

Chapter 2: Wilaya of Imam Ali and its Theological–Juridical Implications for the Islamic Political Thought

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In the Name of Allah, the Merciful the Compassionate

This paper examines the Qur'anic origins of the concept of wilaya in light of its connection with the historical *wilaya* of Imam Ali. Various explanations of the concept in the Qur'anic exegesis, written by different schools of thought in Islam, have been studied to investigate the theological importance of wilaya to the fundamental doctrine of the leadership (*imama*) in Islam. The close relationship between the doctrines of divine justice (*al-'Adl*) and the necessity of the divinely–appointed imam in the Shi'i school of thought underscore the pivotal status of the acceptance of the wilaya of Imam Ali as imperative to the faith of believers.

At the same time, recognition of this wilaya of Imam Ali is regarded as a precondition to the establishment of the ideal public order based on the divine scale of justice. Consequently, no ideal public order is conceivable in Islam without the imama being invested in the person in whom this *wilaya* is validated through a divine designation.

This theological relationship between the imama and wilaya through divine designation made it juridically problematic for anyone other than the divinely appointed Imam to assume the absolute wilaya in the Muslim Ummah. This problem of assuming the wilaya by other than the Imam himself was duly treated in the Shi'i jurisprudence, which carefully defined the limits of juridical wilaya in relation to the theological wilaya of the Imam.

The paper, thus, demonstrates the significance of the wilaya of Imam Ali in the Qur'anic context of establishing the public order and the necessity of accepting the interdependency between *imama* and *waliya* in Islamic leadership while differentiating between theological and juridical forms of wilaya.

Introduction

When he (the Prophet) had completed its (Hajj) ceremonies, he left for Medina accompanied by the multitudes previously mentioned. He arrived at the pool of Khumm (Ghadir Khumm) in al-Juhfa, where the roads of the people of Medina, the people of Egypt and the people of Iraq cross. That was on Thursday, Dhil-Hijjah 18th, when Jibreel (Gabriel), the faithful, brought down Allah's revelation saying:

“O Messenger! Deliver that which has been sent down to thee from thy Lord” (Quran 5:67).

And he commanded him to point out Ali to the people and proclaim to them the revelation concerning him about the wilaya and the obligation of obedience upon everyone. Those of the people who were in front were near al-Juhfa. The Prophet of Allah commanded that those who advanced should be halted at that place. He forbade them to sit down under five gum acacia trees (*sumurat*) which were close to each other. When the summons to prayer was given for the noon prayers, he went towards them (the trees) and prayed at the head of the people under them. When he had completed his prayers, he stood delivering a speech in the middle of the people, on the saddles of the camels. He made them all hear, raising his voice, saying:

“O people, the Kind, the Knower, informed me that a Prophet has not lived but half the age of his predecessor and that I am about to be recalled and I responded. I am to be interrogated and you are to be interrogated. What will you say?”

The people said, “We bear witness that you have proclaimed the message and that you have given the advice and that you have made the endeavour, may Allah reward you!”

He said, “Would you not bear witness that there is no deity but Allah and that Muhammad is His Servant and His Messenger; that His Garden is true; that His Fire is true; that death is true; that the hour comes of which there is no doubt; and that Allah will resurrect those in the graves?” They said, “Yes. We bear witness to that.” Then he said, “O Allah, bear witness (to that),” and he continued, “O people! Do you hear?” They said, “Yes.” He said, “I am preceding you to the Pond (*al-Hawd*) and you will rejoin me at the Pond... See to it how you will look after the Two Treasures (*ath-Thaqalayn*) after me.”

A caller called out, “What are the Two Treasures, O Messenger of Allah?” He said, “The Bigger Treasure (*ath-Thaqlu'l-Akbar*) is the Book of Allah, one end of it is in the Hand of Allah and one end is in your hands. If you adhere to it you will not go astray. The Smaller Treasure (*ath-Thaqlu'l-Asghar*) is my Family (*Itrati*). The Kind, the Knower, informed me that they will not separate until they rejoin me at the Pond. I wished that from Allah for them. Do not precede them so that you may not perish. Do not fail to reach them so that you may not succumb.”

