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The Supreme Leader: Elected or Appointed?

Question: Is the Supreme Leader elected to his position or appointed to it?

The position of the Supreme Leader is granted by appointment and this can be proven through the logical proofs and also the narrated proofs (the Qur`an and ahadith) of which, we shall refer to some below.

A. The Logical Proofs

Seeing as how the governance of the Jurist is known as a continuation of the leadership of the infallible A`immah (AS) and since the infallible A`immah (AS) are guardians (of the faith) who have been appointed directly by Allah (SWT), the Jurist who fulfills all of the criteria (for being followed) is also one who has been appointed by Allah (SWT) and the infallible A`immah (AS) to the station of the Supreme Leader over the Islamic society.

In regards to this, we state that: Our intellect dictates that a person's felicity is tied to the Divine Laws and on his own, mankind is not able to formulate laws which would be without defect for his happiness in this life and the next.

The Divine Laws, which have been conveyed through the perfect human being referred to as the prophet of Allah (SWT) were given to humanity as a gift, and since these laws cannot have any impact if they are not implemented, and since the implementation of such laws cannot be carried out error free except by one who is infallible, it is for this reason that Allah (SWT) appointed and sent prophets (AS) and then followed this up with the infallible A`immah (AS) as guardians over the Islamic society and for the implementation of the teachings of the faith.

Since it is inconsistent with the wisdom of Allah (SWT) and His grace that during the period of

occultation of the Imam of the time (may Allah hasten his noble advent) that the Muslims would be left without a leader and that the faith and the final way of life (Shariah) would be abandoned without a guardian, it is for this reason that the Jurists who fulfill all of the requirements (to lead) – who happen to be the closest people to the infallible A`immah (AS) from three angles – their knowledge, justice, and ability of management – are therefore recognized as the successors to Imam al-Zaman (may Allah hasten his noble advent).

Therefore, during the period of the occultation, the Jurists have been appointed to be the guardians of the Islamic society.

Thus, it becomes incumbent upon the Muslims and the wise people of the society who fully comprehend the issue as it has been presented and are not caught up in unruliness and the worship of their lower desires and passions, to accept the governance of such worthy individuals. Through this, the religion of Allah (SWT) will become manifest throughout the entire society.

Therefore, the governance of the Jurist who fulfills all of the conditions (for leadership) is just as the rule of the Prophet (SAWW) and the infallible A`immah (AS). By this we mean that in regards to the maintenance of the Islamic society, just as the people would pledge their allegiance to the Prophet (SAWW) and the Imam (AS) as the governor who has been appointed by Allah (SWT), and would accept the authority of these individuals over them, so too during the period of the occultation, the people must also pledge their allegiance and give their hand in fealty and follow the worthy and rightful representative of Imam al-Asr (may Allah hasten his noble advent) who has been proclaimed by the infallible A`immah (AS) as the leader. 1

B. The Qur`anic Proofs

The various verses of the Noble Qur`an give us a general picture of the appointment of the Islamic leader (and the Jurist). From amongst all of these verses, we narrate the following:

يَا أَيُّهَا الَّذِينَ آمَنُوا أَطِيعُوا اللَّهَ وَأَطِيعُوا الرَّسُولَ وَأُولِي الْأَمْرِ مِنْكُمْ فَإِنْ تَنَازَعْتُمْ فِي شَيْءٍ فَرُدُّوهُ إِلَى اللَّهِ وَالرَّسُولِ إِنْ كُنْتُمْ تُؤْمِنُونَ بِاللَّهِ وَالْيَوْمِ الْآخِرِ ذَلِكَ خَيْرٌ وَأَحْسَنُ تَأْوِيلًا. أَلَمْ تَرَ إِلَى الَّذِينَ يَزْعُمُونَ أَنَّهُمْ آمَنُوا بِمَا نُزِّلَ إِلَيْكَ وَمَا نُزِّلَ مِنْ قَبْلِكَ يُرِيدُونَ أَنْ يَتَحَاكَمُوا إِلَى الطَّاغُوتِ وَقَدْ أُمِرُوا أَنْ يَكْفُرُوا بِهِ وَيُرِيدُ الشَّيْطَانُ أَنْ يُضِلَّهُمْ ضَلَالًا بَعِيدًا. وَإِذَا قِيلَ لَهُمْ تَعَالَوْا إِلَى مَا أَنْزَلَ اللَّهُ وَإِلَى الرَّسُولِ رَأَيْتَ الْمُنَافِقِينَ يَصُدُّونَ عَنْكَ صُدُودًا

