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Session 26: Special Functions of State and Islamic Perspective on Public Participation

Exclusive functions of state

Apart from the necessity of guaranteeing implementation of laws, there are also other reasons behind the exigency of government or executive power. It is by means of considering the aggregate of these reasons that it becomes possible to logically explain and justify the government's set of obligations and prerogatives. If the duty of government were only implementation of laws and ensuring their implementation, such purpose would be met by organizing the armed forces. Yet, governments, including the Islamic government, have other obligations, such as providing for public needs of society, which are beyond the limited domain of individual action.

Sometimes, we study the life of man and examine his needs as an individual. Naturally, the person concerned must meet these needs through hard work by acting within the framework of rules and regulations. However, some needs are related not only to the family or a certain person but to the whole society or a wide section of it. For example, internal and external security is a public need. Designing the necessary means to combat domestic violence, law violation and insecurities and organizing a potent defense force to resist external enemies that threaten the Islamic country are not related to a specific section of society. They are related to all members of society. Since a certain person or a few people are unable to meet such needs, they must be met by the whole society. No doubt, by introducing rules and taking necessary steps, the government on behalf of society can meet such needs.

An organized movement and effective and appropriate military force is needed once there is a threat along the borders. In reality, the all-out participation in a defensive war must be based on law. Here, personal and subjective operations and activities based on personal preference cannot bring any good result and cannot stop the enemies' satanic forces and their organized and well-planned military manoeuvres. Through efficient programs and schemes designed by an organization which is comprised

of military experts, who are familiar with the dangers posed by the enemy and their level of facilities and capabilities, military forces must be organized for war operations. Such need can be met only by an organ which enjoys full authority over all members of that society.

By designing special programs and rules, it is the government which can mobilize people to participate in the war to thwart the danger to their country. In addition, to be prepared to confront external and internal threats, necessary defensive armaments and facilities must be acquired and efficient military training of individuals must be taken into account so that the country can have sufficient guards for external threats, as well as for internal security. This important task can only be shouldered by the government whose orders are obeyed and regarded as binding by the people.

The examples mentioned in relation to the second reason behind the need for government, i.e. meeting the public needs of society, give importance to defense issues of the country and confronting external enemies. In our country, the armed forces, comprising of the army and the Islamic Revolutionary Guard Corps (IRGC), are discharging this crucial and vital duty. Also, the examples we mentioned in relation to the first reason, i.e. guaranteeing the implementation of law, pertain to the maintenance of internal security and practical ways of compelling offenders to obey the law. This important duty has been placed upon the disciplinary forces.

Among public needs which cannot be met by individuals and must be addressed by the state are the medical needs of society. Society has always been on the verge of succumbing to contagious diseases some of which pose serious threats, and if not prevented can cause heavy human loss. In the past, human societies had been afflicted with contagious and infectious diseases such as cholera, plague, and small pox which caused heavy human losses because of the lack of advanced knowledge in medicine and hygiene and overall programs. Through interstate programs and the use of obtained knowledge and facilities in medicine today, prevention and elimination of those diseases became possible.

For instance, infantile paralysis (poliomyelitis or polio) caused heavy human loss to us, but through planning, grand medical activities and initiation of vaccination programs, our country has obtained valuable results. Undoubtedly, without state planning and public participation, such programs could not have materialized. A power superior to that of individuals, i.e. the government, by planning, providing facilities, issuing required orders, and codifying special rules and regulations must take a step in the scene of action and people must follow government orders so that society's health need can be met and the root of diseases that threaten society be eliminated.

