contract in termination status. On the other hand, he considers it as a one-sided commitment.

Judge Abu Ya’li Hanili, one of highly respected Sunni scholars, believes legitimacy of reign or government is unlawful (based on the laws of God) because it is being legitimized by the people and through contract.
Basis of Bei’at’s Necessity

If we look at Bei’at from contract perspective, the necessity of it is evident, because, necessity is a requirement. Even if we think of it as a one-sided commitment, because it is in form of contract, necessity is also included.

Prophet’s (S) and Imams’ (A) Bei’ats roles

There are so many different views in response to the question of “how were the roles of prophet (S) Bei’ats?” But here we will only take this under Shia perspective:

a) Prophet’s (S) and Imams’ (A) Bei’ats were not for prophecy and pontificate, they were rather for government and reign (Montazeri, Haman).

One objection to this would be: first the basis of Bei’at need to be justified and then the purpose of Bei’ats before formal formation of state need to be assessed. In response we should say: the reign and government for Prophet (S) was certain and could have been implemented even without formal formation of state. So it would have been better if said, for implementation of reign or government not for the government. Sahem al-Derasat says: “apparently Bei’at with Prophet (S) is for government and reign not for prophecy, because for this faith and consent is sufficient” (Haman).

b) Appointment of Prophet and Bei’at with people are in the will of God and recording and documenting Bei’at by people makes it more pleasant and leads to more obedient followers.

c) As oppose to Sunni views, these Bei’ats were only meant to implement reign and government not to assign or prove Imam.

Now to conclude this discussion and to answer the question of “Prophet’s (S) and Imams’ (A) Bei’ats roles” we need to talk about something else in order better clarify this.

Ideas of Theorists (Dr. Javad Larijani)

A) Originality of Social Contract

Among the methods of liberal thinkers, three trends are important and worth looking at, of course with the commonly shared idea that the nature of government is “counterfeit”.

1) The tendency of those who consider this counterfeit a type of “contract” or consent and are therefore popular with the companions of social contract. “Hobbs”, “Locke”, and “Rosso” are in this group. Therefore, necessity to counterfeit in their opinion is “Vafaye be Ahd” or fulfilling their promises.

2) The tendency of those who are known as companions of “Esalate Naf” or originality of benefit. And on top of them is the English Philosopher, “Jeremy Bentham”. Based on their view, the only necessity in human’s actions that have logical justification is in actions that have more benefit. For instance, “pleasure” itself can be “Esalate Naf”.
3) There is a group called companions of “Esalate Edalat” or “E’tedal” or originality of justice or moderation respectively. From ancient “David Hume” and from more recent “John Ravales” are among this group. Based on this group’s beliefs necessity for counterfeit results is “fair” and is therefore justified.

4) Now we will mention the problems with aspects of consent or social contract that prevail in Iran: One of the problems is the non-fulfillment of the contract, meaning if we say they will be fulfilled by voting, then in that case if someone votes against it, should the majority of votes be accounted for and if someone doesn’t participate then he/she should accept it. So, if someone strongly disagrees with the contract, there is no other way not to participate. On the other hand, the contract results will be imposed on future generations. Uncertainty surrounding the contract can be another problem of this theory.

As a result, we cannot present a “clear” picture of commitment for the social contract. And if someone is not willing to sign the contract, what does he/she have to do? One of the liberal theorist companions replies: “he/she will be better off by leaving his nation”, whereas “David Hume” in his book questions the formal acceptance of the contract and on the other hand rejects the dedicational aspect of social contract.