Then he held the hand of Ali and raised it until the white of the armpit could be seen and all the people recognized him. He said, “O people, who is more worthy (*'awla*) (in the eyes of) the believers than their

own selves?” They said, “Allah and His Messenger know better.” He said, “Allah is my Master and I am the master of the believers and I am worthier in their eyes than their own selves. Whoever has me for his master has Ali for his master.” He said it thrice, and according to Ahmad, the imam of the Hanbalis, four times.¹

The above proclamation at Ghadir Khumm regarding the wilaya of Imam Ali occurred in the last year of the Prophet's life (10 AH/632 AD). Fourteen centuries have passed since then, and looking at the number of books and studies written on the subject of wilaya, both by the proponents as well as opponents, the proclamation at Ghadir Khumm proved to be one of the most pivotal events for the determination of the direction of the political–religious history of Islam.

Questions about the historicity of that event, whether raised by the Sunni scholars or by their western counterparts, who, more than often, followed the Sunni sources in their conclusions about the early history of Islam, have overlooked the political–religious implications of Ghadir Khumm on the subsequent conceptualization of Islamic leadership (imama) among Muslims in general. The event at al–Juhfa, moreover, unfolded the Qur'anic presupposition in the matter of the direction that human society must follow in order to attain the final goal for which it has been created. On studying the Qur'an in its entirety the following general view emerges about human society which directly affects the question of leadership (imama) of that society.

To begin with, the Qur'an states more than once that Islam is not a new religion but the culmination of Allah's spiritual and temporal commands made known throughout human history through the mediatorship of divinely appointed prophets like Ibrahim (Abraham), Musa (Moses), Isa (Jesus), and the other prophets, the last in that line being Muhammad, peace be upon him.

Thus, the prophet is the bearer of divine revelation that puts forth the divine commands for the guidance of humanity. This guidance lays the foundation of human social organization by providing a set of laws and rules by which the believers manage their affairs and through which their public order is governed or should govern itself. Accordingly, the divine guidance forms the basis for relations between man and Allah, on the one hand, and, between all people, whether Muslim or non–Muslim, as well as between man and all aspects of the creation, on the other.

Furthermore, the divine guidance also contains rational principles which should help human intellect to infer detailed rules to organize the Muslim society and proffer the means to resolve conflicts between individuals and between individuals and the public order which has taken upon itself to implement the essential elements of the divine directives.

It is relevant to point out that unlike any other legal–political–social system, Islamic revelation clearly points toward an integrated concept of life based on the intricate relationship between this world and the hereafter. It regulates the conduct of the public order and of the individual in all aspects of human concern, linking the mundane and transcendental concerns in an inseparable whole. In this linkage, the

will of Allah is decisive in guiding the inter-relationship of humans, and of man and his Creator.²

The Qur'an regards the knowledge of the All-Knowing and All-Powerful Creator a priori through the precise creation of the innate disposition (*fitra*) in humanity, which, if it heeds to the call of the divine guidance, would attain 'prosperity' (*al-falah*). These preliminary considerations about the Qur'anic view of divine guidance explain the inter-relationship of the Islamic norms provided in the Shari'ah, that divine scale of justice and equity, and the leader (*imam*) who exercises the divinely invested authority in him to lead the Muslim community to the prescribed goal of creating an ethical order on earth.

The Shari'ah norms and the divinely appointed leadership fulfill humanity's need for the authoritative guidance based upon spiritual values giving man the existential meaning of his position in the universal context of Islamic revelation. The interdependency between the divine norms and the divinely appointed authority to attain the Qur'anic prosperity rejects the notion of separation between temporal and spiritual spheres of human activity. Moreover, the connection between divine guidance and the creation of the Islamic world order, as a consequence, marked the inevitable interdependency between the religious and the political in Islam.