Similar to the above is the war against the smuggling, distribution and use of narcotic drugs, for this ruinous catastrophe seriously threatens the physical, psychological and emotional wellbeing of society. Without interference of the state, serious steps and well planned programs, it will not be uprooted, nor the limited measures of individuals make considerable difference. As such, because of the multiplicity of those needs and the difference among them, a ministry has been considered for meeting each of them

Of course, individuals can meet many needs of society, but the motive to meet them does not exist in everybody nor is it equally strong. Left to individuals, they cannot be met satisfactorily and sufficiently. Some sections of society will still be deprived of those facilities and needed things. Therefore, meeting those needs has also been delegated to the government so as to avoid any shortcoming. For example, people can be entrusted with the construction of schools, learning centers, academic curricula and provision of the budget needed by those centers throughout the country as done before.

Today, in some advanced countries, the administration and maintenance of many of these centers has been entrusted to the people but, unfortunately, all individuals do not have a strong motive to construct or provide the budget for those educational institutions where children can pursue their studies on different levels. Of course, we do not deny that there have always been philanthropists who shoulder heavy expenses of construction of schools, but their activities are limited and do not cover all levels of society. If the government delegates this need to volunteers, the interests of society will not be ensured.

Therefore, the government must have a pertinent program and policy in order to serve the interests of society. The budget for these needs must be allocated by the people. That is, by levying taxes and other custom duties and considering necessary ways, the government must make people pay the expenses for those needs, or itself provide the budget through national resources. Whatever means are employed, education must be at the disposal of all members of society for its welfare. If circumstances change and some volunteers shoulder the expenses of building and administering academic centers, a heavy burden will be removed from the government's lot.

Dual structure of functions of state

Certain responsibilities may be delegated to the people. But the government cannot delegate some important duties to the people; for example, the portfolio of defense and war with the enemy cannot be handled by unorganized individuals and groups. Policymaking, planning, budget allocation, and meeting the needs of this vital and fundamental issue must be entrusted to government alone. Of course, after assuming the responsibility of war and defense, planning, policymaking and facilitating ways, the government can permit people to voluntarily take part in the war as popular mobilizing [*basij*] forces, and defend the Islamic country and government.

Therefore, there is no need for the government to assume all social responsibilities. In fact, people themselves can shoulder many responsibilities and voluntarily provide the pertinent budget. It is true that the government must play a pivotal role in order to have cohesion and avoid any discordance, make room for public participation and assumption of responsibilities, design overall and long-term programs. The main role of some ministries is policymaking and the rest of the work is done by the people.

For example, the main function of the Ministry of Trade is not to engage in trade, as, in principle, domestic and foreign trade must be carried out by people. Because of abuses committed by those affiliated with the monarchy during the previous regime, in high-level commercial transactions whose

benefits the masses were deprived of, it is stipulated in the Constitution that trade and high-level commercial transactions will be carried out by the government.

In principle, business and commercial activities must be carried out by the people and not the government. It is known that the government is not a suitable trading agent. Once it directly engages in commercial activities, it fails because in trade and industry, and in economic affairs in general, personal motivation and group competition play a very important role, and when properly guided, such motivation brings about progress, development and dynamism in trade and industry. Once trade becomes a state affair, motivation no longer exists. As a result, no progress is made.

In totalitarian governments and centralized states such as the socialist and communist regimes in China, Cuba, the erstwhile Soviet Union, and countries of the former Eastern Bloc, the state directly assumes all activities, policymaking and planning, and in all economic, commercial, industrial, and agricultural activities people do not play any role as the state's executive agents. All affairs are entrusted to the state, and the people, i.e farmers and factory workers, work as public workers and wage-earners. Contrary to this, the Islamic government believes in principle that functions that can benefit by being entrusted to the people should be handed over to them and their ownership and autonomy respected.

Need for organizations dealing with low-income strata of society

As indicated, public centers must be established in society so that the low-income strata that cannot meet some of their needs can benefit from the facilities and services of those centers. For example, there is a need for special medical centers with free medication to serve those who cannot afford their medication expenses. As such, hospitals have been built for this purpose within the framework of social insurance law. In advanced countries such centers render extensive services to the people by exempting them from paying medical fees, and the state is obliged to provide medical expenses for people through taxes or national resources.

