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The Trivialization of Shi‘i Marja’iyyat

Impeaching Iran’s Supreme Leader on his Marja’iyyat

Mohsen Kadivar

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The Trivialization of Shi’i Marja’iyyat
(Ebtezal-e Marja’iyyat-e Shi’a)

Impeaching Iran’s Supreme Leader on his Marja’iyyat
(Estidhah-e Marja’iyyat-e Maqam-e Rahbari
Hojjatol-Islam wal-Moslemin S. Ali Khamenei)

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Table of Contents:

**Introduction** .................................................................................................................. 7

**Section 1: The Learned Orator: Hojjatol-Islam Khamenei** ........................................... 25

- Chapter 1: “I imitate Ayatollah Khomeini” ................................................................. 28
- Chapter 2: What was meant by “Shari’a-based limitations” in Friday prayer sermons? ........................................................... 46
- Chapter 3: “A brother familiar with issues of fiqh” ......................................................... 59

**Section 2: The Supreme Leadership: Ayatollah Khamenei** ........................................ 71

- Chapter 4: The leadership of a partial (mutejazzi) mujtahid in favor of an expedient regime ................................................................. 74
- Chapter 5: Shari’a retraining after two decades .......................................................... 83
- Chapter 6: Teaching advanced level (kharij) fiqh in the lack of specified criteria of methodology of fiqh (’usul al-fiqh) ............. 89
- Chapter 7: The Leader is a mujtahid! ...................................................................... 95

**Section 3: The Imitable Marja’ Grand Ayatollah Khamenei** ...................................... 105

- Chapter 8: The vote of the Assembly of Experts to Khamenei cannot prove his ijtihad ............................................................................. 108
- Chapter 9: Inconsistent fatwas ...................................................................................... 112
- Chapter 10: The disagreement of Shi’i authorities with the marja’iyyat of the Leader ........................................................................ 119
- Chapter 11: The Work of the Ministry of Intelligence’s Office of Monitoring Shi’i Authorities ................................................................. 143
- Chapter 12: The official announcement of the Leader’s marja’iyyat ............................................................................................ 149
- Chapter 13: “You are both Leader and Marja’, oh Khamenei!” ........................................ 160
- Chapter 14: The innovation of geographical marja’iyyat ................................................................................................................... 170

**Section 4: The Melancholy of Supreme Marja’iyyat: Imam Khamenei** ...................... 187

- Chapter 15: The Trivialization of Shi’i marja’iyyat ....................................................... 191
Chapter 16: An example of a baseless and dangerous fatwa

Conclusion

Bibliography

Selected documents

List of images

Annotated table of contents

From this author

Arabic Abstract

English Abstract
Abstract

Hojjatol-Islam wal-Moslemin Seyyed Ali Hosseyni Khamenei (b. 1939 in Mashhad) was one of the famous combatant broad-minded orators of Khorasan in the 1970s. After the success of the revolution, he was assigned to important positions, such as membership of the Council of the Revolution, leader of Tehran's Friday prayer, and the third President of the Islamic Republic of Iran. At fifty, the Assembly of Experts chose him as the second Supreme Leader of I.R.I. on 4 June 1989, after Ayatollah Khomeini’s passing. After Ayatollah Araki’s death, Jame’eye Moddaresin Hawzeye ‘Elmiyyeye Qom (the Association of the Teachers at the Qom Seminary) introduced seven jurists as marja’ jayezol-taqlid (qualified for marja’iyyat) in a newsletter on 2 Dec 1994. “The Grand Ayatollah Khamenei Supreme Leader” was the third one. The Jame’eye Rawhaniyyate Mobareze Tehran (the Association of the Combatant Clergy of Tehran) also introduced three jurists as marja’ jayezol-taqlid, of whom Khamenei was the first.