The entire question of wilaya and its ramifications for the qualified leadership (imama) to further the divine plan and to enable Allah's religion to succeed must be seen from the perspective of the Islamic promise of the creation of an ethically just order on earth. More importantly, the belief in the wilaya of Imam Ali gave rise to the group of dedicated individuals among the associates of the Prophet who formed the nucleus of the early Shi'a.

These early followers of Imam Ali represented the growth of discontent among the Muslims who refused to acknowledge and regard as legitimate the rule of those whom they considered usurpers of a position of leadership that rightfully belonged to Ali ibn Abi Talib and his descendants. The period also caused the predicament of the Muslim community precipitated by the Muslim political power under the khilafah which led to revolutions and rebellions as well as to discussions and deliberations. This is depicted in the early Islamic fiqh (theology cum jurisprudence)³ literature that emerged toward the end of the second/eighth century.

Early fiqh wove together the various threads of Islamic legal practice with the doctrinal underpinnings of early Muslim groupings. Consequently, the juridical opinions in the early fiqh works were formulated by taking into consideration whether certain legal or political injunctions affected the legitimacy of one or the other leader among the associates of the Prophet favoured by each faction.

In other words, the legitimacy of a leader allowed him to be used as a valid legal-religious precedent required to establish the authoritativeness of Islamic practices. Thus, even when a particular ruling went against explicitly textual evidence provided by the Qur'an, the overriding consideration for the early Muslim scholars was the preservation and legitimation of the authority in power, a consideration that came to be justified under the rubric of *al-masalih al-'amma* (the general welfare of the Muslim

community).

The most important issue throughout Shi'i history has been access to the right guidance as an important consequence of the acknowledgement of the wilaya of Imam Ali. For the Shi'as, the right guidance had continuously been available to the Ummah even though the Imams, except for the short period of Imams Ali and Hasan's khilafah, were not invested with political authority and were living under the political power exercised by the de facto governments.

The possession of the wilaya (notwithstanding the Imam's lack of political power, he still had the right to demand obedience from his followers) was clearly seen in the Imam's ability to provide religious leadership by interpreting divine revelation authoritatively. What was decided by him through interpretation and elaboration was binding on the believers.

The interpretation of the divine revelation by the Imam, only because of his position as the wali of Allah, was regarded as the right guidance needed by the people at all times. It was, moreover, the divine guidance that theologically justified the superstructures erected on the two doctrines of Imami Shi'ism: the justice of Allah and the designation of the Imam, free from error and sinful deviations, in order to make Allah's will known to humanity.

The belief in divine justice demanded that Allah do what was best for humanity; and the belief in divine truthfulness generated the confidence that Allah's promise would be fulfilled. The proof that Allah was doing what had been promised was provided by the divinely created institutions of the prophethood (nubuwwa) and the imamate (through the wilaya) to guide humanity toward the creation of an ideal public order.

In response to the dilemma created by the end of the manifest leadership of the Imams through the occultation of the Twelfth Imam, and the continued need of the community to their guidance, the Shi'i leaders expounded the theological and legal content of the Islamic revelation through meticulous study of the Qur'an and elaborated upon the teachings of the Imams, in which a prominent place was given to the faculty of reasoning (*al-'Aql*). The importance of reason in the exposition of the fundamental tenets of Islam was in accord with the Imami Shi'i rational theology, in which reason was prior to both sources of revelation, the Qur'an and the Sunnah.

This does not mean that the revelation was not regarded as all-comprehensive. However, it was reason that acknowledged the comprehensiveness of the revelation by engaging in its interpretation and discovering all the principles that the believers needed to know. In addition, there was recognition of a fundamental need of interpretation of the revelation by reason, all the more so when the authority invested with divine knowledge was in occultation.