Once the taxation system is formulated for the procurement of a part of the state budget, including social and medical insurance, the people are obliged to pay their taxes according to the law. In advanced countries complex methods are used through which no one can evade taxes. The tax-payers also enjoy the benefits and utilities of taxes, but the low-income and vulnerable strata benefit from the free services of social and medical insurance. But the question is: Is it better to entrust public welfare activities and building medical centers to the people so that patients can benefit from their services, or the state should compel people to pay taxes and itself engage in constructing medical centers so that the low-income strata can benefit from their services?

Indisputably, the first option is better and more desirable. This option is preferred in the philosophy of Islamic laws. In Islam the people have been recommended to spend some of their earnings on public welfare works and let others benefit from them, for in this way, the value of charity will be preserved and the doers will attain self-perfection and otherworldly rewards, while the needs of society will be met. But

if people are compelled to give a portion of their earnings, the value of volunteerism will be lost and they will not earn any spiritual reward nor acquire perfection.

The institution of pious endowments is an example of the voluntary work of charity by our benevolent Muslim people throughout history which has brought enormous benefits to our society. It can be said that there is no village in this country which has no pious endowment benefiting people. However, in recent years, unfortunately, this endowment has diminished and fewer people establish pious endowments, notwithstanding the value, nobility and sanctity of this pleasing-to-God work. In addition, we have many pious endowments which are either forgotten or not properly managed.

No doubt, if a pious endowment were revived and its status recognized again, many of the needs of the state would be met, and if many pious endowments were reestablished, a heavy burden would be removed from the state, and thereby, the people would also receive more spiritual rewards. Once the people engage in charity work out of their own freewill and volition with more freedom and autonomy of action, the more rewards they will receive.

However, if people do not take any action and social needs are not sufficiently addressed, the state becomes duty-bound to compel people to pay their taxes through the enactment and implementation of compulsory laws, and satisfy social needs.

The Islamic paving of ground for public participation

Entrusting affairs to people and paving the ground for public participation in various social arenas, like meeting extensive social needs, is recognized as among the characteristics of civil society. Of course, “civil society” and many other terms that originated in the West have different meanings and are sometimes exploited. However, we consider those terms in accordance with concepts acceptable to us. For instance, different, and at times contradictory, conceptions and interpretations of “civil society” have been presented.

One of the meanings of “civil society” is that as much as possible, social works must be taken from the state and entrusted to the people themselves. As much as possible, the people should voluntarily be ready to engage in social activities and only in times of necessity should the state interfere. Of course, in all countries overall policymaking in social affairs is undertaken by the state and practical programs and various phases of implementation are undertaken by the people.

Undoubtedly, the above conception of civil society is a fundamental Islamic principle in which Islamic society, and the City of the Prophet (s) [*madinat 'un-nabi*] has been anchored since the beginning. Initially, the Islamic government or state was not undertaking all social activities. It was the people who were undertaking most of the social activities but gradually, with the progress of society and the emergence of new needs, the state of affairs became such that common people could no longer meet their needs and an organized institution like the government had to meet those needs.

For example, the need to illuminate a city before could be met by placing torches in the alleys and streets, and by doing so, the people could pass by at night. Naturally, the said need at such level could be met by people themselves. Nowadays, however, by using electricity to illuminate a city and its residential areas, the people alone cannot meet this need satisfactorily. So, the state has to provide the necessary means to meet that need.

Factors undermining public participation

Generally, two factors undermining public participation in meeting public needs can be mentioned. The first factor is the daily increase of needs and the complexity and specialization of the process of meeting those needs. This condition practically deprives people of meeting those social needs and makes it the government's responsibility to fill the existing vacuum.

The second factor is the weakening of moral and religious values and the prevalence of profit-oriented Western culture among people which urges them to help themselves rather than others. Western culture is based upon profiteering, individualism and freedom from responsibility, which prevailed in the West after the Renaissance and gradually permeated Muslim countries and weakened the spiritual and moral motives of Muslims.