"Grand Ayatollah Khamenei", in a speech on 14 Dec 1994, announced that he humbly accepted the marja’iyyat abroad, since it was abandoned outside of Iran. His treatise titled Ajwibat al-Istifa’at (Requested Fatwas) was published in Arabic in 1994 in Kuwait and in Farsi in 1996 in Tehran. In 1998, he concluded that it is incorrect to have seven marja’s, and that instead, only one person should take on marja’iyyat. He assigned the Jame’eye Moddaresin Hawzeye ‘Elmiyyeye Qom the task of introducing the supreme leader as the unique and supreme Marja’. From then, in official circles, especially outside of Iran, he is referred to as “Imam Khamenei”. 
Research Questions

Considering his very quick and unprecedented promotion from a junior clergy to Ayatollah and Leader in 1989 and then to Grand Ayatollah and qualified source of imitation (Marja’) in 1994, and his plan for Supreme and unique marja’iyyat in 1997, there were doubts and questions about the natural process of these promotions. In order to resolve these doubts, there was no choice but to examine Khamenei’s life very closely and to seek evidence of his absolute Ijtihad and qualification for issuing fatwas in his education, teaching, research, mentors, classmates, writings, occupations, and concerns at different points in his life. I also compared his own thoughts on fiqahat and ijtihad before and after his Leadership.

I tried to answer the following questions: When did Khamenei start thinking about marja’iyyat? When did he start giving fatwas? Who are the members of his Shouraye Istifta (committee providing consultation for issuing fatwa)? When did he begin to teach kharij-e figh (advanced figh)? Has he ever taught advanced methodology of figh (kharij-e usul)? When did he begin to collects Shari’a funds? When did he take on the responsibility of paying the stipends of seminary students? What did he write in figh and usul during his claim of marja’iyyat? What has he published in usul and argumentative figh? What are the foundations of his methodology (mabani-e usuli) and principles of figh? Has he ever published a complete fatwa treatise? If not, then why? Who supported his marja’iyyat and with what goals? Who were the major critics of his absolute ijtihad and his qualifications for marja’iyyat and fatwa? What was their reasoning on both sides? What institutions were responsible for preaching, propagating and fixing his ijtihad and marja’iyyat? How did the more traditional part of the
Abstract

Seminary respond? How was \textit{marja'iyyat} influenced by his political role as Supreme Leader?

Ayatollah Khomeini’s latest perspective was that the concomitance of \textit{marja'iyyat} and leadership was not necessary, which led to a review of the Constitution. Why did Khamenei and most of Khomeini’s students disregard this opinion and turn to necessitating the concomitance of \textit{marja'iyyat} and leadership? The expediency of the regime was the most important obligation in Ayatollah Khomeini’s concept of absolute leadership of the \textit{faqih}. Was the expediency of the regime prioritized over religious criteria in the case of \textit{marja'iyyat} and issuing \textit{fatwa}? Seeking answers to these questions led to the research gathered in this book, which consists of four sections, the summary of which is as follows.

\textbf{The Learned Orator: Hojjatol-Islam Khamenei}

Khamenei imitated Ayatollah Khomeini until he was fifty years old and in some instances imitated Ayatollah Montazeri. Until Ayatollah Khomeini’s death, he did not consider himself to be a \textit{mujtahid} (qualified religious authority). As a matter of fact, he has mentioned his imitation of Ayatollah Khomeini many times. Although he was talented, he was only a fulltime student of advanced \textit{fiqh} in the seminary for six-seven years. His main concerns included reading poetry and novels, political combats, religious-political sermons and speeches (\textit{manbar}), public revolutionary meetings about Islamic teachings (especially interpretation of the Quran and the \textit{Nahjul-Balagha} for the youth), and translating Islamic revolutionary books from Arabic to Farsi (especially the works of Seyyid Qotb).

His expositions (\textit{taqrirat}) of none of the mentors’ lectures that he attended have been published and there is no sign of his expertise in \textit{fiqh} and \textit{usul} over his classmates.
(mobahiths). Comparing the charter regarding the collection of funds with other charters, it is evident that in 1966 Ayatollah Khomeini did not consider Khamenei among the senior scholars of his time – let alone as a mujtahid – and only gave him permission to use one-third of the khums, which was regular for junior clergy.