At any rate, the decisive responsibility to guide the community by interpreting revelation rationally needed authorization from a divine source, a sort of designation to assume the wilaya similar to that which was initiated at Ghadir Khumm that could guarantee to Muslims the availability of right guidance

based on Islamic revelation.

Ostensibly, only such an authorized person could assume the authority that accrued to the Imam as the rightful successor to the Prophet. Moreover, only the investiture of the wilaya (which reserved the right to demand obedience, depending on legal-rational circumstances and the assuming of political power – *qudra or sultana* – which could exact or enforce obedience) could establish the rule of justice and equity on earth, as promised by the Islamic revelation.

In light of the above, the central position of the event at Ghadir Khumm for Islam becomes evident. The proclamation by the Prophet on that occasion gave rise to the tension between the ideal leadership promoted through the wilaya of Ali ibn Abi Talib and the real one precipitated by human forces to suppress the purposes of Allah on earth. The acknowledgement of the validity of the declaration about the wilaya at Ghadir Khumm, in some sense, became the yardstick for measuring the true faith in the divine promise for humanity.

Consequently, the entire theological question of qualified leadership to further the divine plan and to enable Allah's religion to succeed must be seen from the perspective of the Islamic promise of the creation of an ethically just order on earth by the rightful possessor of the wilaya. The relationship of the leadership (imama) and the possession of the wilaya make it impossible to conceive an ideal public order in Islam without this leadership being invested in the person in whom the wilaya functions as a divine designation.

It was for this reason that in Imami Shi'ism the concept of wilaya assumed a pivotal status as a precondition to the establishment of the ideal public order based on the divine scale of justice. However, it was important for the Imami theologians to secure the Qur'anic origins of the doctrine of wilaya and connect it with the notion of human obligation, the fulfillment of which was regarded as necessary to attain prosperity in this and the next world. At this point, let us turn our attention to the tradition that was to become the cornerstone of the Imami theory of political authority.

Wilaya as the Moral Vision of Islamic Revelation

The cornerstone of the Imami theory of political authority is the existence of an Imam from among the progeny of Prophet Muhammad, peace be upon him, clearly designated by the latter to assume the leadership of the Muslim Ummah. Acknowledgement of the authority of the Imam falls within the category of the religious obligations (*al-Takalif al-Shar'iyya*) imposed on the adherents of the Imam.

In Imami Shi'ism, the government belonged to the Imam alone, for he was equally entitled to political leadership and religious authority. However, even though the Imam was entitled to both the political and religious leadership, his imama was not contingent upon his being invested as the ruler of the Ummah.

The religious leadership empowered the Imam to interpret Islamic revelation and elaborate on it without

committing an error. In this respect, the Imam was like the Prophet, who was endowed with special knowledge and had inherited the knowledge of divine revelation through his designation in the wilaya. The Imam is, thus, the link with the way of guidance, and without acknowledging his *wilaya*, no person seeking guidance can attain it.

This wilaya (the spiritual authority with the right to demand obedience), according to the Imami teaching, was not contingent upon the Imam's being invested as the ruling authority (sultan, who could and did exact or enforce obedience) of the community. As such, the spiritual authority resided in Imam Ali from the day the Prophet died, for he became the *wali al-'amr* (the executor of the Prophet's spiritual function) through the Prophet's designation on the occasion of Ghadir Khumm.

This leadership would continue to be available in the line of the Imams, explicitly designated by the preceding Imams. It was in this latter sense that the imama of the Ummah came to be conceptualized. Therefore, religiously speaking, to ignore the wilaya and disobey these Imams was tantamount to disbelief in Allah's promise that He would provide the necessary guidance to lead humanity toward the creation of an ideal world order.

This confidence in the proclamation of Ghadir Khumm regarding the future leadership was directly responsible for generating a threefold religious experience of the Shi'i community which became the decisive sources of the subsequent Imami political attitude. These were martyrdom (*shahada*), occultation (*ghayba*) and precautionary dissimulation (*taqiyya*). What made the Shi'as responsive to their religious leaders has in large measure to do with this threefold religious experience which conditions their political attitudes and inspires their willingness to strive to preserve their religious identity in the context of the larger Muslim community.