“O you who have faith! Obey Allah and obey the Apostle and those vested with authority among

***you. And if you dispute concerning anything, refer it to Allah and the Apostle, if you have faith in Allah and the Last Day. That is better and more favourable in outcome. Have you not regarded those who claim that they believe in what has been sent down to you, and what was sent down before you? They desire to seek the judgment of the despot, though they were commanded to defy it, and Satan desires to lead them astray into far error. And when they are told, 'Come to what Allah has sent down and [come] to the Apostle,' you see the hypocrites keep away from you, averseely.*"²**

In these verses, the Qur`an expressly orders us to obey Allah (SWT), His Messenger (SAWW) and those who are 'in authority amongst us' and in times of dispute and differences, rather than referring to the despots, we must refer to Allah (SWT) and His Messenger (SAWW). This means that we must be satisfied with the ruling given by the book of Allah (SWT) and the sunnah of the Prophet (SAWW).

Thus, the responsibility of the Muslims is that they must submit to those who are put into authority over them.

However, are those who are in authority (whom we are to obey) the despotic forces? Without a doubt, this is not the case since in the verse which follows, this has been forbidden!

Therefore, the meaning of those who are charged with authority from amongst us whose commandments must be followed are individuals whose directives are on the same level as those of Allah (SWT) and His Messenger (SAWW):

يَا أَيُّهَا الَّذِينَ آمَنُوا أَطِيعُوا اللَّهَ وَأَطِيعُوا الرَّسُولَ وَأُولِي الْأَمْرِ مِنْكُمْ..

“O you who have faith! Obey Allah and obey the Apostle and those vested with authority among you...”

The meaning of 'those who are charged with authority from amongst you' are those people who follow the Qur`an and the Sunnah in relation to governance and judgment.

In the second verse which we wish to look at (as was quoted above), we see that Allah (SWT) has stated that those who show satisfaction with the governance and judgment of the despotic forces have actually disbelieved in all of the Divinely revealed books!

If the responsibility of the Muslims is to keep away from and struggle against the despotic governments, then it stands to reason that it is their responsibility to establish a just government and submit themselves to those who order others to act according to the Qur`an and the Sunnah:

تَعَالَوْا إِلَىٰ مَا أَنزَلَ اللَّهُ وَإِلَىٰ الرَّسُولِ...

“Come to that which Allah has revealed and [come] to the Messenger.”

From this verse, we understand that in the Qur`anic terminology, a despotic force refers to the person who judges contrary to the rulings of the Qur`an and the Sunnah of the Prophet (SAWW). Thus, the only person who is worthy of attaining the government is the one who judges by the Qur`an and the Sunnah!

Thus, one of the conditions of governance is a deep understanding of the Book of Allah (SWT) and the Sunnah – and this is reserved for the one who is a Jurist.³

C. The Narrated Proofs (Ahadith)

1. There is a long tradition contained in the book *Tuhaf al-Uqul* from Imam Husayn b. Ali (AS) in which the Imam (AS) reprimanded the scholars of his time as to why, due to their own slackness and differences, they were denied the status of leadership. In this tradition, the Imam (AS) stated:

وَأَنْتُمْ أَكْبَرُ النَّاسِ مُصِيبَةً لِمَا غَلَبْتُمْ عَلَيْهِ مِنْ مَنَازِلِ الْعُلَمَاءِ لَوْ كُنْتُمْ تَشْعُرُونَ
ذَلِكَ بِأَنْ مَجَارِيَ الْأُمُورِ وَالْأَحْكَامِ عَلَى أَيْدِي الْعُلَمَاءِ بِاللَّهِ الْأَمْنَاءِ عَلَى حَلَالِهِ وَ
حَرَامِهِ فَأَنْتُمْ الْمَسْلُوبُونَ تِلْكَ الْمَنْزِلَةَ وَمَا سُلِبْتُمْ ذَلِكَ إِلَّا بِتَفَرُّقِكُمْ عَنِ الْحَقِّ وَ
اخْتِلَافِكُمْ فِي السُّنَّةِ بَعْدَ الْبَيِّنَةِ الْوَاضِحَةِ...