He taught intermediate levels of fiqh and usul for a decade in Mashhad, but his teaching career was shut down with multiple arrests, exile, a life in hiding outside of Mashhad, and under pressure from security forces. His reputation in the 1970s was based on his speeches on revolutionary and intellectual approaches to Islamic doctrine. Khamenei does not have permission for ijtihad from either of his mentors. His occupations, including managing, executing, and preaching responsibilities, had nothing to do with fiqhat and ijtihad until Ayatollah Khomeini’s passing away. His many preoccupations in the first decade of the Islamic Republic left him no time for fiqhi and usuli teaching and research until 1989. In the first half-century of his life, Khamenei did not publish anything about fiqh or ‘usul, except for a 40-page, incomplete rijali article (a paper on the bibliography of the transmitters of hadiths).

In the first decade of the Islamic Republic, Khamenei expressed three opinions regarding fiqh, two of which were faced with serious criticism by Ayatollah Khomeini. The first was his opinion about the limitations of Ayatollah Khomeini’s theory of “the absolute guardianship of the jurist “(wilayat-e mutlaqa-ye faqih) in a Friday prayer sermon on 1 Jan 1988, and the other was his acceptance of an apostate’s repentance (tawbe-ye zahiri-ye murtadd-e fitri) regarding the Salman Rushdie case in a Friday prayer sermon on 17 Feb 1989. After Ayatollah Khomeini’s impugnation of his opinions, he changed his mind about both. In March 1989, his opinion about singing and suspicious music in Qom is evidence of his
lack of *ijtihad* just three months before his leadership.

There is no written document to serve as evidence that Ayatollah Khomeini confirmed Khamenei as *mujtahid*. In the works published during his lifetime, Ayatollah Khomeini’s most famous phrase about Khamenei implied that he was “familiar with *fiqhi issues*” and does not even indicate his “partial (*mutijazzi*) *ijtihad*, let alone “absolute *ijtihad*”, even though he speaks of Khamenei as an extremely trustworthy companion. Khomeini’s oral exclamation would prove Khamenei’s qualification for leadership and for the degree of potential *ijtihad* necessary for fulfilling that task, only if they did not contradict the explicit statement of “Islamic Republic’s founder’s religio-political will”. Also, singular narrations do not suffice as evidence in important matters, and, in the end, oral sayings are not credible.

The oral sayings that have been recounted in introducing Khamenei as “the selected leader and his evident *ijtihad*” by Ayatollah Khomeini are not true; those who recounted such sayings did so in favor of the regime’s expediency. Considering the misery they were put through by the regime, the second edition of these retellings proved the invalidity of the first edition. In the end, Khamenei’s “absolute de facto *ijtihad*” cannot be validated until June 1989.

**The Supreme Leadership: Ayatollah Khamenei**

When Ayatollah Khomeini passed away, the constitution of 1979 was the source of action. Khamenei was definitely not a *marja’* on 4 June 1989 and didn’t have the required expertise for *marja’iyyat* and issuing *fatwas*. On that day, the clergy who were followers of Ayatollah Khomeini made a historical decision in an emotional atmosphere: they prioritized political management over the knowledge of *fiqh* and chose a junior clergy (*mujtahid-e mutajjazi*) to replace the supreme leader, a position that required de facto absolute *ijtihad*. 
Ayatollah Khomeini’s students didn’t let the Leadership leave their circle. Ayatollah Khomeini didn’t consider any of the marja’s of his time to be qualified for Leadership. The most learned mujtahid among his students (Ayatollah Montazeri) had deviated in Ayatollah Khomeini’s opinion and none of the eligible candidates had administrative experience as an absolute mujtahid. It was time to consider a junior clergy (mujtahid-e mutajjazi).

The elixir of the “regime’s expediency” forced the replacement of the position of an absolute de facto mujtahid with a junior clergy (mujtahid-e mutajjazi). In reality, the idea of Wilayat-e Faqih died with the death of its founder. The Majles-e Khobregan-e Rahbari (the Assembly of Experts on Leadership) opposed Khamenei on at least three occasions based on the regime’s expediency:

1. Overlooking the problem of lacking the required qualifications and a de facto marja‘iyyat being against the law (violating article 109 of the 1979 Constitution).