It dissuaded man from thinking for others and helping the needy and activated the sense of indifference towards fellowmen. This culture persuades a person to avoid accepting social responsibilities and only pursue his interests. This culture is diametrically opposed to Islamic culture which has been prevalent for centuries among our people, urging them to think about the interests of society and serve the needy.

Heedlessness to Islamic traditions and values and penetration of Western culture in recent years has hindered the thriving of the noble tradition of pious endowment [*waqf*] and the number of endowed buildings and lands has tremendously decreased compared to the past. Also, other voluntary public welfare works have diminished and the spirit of civility which existed in Islamic society has weakened. As a result, the government's obligation has multiplied and its burden has become heavier. If by the blessing of the Islamic Revolution, Islamic and human values are revived and people pay heed to their spiritual, moral and religious responsibilities by engaging in charitable work, the government's burden of responsibility will decrease and it could entrust some of its responsibilities to the people. This state of affairs, in a sense, will be a return to Islamic civil society.

Status of civil society in Islam

I would like to emphasize that civil society in this sense is rooted in Islam and the apostolic invitation of the Prophets (‘a), but having drifted away from Islam, we have drifted away from it. Now, with the blessing of Islam, we need to return to it. The West is not supposed to guide and direct us towards the establishment of civil society. It is actually we who are supposed to hold them under obligation, for during the apex of Islamic civilization most of the Western societies were quasi-barbarians. Islamic

culture and civilization gradually civilized them and they acquired the civil society from Islam. Today they claim to be exporting the salient features of Western culture to our country and civilizing us!

Thus, the ideal civil society is rooted in Islam and Islamic civilization, and by returning to Islam this civil society will materialize. Yet, “civil society” has also other meanings which are unacceptable to us. Nowadays, in the West “civil society” is used in opposition to “religious society” and it refers to a society in which religion does not rule and has no role whatsoever in social organizations and activities. In such an irreligious civil society—which is extensively promoted today—all members of society have equal opportunity to occupy all government and public posts.

If they say that Iranian society must be transformed into a civil society, it implies that a Jew could also become the president of Iran because all human beings are equal in humanity and we have no first or second class human beings. Under the rubric of “civil society” they are striving for the official recognition of an atheistic and deviant sect affiliated with Zionism. Under the pretext that all human beings are equal, they want members of notorious groups inclined towards America and Zionism to also have the chance to occupy important positions, such as the presidency.

If we claim that to some extent distinction among citizens is present and accepted, this is because in occupying certain political posts, some qualifications have been laid down in the Constitution, and God also says, thus:

﴿وَلَنْ يَجْعَلَ اللَّهُ لِلْكَافِرِينَ عَلَى الْمُؤْمِنِينَ سَبِيلًا﴾

“And Allah will never provide the faithless any way [to prevail] over the faithful.”¹

Such a view is not inconsistent with civil society. According to Islam, “civil society” in which disbelievers and Muslims have equal rights and opportunities to occupy political posts is not acceptable. We openly announce that Islam does not allow disbelievers to prevail over Muslims in Islamic society. Neither does it allow a Zionist-affiliated atheistic sect and party to obtain official recognition. It makes no difference whether they label this difference in rights and qualifications as “discrimination in citizenship” or any other.