Martyrdom (*shahada*) has been sustained as a religious ordeal in Shi'i political history by the conviction that Allah is just and commands human society to pursue justice in accord with the guidance provided by divine revelation to the Prophet. The divinely inspired guidance also requires obedience to the Prophet in his capacity as the head of the Islamic polity which would exist for the implementation of justice. The Imam, who is regarded as the rightful successor of the Prophet, must also be upheld as the true leader of the community to whom obedience is due in his capacity as the *wali al-'amr* of the Muslim Ummah.

When the Shi'i Imam, following the death of the Prophet, was denied his right to assume the temporal authority invested in him by divine designation, as the Shi'as believe, direct political action was regarded as justified to establish the rule of justice – to replace a usurpatory rule by a just and legitimate one. The ensuing struggle to install a legitimate political authority resulted in the murder of several Shi'i leaders. In light of the above conviction, these violent deaths were regarded as martyrdom suffered in order to defeat the forces of oppression and falsehood.

The most powerful symbol of this religious experience has without question been the Third Imam of the Shi'as, Husayn ibn Ali (died 61 AH/680 AD), the grandson of the Prophet, whose martyrdom is annually

commemorated with solemnity throughout the Shi'i world. The importance attached to the commemoration of Imam Husayn's martyrdom has provided the Shi'i community with a religious paradigm that is traced with remarkable enthusiasm by the community.

The commemoration went beyond its basic purpose of recounting the tragedy that befell the family of the Prophet. It provided a platform that was used to communicate the Shi'i teachings to the populace which had little or no academic preparation to utilize written sources on the subject. Indeed, these important gatherings have served as the principal platform of communication with the Shi'i public.

Recognizing the low level of religious education among the lay believers, the Shi'i leaders used the commemorative gatherings as a forum by which to awaken their followers to the injustices of the socio-political realities of their times. With the increase of religious awareness among the Shi'as came the demand for some detailed information on topics that were touched upon in these commemorative gatherings.

Subsequently, the mourning gatherings were utilized to disseminate religious knowledge which, among other things, included information on both quietist and activist postures of the Shi'i ideology, depending upon the socio-political climate at the time. The religious experience of martyrdom in Shi'ism thus became a formidable channel for mobilizing the Shi'i populace.

The second religious experience, namely, occultation (the absence of the Twelfth Imam from the temporal sphere), signified the postponement of the establishment of a just Islamic order, pending the return of the last Imam. Religiously speaking, the doctrine of occultation connoted some sort of divine intervention in saving the life of the Imam, the only awaited 'Just Ruler', by moving him from the realm of the visible to invisible existence, and conveyed the idea that the situation was beyond the control of those who proposed to overthrow tyrannical rulers in order to establish the Islamic rule of justice.

Furthermore, the occultation of the last Imam and his eventual return as the Mahdi of the Muslim Ummah at a favourable time helped the Shi'as to persevere under difficult circumstances. This hope in the future necessarily implied postponement of the establishment of the thoroughly just Islamic order pending the reappearance of the last Imam, who alone could be invested with the *wilaya* – the Muslim political authority.

Consequently, religious experience derived as a result of belief in the occultation has, on the one hand, raised questions about creating a thoroughly Islamic public order during the absence of the Twelfth Imam; and on the other, it demanded that the entire Shi'i community provide means for its religious, social, and political survival pending the final return of the Imam.

The attitude of tenacity in this religious experience is derived from the belief that the establishment of an Islamic order without divine intervention through the return of the infallible Imam is impossible. The theological problem for anyone to assume the authority accruing to the Imam as the rightful successor of the Prophet, in whom the *wilaya* resembling that of Imam Ali is invested, is in its implications for the

universalistic authority of the Imam whose political authority cannot be delegated to any Shi'a however qualified.