“You are the people at the greatest loss – if you only knew – as you subdued the status of scholars, as the answers to affairs and religious rulings rest with these godly scholars – those who are responsible for (guiding you to) the permissible (halal) and impermissible (haram) as prescribed by Allah. You have not plundered that dignity and have not deprived (yourselves) of that status except by your swaying from the truth and disagreeing with the Sunnah after it has been shown clearly. If you would be patient in the face of tribulations and would bear whatever has been provided, for the sake of Allah – then the commands of Allah would come to you, would issue from you and would return back to you.”

2. Ishaq b. Yaqub wrote a letter to Imam Wali al-Asr (AS) [the 12th Imam] and gave it to Muhammad b. Uthman, the representative of the 12th Imam to pass it on to the Imam (AS). In a portion of the reply, Imam al-Zaman (AS) wrote the following as a response to the questions of Ishaq:

أَمَّا الْحَوَادِثُ الْوَاقِعَةُ فَارْجِعُوا فِيهَا إِلَى رَوَاةِ حَدِيثِنَا فَإِنَّهُمْ حُجَّتِي عَلَيْكُمْ وَأَنَا
حُجَّةُ اللَّهِ.

“As for those events that will occur in the future, (for the answer on how to deal with them), refer to those

people who narrate our sayings (ahadith) since surely they (the Ulama) are my proof over you and I am the proof of Allah.”⁴

The proofs which we have, show us that the challenge which Ishaq b. Yaqub was facing was not in finding a person to answer his religious enquiries. He was not a person that did not know that answers to the practical laws of Islam relating to worship and transactions had to be taken from the scholars of the traditions of the Infallibles (AS)! Rather, his hindrance was in understanding his responsibility in relation to societal issues for which the only way to solve these sorts of challenges was to have the judgment of one who had the right of governance (over him).

In this letter, first off we see that the Imam (AS) orders the people to refer to the Jurists; they are then told that they must follow such people due to the fact that they are a proof (hujjat) over them.

From the general purport of this discussion, it is clear that the authority of the Jurist is vast and is at the same scale as the authority of the Imam (AS).⁵

3. Umar b. Hanzalah asked Imam Ja'far b. Muhammad as-Sadiq (AS) a question in regards to two Shia, who due to either a loan or some inheritance, had gotten into a dispute with one another. Were they permitted to refer to the governor or the judges of the un-Islamic system for a ruling? The text of the tradition and the answer of the Imam (AS) is as follows:

سَأَلْتُ أَبَا عَبْدِ اللَّهِ عَلَيْهِ السَّلَامُ عَنْ رَجُلَيْنِ مِنْ أَصْحَابِنَا بَيْنَهُمَا مُنَازَعَةٌ فِي دَيْنٍ
أَوْ مِيرَاثٍ فَتَحَاكَمَا إِلَى السُّلْطَانِ وَ إِلَى الْقُضَاةِ أَيْحِلُّ ذَلِكَ؟ قَالَ: مَنْ تَحَاكَمَ
إِلَيْهِمْ فِي حَقٍّ أَوْ بَاطِلٍ فَإِنَّمَا تَحَاكَمَ إِلَى الطَّاغُوتِ وَ مَا يَحْكُمُ لَهُ فَإِنَّمَا يَأْخُذُ
سُحْتًا وَ إِن كَانَ حَقًّا ثَابِتًا لِأَنَّهُ أَخَذَهُ بِحُكْمِ الطَّاغُوتِ وَ قَدْ أَمَرَ اللَّهُ أَنْ يُكْفَرَ بِهِ
قَالَ اللَّهُ تَعَالَى: يُرِيدُونَ أَنْ يَتَحَاكَمُوا إِلَى الطَّاغُوتِ وَ قَدْ أُمِرُوا أَنْ يُكْفُرُوا بِهِ.
قُلْتُ: فَكَيْفَ يَصْنَعَانِ؟ قَالَ: يَنْظُرَانِ إِلَى مَنْ كَانَ مِنْكُمْ مِمَّنْ قَدْ رَوَى حَدِيثَنَا وَ
نَظَرَ فِي حَلَالِنَا وَ حَرَامِنَا وَ عَرَفَ أَحْكَامَنَا فَلْيَرْضَوْا بِهِ حَكْمًا فَإِنِّي قَدْ جَعَلْتُهُ
عَلَيْكُمْ حَاكِمًا فَإِذَا حَكَمَ بِحُكْمِنَا فَلَمْ يَقْبَلْهُ مِنْهُ فَإِنَّمَا اسْتَخَفَّ بِحُكْمِ اللَّهِ وَ عَلَيْنَا
رَدٌّ وَ الرَّادُّ عَلَيْنَا الرَّادُّ عَلَى اللَّهِ وَ هُوَ عَلَى حَدِّ الشَّرِكِ بِاللَّهِ.