New ways of opposing Islamic criteria for selection

Today, those who are associated with the Global Arrogance inside the country are striving to promote Western liberalism and democracy by raising the slogan of equality among men and citizens. They want to inculcate the belief that there is no difference between human beings as they enjoy equal rights, and their views must receive equal attention while codifying laws of the country. Of course, human beings do not belong to different classes according to Islam. In this regard, God says:

﴿يَا أَيُّهَا النَّاسُ إِنَّا خَلَقْنَاكُمْ مِنْ ذَكَرٍ وَأُنْثَىٰ وَجَعَلْنَاكُمْ شُعُوبًا وَقَبَائِلَ لِتَعَارَفُوا إِنَّ أَكْرَمَكُمْ عِنْدَ اللَّهِ أَتْقَاكُمْ...﴾

“O mankind! Indeed We created you from a male and a female, and made you nations and tribes that you may identify with one another. Indeed the noblest of you in the sight of Allah is the most God-wary among you...”²

In the above verse, human beings have been declared equal in their intrinsic and essential qualities, and thus, difference or classification among them is inconceivable. However, the latter part of the verse points to the contingent [‘aradhi] differences.

That is, some valuably acquired characteristics and attributes make some of them superior to others. As such, the God-wary people have a sublime station in the sight of God, and it cannot be said that all human beings are equal before God. Similarly, in view of differences between individuals due to possession of merits and qualifications, they differ in capability and cannot hold any post that requires specific qualifications. For example, in all parts of the world an illiterate person can not be President. Can it be said that considering the condition of literacy for the assumption of the presidential post is contrary to the equality of men? Does it mean that human beings have two classes the literate and illiterate?

In all parts of the world special conditions are taken into account for key positions such as the Presidency. The Islamic nature of our political system has also laid down certain conditions. The President must have sufficient literacy and education, be a devoted supporter of Islam and not be associated with an enemy of Islam. These are in accordance with Islamic principles. So, if the condition of being Muslim is stipulated for becoming a Majlis deputy or occupying other posts, this does not mean discrimination of human beings according to classes. In Islamic society, commensurate to the rights and obligations that Muslims have in lieu of the *khums* and *zakat* they pay, distinct rights and obligations are considered for followers of other religions. This does not signify a discrimination of human beings according to classes, though it can be said that those differences are related to classes of citizenship.

To claim that the position of the Supreme Leader, Presidency or other key and strategic posts can be held by those opposed to Islam and the Islamic system and who do not accept the Constitution, is equivalent to entrusting Islam to its enemies! Such a thing is neither rational nor possible, and if, God forbid, some would like to do so, Islam will not allow them because God has not given the faithless dominion over the Muslims and does not accept such domination over Muslims. This is our belief and we do not care if they accuse us of classifying citizens.

Need to preserve Islamic values and principles and counter enemy plots

Equality in humanity does not necessarily mean equality in rights. It is true that human beings are all equal in humanity but they are not so in human virtues. In Islamic society, therefore, many posts and positions must be entrusted to people who have the necessary merits and qualifications. As such, the Leader must be a *faqih* so that he can supervise the implementation of Islamic laws, for he can not successfully supervise if he is not familiar with Islam. Also, the President must be a Muslim. A Jew or a Christian cannot rule over a population of 90% Muslims.

We should not worry if newspapers and pens in the hands of those who are affiliated with the Global Arrogance accuse us of believing in second class citizens. Nothing more than this can be expected from them; they even deny the essentials of Islam. Through the Islamic system, we must strive to present Islam as it is to the world and not as its enemies project it.

If we say or write something which pleases the American hegemonic power newspapers and mass media and makes them applaud us, we should not be glad. In fact, we should be anxious and worried. It is known that when it was said to Aristotle, “So-and-so applauded you,” he started crying. When he was asked why he was crying, he said: “I do not know what foolish act I have done that has pleased that ignorant person!” If we do something for the benefit of our enemies and present Islam in a manner that is pleasant to them, we have served the enemies and not Islam! We have to defend the Islam which has been introduced by the Prophet (s) and the *Ahl al-Bayt* (‘a) to us, and not the “Islam” which the enemies dictate to us.

We cannot consider Muslims and non-Muslims as equal in holding key national posts. How can Islam allow us to officially recognize a religion which is affiliated with International Zionism, for the sake of “civil society”?

1. Surah an-Nisa’ 4: 141.

2. Surah al-Hujurat 49: 13.

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