On the other hand, the attitude of responsibility of the community in this religious experience is derived from a rational interpretation of the Qur'anic obligation imposed collectively on the community to undertake the duty of supervising its own affairs under the religious and moral injunction of 'enjoining the good and forbidding the evil,' even when the Imam is absent.

By this interpretation, some religious leaders delegated the Imam's wilaya, political as well as juridical, to a qualified member of the Shi'i community, who, in his capacity as the trustee responsible for directing the community, would be willing to shoulder the obligation of 'enjoining the good and forbidding the evil.'

The third religious experience stemming from the practice of shielding the true intent of the faithful in the community from unbelievers and outsiders through precautionary dissimulation (*taqiyya*) determined the political direction of all the Imams and their followers.

The Imams encouraged *taqiyya* and even declared it to be a duty incumbent upon their followers, so as to avoid pressing for the establishment of the ideal rule and overthrow of the wrongful authority of the de facto governments. In a sense, *taqiyya* signified the will of the Shi'i community to continue to strive for the realization of the ideal Islamic polity, if not by launching the revolution contingent upon the appearance of the Twelfth Imam and his consolidation as the leader of the community, then at least by preparing the way for such a revolution in the future.

In the meantime, the Shi'as had to avoid expressing their true opinions publicly about the short-comings evident in the various defacto Muslim governments, regardless whether Shi'i or Sunni, in such a way as to cause disunity and enmity. Consequently, the practice of *taqiyya* was determined by the conditions of the Shi'as as a minority group living under adverse settings; here again, the religious leadership determined the appropriate time for the community to abandon quietist passivity and engage in activism.

These three religious experiences of the Shi'as during the first three centuries of Islamic history shaped the political outlook of the Imami scholars whenever they were faced with a new political situation. Rulings on such a situation could be traced back to precedents set by the Imams. But the question of the legitimacy of a political rule established by a professing Imami Shi'a during the absence of the political discretion of the actual wali al-'amr, the Twelfth Imam, was an issue that had no precedent set during the lifetime of the Imams. Imami jurists could not give a legal opinion based on a precedent set by the theory of Imamate of the infallible Imams.

As a result, they had to guide the community by issuing a legal opinion based on their extrapolation in the terms of the documentation provided by the communications transmitted on the authority of the Imams regarding the nature of Imami political authority during the occultation.

The main concern of the Imami scholars was to provide the Shi'i community with practical guidance

relevant to their survival under de facto political authorities. None of the classical theological texts on the fundamental principles (*usul al-din*) of the Imami School deal with the possibility, not even as a fait accompli of temporal Imami authority invested with the *wilaya* of the Imam during the occultation.

Such a discussion would necessarily have involved tampering with the terms of the doctrine of the *imama*, which was absolutely ruled out because of the absence of any directly designated deputy of the Twelfth Imam. The 'special deputyship,' during the short occultation (873–941 A.D.), was seen as the ongoing guidance available to the community through the Imam's explicit deputization. With the occurrence of the complete occultation (from 941 AD), the on-going guidance through deputization of a specific person was terminated.

However, the question of the leadership of the Shi'as in the absence of the Imam was a crucial one. A sense of urgency is reflected in the Imami jurisprudence whenever the question of exercising the Imam's authority without a specifically designated deputy comes up in the treatment of religious obligations requiring the presence of either the Imam or his appointed deputy for that purpose.

It was under these circumstances that the Imami jurists had to deal with the issue of the 'general' deputyship of the Imam, which was vested in them as the custodians of Imami teachings. Nevertheless, the Imami jurists who addressed the question of the deputyship of the 'general' deputy of the Twelfth Imam were very conscious of the theoretical position of the Imam as the absolute wielder of the *wilaya*.

The Trust (al-Amana) in the Qur'an and the wilaya

Wilaya in the Qur'an is intrinsically related to the moral vision of Islamic revelation. *Wilaya* in this regard is the faculty of the legal and moral authority, which enables a person in whom this authority is invested to exact obedience to fulfill this moral vision. Accordingly, the concept of *wilaya* is directly connected with the fundamental question of *sultana* – exercise of that legal and moral authority by demanding obedience.