2. Failure to announce the illegal and “temporary Leadership” of Khamenei in at least the first two months of his leadership (the approval of a special meeting of Khobregan-e Rahbari on 4 June 1989).

3. Overlooking the lack of absolute ijtihad, meaning the qualification required for issuing fatwas on different issues of fiqh (violating articles 5, 107 and 109 of the 1989 Constitution).

Considering that Khamenei was not involved in any education or discussion of fiqh and ‘usul for fourteen years from 1976, a nine-member committee of governmental clerics was formed to hold sessions designed to reeducate the Leader from Sept. 1989. Seyyed Mahmoud Hashemi Shahrudi and Mohammad Mo’men Qomi played the biggest roles in this reeducation. The results of these sessions are two articles in Khamenei’s name that were polished in 1995.
Abstract

by the reeducation committee and published. One was the fiqhi sentence of the Sabaeans (32 pages) and the other was a contract to seize fire and end the conflict (84 pages).

Without having ever taught advanced courses on methodology ('usul) of fiqh or written any lessons of his mentors or written any commentary on them or preparing any specified criteria of methodology ('usul) of fiqh, Khamenei began to teach advanced course in fiqh from the book of war (jihad) from 1990, less than a year after becoming Leader. He taught three times a week for 45 minutes, and started by discussing hadiths on moral advices. His later teaching has been on retaliation and illicit earnings. More than 500 employed clergy participated in his class. In the 25 years of his teaching, two sections from the book of jihad and only a small part of the book of retaliation were installed in the Leadership’s advisory website. From fifteen years ago, nothing has been published from Khamenei’s teachings of fiqh, other than his early sermons on moral advices. The lectures are also not available in audio format on his website, unlike other seminary teachers.

A tradition in the Islamic Republic is to request a license for applied ijtihad for posts that require ijtihad: representatives of the Assembly of Experts of Leadership (Majles-e Khojbregan-e Rahbari), Ministry of Intelligence (Vezarat-e Etela’at), and Leadership. The required condition for the first two is partial (mutajazzi) ijtihad and the required condition for the third is the absolute potential ijtihad (less than the necessary qualification of de facto marja’iyyat and issuing fatwa).

One year after Khamenei became Leader, he sought help from Ayatollah Khomeini’s students after many complaints about the absence of religious and legal qualifications in the Leader elected by Assembly of Experts. Seven of these students – Mohammad Yazdi, Abdollah Javadi Aamoli,
Mohammad Fadhel Lankarani, Mohammad Mo’men Qomi, Ali Meshkini, Yousef Sane’i, and Ibrahim Amini – approved his *ijtihad* as sufficient for tenure as Leader by the beginning of Aug 1990. Most of these men were appointed as the head of the judicial system, the member of the powerful Guardian Council, and the Friday prayer imam, and one was a young *marja’* of the time. From the seven approvals submitted, five only approved the potential or applied *ijtihad* required for Leadership and no more. These approvals are problematic for two reasons: issuance based on the regime's expediency and the testimonies of opponents.

**The Imitable Marja’: Grand Ayatollah Khamenei**

From 1989, Khamenei began collecting funds and started paying stipends to the seminarians at home and abroad in 1990. He began issuing *fatwas* in Aug. 1990 and the first booklet containing his *fatwas* was published in 1992 in Beirut. More important than the *fatwas* themselves are the seven approvals in the beginning of the book, which served to solve the crisis of illegitimacy of Khamenei's Leadership, and were then used for legitimizing his issuance of *fatwa* and *marja’iyyat*. However, the five aforementioned approvals are limited to applied *ijtihad* for Leadership and utilizing it for establishing absolute *ijtihad* for issuance of *fatwa* is a form of subreption.