A) Originality of Responsibility

In light of the wisdom of "Aristotle" and "Socrates the Hakim" we present a school of thought called “Originality of Responsibility”. These Hakims set “Musts” equal to “Responsibilities” and believed people have to take responsibility. In other words, similar to being responsible to be good, to prevent evil, and to strive for perfection, he is responsible to enter “Civilian Rally” that is legitimate and obedience in a legitimate government is vital, however the rest of the political responsibilities are also vital. And adherence from honest power (Prophet (S) or Imams governments) is also vital (Larijani, Muhammad Javad)

B) Originality of God’s and his inheritors’ reign

Based on the fact that Prophet Muhammad (S) and his respected successors achieved their legitimacy from Allah, Allah had put them in groups of the righteous and gave them an advantage to become Imams and leaders. Every Muslim who testifies to Islamic three-principles, will be responsible to all principles and minutiae of Islam. “Tawalla”\footnote{Tawallá (Loving the Ahl al-Bayt) “Arabic: تولّى, is a part of the Twelver Shī'ah Islām Aspects of the Religion and is derived from a Qur’anic verse.} is one of the minutiae of Islam which is vital and obligatory to every Muslim. Since Prophet (S) and Imams received their governments’ legitimacy from Allah there would be no need to sign any sort of contracts.

Conclusion:

1) The meaning of “Ahd” and “Mo’ahede” was examined and we can conclude that “Ahd” is “personal commitment to something” and “Mo’ahede” (treaty or contract) is not necessarily a two-sided contract, but it is based on continuity.
2) Pledging Bei’at (Surah al-Mumtahanah, Verse 12) is a practical obligation to obey Allah’s orders and for this examination they pledged Bei’at now are they (Muslim women) who testified with words, are also responsible in practice? Therefore, it is not independent from testifying with words and wasn’t a separate contract. As a result, with the expression that Bei’at is a confirmation and tawalla’s witness, its nature turns into a promise, similar to verse 10 of the same Sura which states: (And Allah is aware of their (women’s) faith).

3) In some verses of Quran state, (breaking the promise) leads to blasphemy. Verse twelve of at-Tawbah Surah talks about those who pledged Bei’at with their leader and then broke their promise. Allama Tabatabaee states in this regard:

   From the context of the verse we figured that Allah’s purpose wasn’t those kafirs whom he ordered to break their promises in the previous verse: because if by that verse, Allah meant those specified kafirs, it was nonsense to say “if they break their promises” then they are certainly in touch with others who pledged Bei’at with a Muslim leader and broke their promises, even after he ordered to break their promises (M.H. Tabatabaee).

4) In Quran it is referred to the principles of “belief” and “Tawhid (oneness of God)” as promise or commitment. Therefore a promise that breaking it would be referred to as blasphemy (Surah Maryam, verse 78) is commitment to Islam and its orders and obedience, in all aspects, from Prophet (S) and all Imams (A).

5) Based on was said above we can conclude: faithfulness to Bei’at (regardless of whether it is a contract or a one-sided or a two-sided commitment) is an obligatory act of practicing divine text.

6) Obligatory practice to obey orders from the sinless (e.g. Prophet (S)), in other words: “Tawalla”, “faithfulness”, and “adherence” to the sinless (A) orders differ in different aspects. Sometimes Bei’at was necessary for themes such as not stealing, no adultery and, not killing their children; because these actions were common between Arabs, even though they had converted into Islam. Therefore Prophet (S) saw the need to give a firm order in order to stop such actions. At some point during Hegira Prophet (S) was known as the “Tawalla” and its declaration was vital. This itself can be an answer to those who say: if “Bei’at to the government” is obligatory for people, how come Imam Hossein (A) lifted his Bei’at with his companions? To explain more, it is worth mentioning that they (Imams (A)) were appointed by Allah to be the leader and Imam on one hand, and on the other hand placed an obligation on all Muslims to pledge Bei’at and tawalla in all Islamic orders. Therefore, people were obligated to pledge Bei’at with their Imam, but the expediency and discretion to accept Bei’at in the formation of the government is on Imams. When Imam revokes Bei’at with whatever reason, it means that the obligation to the Bei’at for the purpose of government formation was lifted.

7) Based on previous points we conclude that obedience from Prophet (S) is obligatory. In other words Tawalla is similar to Bei’at and Bei’at in government aspect, completes the government. And government perfection cannot be confined in absolute legitimacy. He must be capable of government’s honest responsibilities. Bei’at makes government more efficient.
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