“I asked Aba Abdillah, peace be upon him, about two of our people (the Shia) who have a dispute amongst themselves regarding a loan or an inheritance and seek a judgment from the ruler or from (government appointed) judges – is this permissible (for them)? He said, ‘The one who seeks judgment from them justly or unjustly has sought judgment from the despot and (if he takes) that which has been awarded to him, then surely he has taken (possession) unlawfully even if it may be an established right,

because he took it by the judgment of a despot whereas Allah has commanded that he (the despot) be defied. Allah (Glorious and Free from Imperfections is He) says: ﴿They desire to seek judgment from a despot, though they were commanded to defy it...﴾”

I said, “Then what should they do?” He said, “They should wait for one from among them who has narrated (traditions) from us, has observed our permissible (halal) and impermissible (haram), knows our rulings and should suffice with his judgment for I have made him a judge over you. So if he judges by our judgment and it is not accepted, then Allah’s judgment has been belittled and he has rejected us – and the one who rejects us has rejected Allah and this is the same as ascribing partners to Allah.”⁶

From this tradition, we can deduce the following three points:

1. In regards to the portion of the tradition which reads:

قَدْ رَوَى حَدِيثَنَا وَنَظَرَ فِي حَالِنَا وَحَرَامِنَا وَ عَرَفَ أَحْكَامَنَا فَلْيَرْضَوْا بِهِ
حَكَمًا...

“That person who narrates our tradition and who knows our permissible (halal) and our impermissible (haram) and knows our injunctions...”

the Imam (AS) is, without doubt, referring to the Jurists and scholars of the faith of Islam since this part of the tradition cannot be in reference to anyone other than the person who is a Faqih and Mujtahid of the Islamic injunctions and religious issues.

2. The second point gathered from this tradition from the portion which states:

...قَدْ جَعَلْتُهُ عَلَيْكُمْ حَاكِمًا...

“...Surely I have placed them as a ruler over you...”

is a general formula given which actually shows us the ‘reason for the ruling’.

From this we can understand that being in charge of the affairs and ruling over the societal issues which will occur in the future for which the people will need to refer to the government in place must be the undertaking of the Jurist.

3. The third and final point which we gain from this tradition is that the Imam (AS) has introduced the Faqih as the authority over the people. In addition, the ruling of the Faqih has been equated as being the

same as the ruling of the Imam (AS).

As we know, it is obligatory to obey the command of the infallible Imam (AS) and in the same way, the Imam (AS) himself has stated that denying the governance and ruling of the Faqih is equivalent to not accepting the governance of the infallible Imam (AS) and is tantamount to considering his rule as being insignificant! This [not obeying the command of the Imam and the Faqih] is equal to not accepting the 'legislative governance' of Allah (SWT) and is equivalent to associating partners with Allah (SWT)!

For more information on this, refer to:

1. *Wilayatul Faqih*, Ayatullah Abdullah Jawadi Amuli
2. *The Sources of Islamic Governance*, Husain Jawan Araste
3. *A Glance at the Opinions in regards to Wilayatul Faqih in the writings of Ayatullah Muhammad Taqi Misbah Yazdi*, compiled by Muhammad Mahdi Nadiri Qummi.

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1. Ayatullah Abdullah Jawadi Amuli, *Wilayatul Faqih*, Section on Wilayat of the Jurists and Adalat, pp. 212 to 213.
 2. Surat al-Nisa (4), Verses 58 to 61
 3. Abbas Yazdani, *Discussions on Religious Governance*, pp. 32 to 34
 4. *Ikmal al-Din wa Itmam al-Nimah*, section on the Letters of the 12th Imam, no. 4; *Wasa'il ash-Shia*, vol. 18, section on the Traits of a Islamic Judge, no. 9.
 5. Refer to *Wilayat-e-Faqih* containing the opinions of Ayatullah Muhammad Taqi Misbah Yazdi as compiled by Muhammad Mahdi Nadiri Qummi, pp. 98 and 99.
 6. *Furu al-Kafi*, vol. 7, pg 412; also refer to the work by Husain Jawan Araste, *The Sources of Islamic Governance*.

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