Many of what is included in that book as *fatwa* are references to Ayatollah Khomeini’s *fatwas*. This is the first time in the history of Shi’ism that a conveyor of a *mujtahid’s fatwas* considers himself as a *marja’-e taqlid*. Khamenei has even considered his *ahkam* (decrees) as superior to the *fatwas* of *mujtahids*. Yet, it is he who monopolized *Khums* (religious tax: one-fifth of the saved annual income) to the religious ruler, not the other *mujtahids*. Finally, Khamenei announced the necessity of believing *Wilayat-e Faqih* as
undistinguishable from the necessity of believing Islam and imamate; this baseless fatwa required him to accuse the disbelievers of Wilayat-e Faqih of heresy of Islam and Shi‘ism.

The partial mujtahid’s claim to marja‘iyyat with political support faced opposition and criticism from marja’s and Shi‘i scholars. In Beirut, Ayatollah Seyyid Mohammad Hosseyn Fadhlullah was vilified because he did not believe in Khamenei’s marja‘iyyat and qualification for fatwas, as he mentioned in his interview. In his last Friday prayer sermon in Jan 1994, Ayatollah Mousawi Ardabili explained that one marja‘ choosing the next was unorthodox in Shi‘ism and that none of the previous marja’s, including Ayatollah Khomeini, appointed anyone one after them.

Ayatollah Montazeri sent a written message to Khamenei via Ayatollah Mohammad Mo‘men Qomi in Nov 1994, warning him about claiming power in realms in which he is utterly unqualified, such as issuing fatwas, marja‘iyyat, and appropriating religious funds. He expressed his concerns about the fact that the security forces under the Leader’s control (i.e. clerical courts, Ministry of Intelligence, and the Revolutionary Guard) were denying independence of seminaries. For the first time, he mentions the deputy in clerical issues in the Ministry of Intelligence at the time of Ali Fallahian. This deputy had two responsibilities: eliminating and weakening independent and critical marja’s and legitimizing the marja‘iyyat of the Leader. The aforementioned seven approvals were gathered through this deputy of the Ministry of Intelligence. At least six members of the Jame‘eye Moddaresin Hawzeye ‘Elmiyeye Qom (Association of the Teachers of the Qom Seminary) – Mo‘men Qomi, Taheri Khorram Abadi, Taher Shams, Azari Qomi, Kaz‘ali and Meshkini – disagreed with Khamenei’s marja‘iyyat.
With the help of the deputy of clerical affairs in the Ministry of Intelligence and some governmental clerics, after the death of grand Ayatollah Khoi in Aug 1992, the road was paved from abroad for Khamenei to become a marja’. After the death of grand Ayatollah Araki on 29 Nov 1994 and a visit from Tehran to Qom by a committee consisting of three high-level officials – Velayati (foreign Minister), General Mohsen Rezayi (the chief commander of the Revolutionary Guard), and Javad Larijani (representative of the parliament) – at least eleven licenses were obtained, legitimizing Khamenei’s *ijtihad* and qualification for *marja’iyyat* in Qom and Tabriz. Although the first set of approvals were obtained regarding Khamenei’s *ijtihad*, the second set approved his *marja’iyyat*. None of these licenses were initially issued in isolation, but were written in response to a common question from the deputy of clerical affairs of the Ministry of Intelligence. Some of the approvers, including Seyyid Mohammad Baghir Hakim and Seyyid Mahmoud Hashemi Shahroudi, explain that this *marja’iyyat* is based on the regime’s expediency. Regardless of their motives, most of these approvers justify Khamenei’s *marja’iyyat*. These licenses are valid only if they are not met with contradictory testimonies.

Three days after Ayatollah Araki’s death, in a declaration dated 2 Dec 1994 and signed by Ayatollah Fadhl Lankarani, the *Jame’e’ye Moddaresin Hawzeye ‘Elmiyeye Qom* (Association of the Teachers of the Qom Seminary) introduced seven clergy as qualified *marja’s*: Mohammad Fadhel Lankarani, Mohammad Taqi Bahjat, Seyyed Ali Khamenei (the Supreme Leader), Hosseyn Vahid Khorasani, Javad Tabrizi, Seyyed Mousa Shobeiri Zanjani, and Nasser Mokarem Shirazi. The *Jame’e’ye Rawhaniyyate Mobareze Tehran* (The Association of Combatant Clerics of Tehran) also introduced three clergy qualified for imitation: Seyyed Ali
Khamenei (the Supreme Leader), Mohammad Fadhl Lankarani, and Javad Tabrizi. The Majma’ Jahani-ye Ahlul Bait (The International Association of AhlulBait- The Iranian Shi’a center) also approved Khamenei as the marja’ of the Shi’i community.

The declaration of Jame’eye Moddaresin contradicted its bylaws, and is hence invalid, for three reasons: 1. The meeting of seven did not meet the quorum of fourteen. Some also left the meeting in opposition. 2. Any legislation must be approved by one-third of all members, even though some telephonic votes were refuted as well. 3. In important matters, regulations must be approved by more than half of the members in writing, even though this legislation had only one signature!

The legislations of Jame’eye Moddaresine-e Qom, Jame’eye Rawhaniyyate Mobareze Tehran, and other religio-political groups are historical Shi’i innovations, because they introduced unqualified clergy as marja’, introducing one or two qualified mujtahids to the believers (not seven!), and chose the “most learned” marja’ to avoid confusion instead of a select few. These assertions have reflected very negatively on seminarian circles and were considered to be the meddling of political powers in matters of marja’iyyat.

The deputy of clerical affairs of the Ministry of Intelligence retrieved and published approvals for Khamenei’s marja’iyyat from Friday prayer imams, expert representatives, and other clerics. Eighteen licenses were included in the third set of approvals, the most important of which belonged to Ayatollah Taheri Isfahani, who was the Friday prayer imam of Isfahan. In a conversation with Ayatollah Montazeri, he explained that his approval was given with the persistence of the attorney general of the clerical court of Isfahan. Even Ayatollah Azari Qomi has written an approval with some hesitations under pressure.
For Ayatollah Montazeri, *marja’iyyat* was trivialized and forced with the interference of security and judicial forces. Bribery (tatmi’), threats, and baseless imagination (tawahhum) [the glory of the only Shi’i State] played important roles in obtaining these approvals. Evidently certain prevalence (*shiya’-e mojid-e ‘elm*) does not yield Khamenei’s *marja’iyyat* or absolute *ijtihad* for issuing fatwas. The licenses for *ijtihad* are problematic because of testimonies that disqualify absolute *ijtihad*. Either way, there are no valid religious methods for justifying Khamenei’s absolute *ijtihad* and qualification for *marja’iyyat*.

In a speech on 14 Dec 1994, Khamenei announced that he was unaware of his approval for *marja’iyyat* and would restrict its announcement had he known about it. Proof and testimony exist from a number of sources, including those of Ayatollahs Mahdawi Kani, Montazeri, and Azari Qomi that show his awareness of the process and his years of efforts in planning for it. In the same speech, he expressed that since *marja’iyyat* has no sufficient candidate abroad, he would humbly accept the responsibility. He was unaware that geographical borders have no role in religious law. Against his own claims, he responded to the Iranians’ questions about *shari’i’a* and collected their religious funds.

Also, in the same speech, he ironically accused Ayatollah Montazeri of betrayal several times. Ten days after this speech, on 23 and 24 Dec 1994, undercover officers attacked Ayatollah Montazeri’s classroom and destroyed his *hosseyniye*, using vile language to threaten the students to leave the class. The deputy of clerical affairs of the Ministry of Intelligence had ordered these attacks. Khamenei’s treatise of *Ajwibat al-Istifta’at* was published in early 1995. The contradictions in this publication, such as those in its discussion of *Wilayat-e Faqih* and *Khums*, are themselves proofs of the lack of Khamenei’s *ijtihad*. 
The Melancholy of Supreme Marja’iyyat: Imam Khamenei?

In the summer of 1995, Azari Qomi and Montazeri found out that Khamenei was seeking absolute and sole marja’iyyat through the Jame’eye Moddaresin. In other words, he wanted to use his political power to become the only marja’ (monopoly of marja’iyyat in himself). In a historical letter dated 27 Oct 1997, Azari Qomi warned President Khatami that with orders from Khamenei, a special deputy has been formed under the former minister of intelligence (Ali Fallahian) to establish Khamenei’s marja’iyyat and stifle the growth of other marja’s.

The Supreme Leader had assumed that Leadership automatically provided him with the knowledge of fiqh and that marja’iyyat, and that this was a conventional (i’itibari) matter! Jame’eye Moddaresin had only approved him in favor of the regime’s expediency, but knowledge and expertise should be prioritized over expediency. The experts should find the most learned marja’ based on religious criteria, not based on expediency. Evidently the Supreme Leader has failed as the most learned in fiqh, accordingly he is disqualified as the absolute guardianship of a jurisprudent. It was not right for the Supreme Leader to accept marja’yya; imitating him is against the principles of the shari’a and the seminary. After Jame’eye Moddaresin’s announcement, officers of the Intelligent Service, some ignorant seminarians, basij, and Hezbollah, chanting “death to the critics of Wilayat-e Faqih”, terminated Azari Qomi’s class forever. Azari Qomi was beaten and his vehicle was destroyed with bats and rocks.

On 14 Nov 1997 (the celebration of Imam Ali’s birthday memorial of 13 Rajab) Ayatollah Montazeri expressed two main shari’a based challenges in his historical speech: the necessity of the condition of the Leader as most learned in
fiqh, and his lack of qualifications for marja‘iyyat. First, Montazeri considered Khamenei’s Leadership and guardianship to be religiously hopeless, because of his incompetence in necessary conditions for being the most learned in fiqh. Second, he considered Khamenei’s claim of marja‘iyyat, with his lack of absolute ijtihad and competence to issue fatwas, as a trivialization of Shi‘i marja‘iyyat. Ayatollah Montazeri’s expertise was enough to stop the plan for Khamenei’s supreme marja‘iyyat after these concerns. In reality, Ayatollah Montazeri voided Khamenei’s license for imitation by questioning his qualifications and ruined his plans for supreme marja‘iyyat or its monopolization.

Operations on 19 Nov 1997 to silence the opposition were the Leader’s orders carried out by Mohammad Yazdi, the head of the judicial system. On the same day, the Supreme National Security Council put the two critical faqihs under house arrest without being charged by any court, claiming concerns for their lives. Grand Ayatollah Montazeri was imprisoned for his criticisms for more than five years and Ayatollah Azari Qomi died under house arrest after fifteen months in early 1999.

In a detailed speech on 26 Nov 1997, Khamenei accused his opponents of treason, betrayal, naïveté, imperialism, disturbance of public peace, stupidity, and selfishness. He responded harshly with baseless accusations to the polite criticisms of Grand Ayatollah Montazeri and Ayatollah Azari Qomi, while he did not respond to their technical criticism and shari‘a-based objections. Khamenei’s defensiveness is reminiscent of the Quran’s description of the Pharaoh’s response to Moses. His reaction contradicts Imam Ali’s response to peace-seeking critics.

The most important indicators of Khamenei’s lack of absolute ijtihad are his fatwas. In addition to his fatwas about wilayat-e Faqih and Khums, a fatwa regarding the public
criticism of the regime’s officials, published in Aug 2013, is an example of his baseless and dangerous fatwas. First, according to his fatwa, reports of the regime’s injustices and their publications have no base. Second, if it leads to the corruption and weakening of the Islamic government, it is a sin. The content of this fatwa is the common habit of tyrannical and despotic governments in history. It is an innovation unprecedented in the history of Shi’ism and against Islamic teachings. The fatwa of banning the public criticism of officials has only one message: no criticisms allowed!

The story of Khamenei’s sole marja’iyyat has four parts. First, he was the capable orator serving the regime, with no claim to ijtihad, and wouldn’t even dream of Leadership and marja’iyyat: Hojjatol-Islam wal-Moslemin Khamenei. Second, he obtained Leadership and absolute authority as faqih-ruler based on the regime’s expediency from 4 June 1989: Ayatollah Khamenei, Supreme Leader. Third, he planned for marja’iyyat from late 1989 and officially announced it in Dec 1994: Grand Ayatollah Khamenei Marja-e’ Jayezol-Taqlid. Fourth, he endeavored for supreme and unique marja’iyyat from the summer of 1997: Imam Khamenei! And human greed has no limit. He is not the only one responsible in this problem; his clerical partners from Ayatollah Khomeini’s school share the blame in this trivialization of Shi’i marja’iyyat.

The Trivialization of Shi’i Marja’iyyat

Ayatollah Khomeini became Leader while relying on his marja’iyyat, and Khamenei became marja’ while relying on his Leadership! His Leadership and marja’iyyat were both accomplished by the principle of “protecting the regime is the most necessary of necessities”. This is the result of the marja’iyyat of the partial (mutajjazi) mujtahid in favor of the
regime’s expediency. Critical fuqaha, including Ayatollah Montazeri, considered the Leader’s marja’iyyat as a “trivialization of Shi’i marja’iyyat” and were imprisoned illegally and unjustly for this very criticism. This book is an explanation of these very three words: “trivializing Shi’i marja’iyyat”. The book’s subtitle is the impeachment of Khamenei on his marja’iyyat. The need for clarity leads to clarifying and resolving ambiguities. Impeachment is a moral and religious matter. The conclusion of this book is firstly, that it is impossible to qualify the Leader’s marja’iyyat, and secondly, that there exist numerous pieces of evidence and testimonies about his incompetence in issuing fatwas and in marja’iyyat. Khamenei and his supporters have the right to publish evidence in their support, and nine of them have published their defenses. These defense are good examples for testing the strength of their justification and evidence for the Leader’s marja’iyyat.

This author has written extensively on this issue before, and ardently opposes absolutely all kinds of the political authority of a faqih. He does not consider valid any of the governmental positions on fiqh and ijtihad, either absolute or partial, so he is not concerned about losing them. However, in marja’iyyat, competences in issuing fatwas and in ijtihad are crucial criteria and this book is concerned with Khamenei’s marja’iyyat, not his Leadership. Impeaching the Leader (reviewing the résumé of his 21-year Leadership based on the Islamic Republic’s constitution) is the topic of another one of this author’s works, the first edition of which was published on 17 Jul 2010 as a letter to the head of the Assembly of Experts at the time, Hashemi Rafsanjani.

In this research, fairness has been exercised, leading to the inclusion of both arguments for and against Khamenei’s marja’iyyat. The opinions and proofs offered by supporters have been presented along with the justifications of
Abstract

opponents. The author is in search of the truth, not proving his own views. Although Khamenei has treated this author and his mentor unjustly, the author has tried his best to remain fair. It is up to the reader to determine how successful he has been in this endeavor.

This book is targeted to those who are concerned with religion on a daily basis, especially marjas, faqihs, seminarian students, professors, researchers and students of Theology and Islamic Studies. Others will also find proof of the difficulties that come with fusing religion and political powers in Iran and recent Shi’i thought. The rational conclusion of this research is the moderate secularism or separation of religious institutions (seminaries, clerics, marja’iyyat, and the mosque) from the state.

Collecting these sources and references has been very time-consuming. The author has tried not to make any unsupported claims. However, humans are not without their faults and the author is sure that, were this research conducted in Iran, more documents would be available for inclusion in this book and its argument. Knowledgeable readers are encouraged to share their comments and criticisms, whether publicly or privately, with the author. Reviewing this research and examining it closely would be a great service to the modern history of Iran, to recent Shi’i thought, and to the author.

I wish that freedom in Iran will one day allow books such as these to be published on paper and that authors are not stripped of their basic religious and legal rights, including their right to live in their homeland, for writing such books.

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