Islamic revelation regards the creation of an ethical order as an inevitable projection of personal response to the moral challenge of accepting Islam. Personal devotion to Allah implies the responsibility of furthering the realization of a just society, embodying all the manifestations of religious faith in the material as well as spiritual life of humankind. This responsibility of striving for one's own welfare and that of the society in which one lives derives from the fact that, according to the Qur'an, humankind has boldly assumed 'the trust' that Allah had offered:

'Unto the heavens and the earth and the hills, but they shrank from bearing it and were afraid of it. And man assumed it. Lo! he has proved a tyrant and a fool' (Quran 33:72).

Shaykh Tusi in his *Al-Masa' al-Ha'iriyat*⁴ explains *amana* as *taklif* (religious-moral obligation imposed by Allah on humanity) and cites the Shi'i opinion as the one in which *amana* is equated with *wilaya*.

However, he argues that such an equation of *amana* with *wilaya* is unnecessary, because the general sense derived from *taklif* also includes acknowledgement of the person in whom *wilaya* is invested.

In his Qur'anic exegesis, Shaykh Tusi explains *amana* as the contract (*al-'aqd*) that humankind must fulfill because it has been entrusted to humankind by Allah.⁵ He cites several early authorities to show the complication in interpreting the *amana* verse which has theological implications in the realm of human volition and responsibility as the recipient of this 'trust.'⁶ However, as Tusi explains it is in the early traditions dealing with the *wilaya* that the *amana* verse has been interpreted as pointing to the *wilaya* of Imam Ali ibn Abi Talib.

Allama Tabataba'i's detailed exegesis on this verse should be regarded as the recapitulation of all these early materials, including those written by the Sunni scholars, and his interpretation is derived in light of the early traditions regarding the *wilaya*. According to him, the 'trust' is *al-wilayat al-ilahiyya*, meaning the divine sovereignty which Allah offered to all creatures.⁷

Only human beings, having assumed the trust, have the potential to attain perfection and perfect their environment. The crux of the problem in the exegesis of the verse is that if man was the only creature of Allah who accepted the 'trust,' why should he be described as a 'tyrant' and fool'? At this point, Allama Tabataba'i's interpretation draws upon the main tenets of Imami theology, which regard the 'trust' in the sense of *wilaya* as a special favour to humanity entailing enormous responsibility to stand by the obligation of guarding it.

Accordingly, only human beings are not afraid to bear the burden of this trust, and to accept the consequences of being a 'tyrant' and 'ignorant,' because they only can acquire the opposite attributes – namely, those of being 'just' (*'adil*) and 'knowledgeable' (*'alim*).

In fact, both 'tyranny' and 'ignorance' are the primary counterpoise of human responsibility in accepting *al-wilaya al-ilahiyya*, especially as it concerns Allah's providential purpose in allowing imperfect humanity to accept this responsibility. The acceptance of this *wilaya*, furthermore, makes human beings acquire both the responsibility for their actions as well as superiority over all other creatures in the world. It is *al-wilayat al-ilahiyya* that enables them to put society into order in accordance with their unique comprehension of religion.

However, the *wilaya* is given to humankind with a clear warning that it will have to rise above 'tyranny' and 'ignorance' by heeding the call of divine guidance. Human beings, according to the Qur'an, have been endowed with the cognition needed to further their comprehension of the purpose for which they are created, and volition to realize it by using their knowledge.

It is through divine guidance that human beings are expected to develop the ability to judge their actions and choose what will lead them to prosperity. But this is not an easy task. It involves spiritual and moral development, something that is most challenging in the face of basic human weaknesses indicated by the Qur'an in the following passage:

**'Surely man was created fretful, when evil visits him, impatient, when good visits him, grudging'
(Quran 70: 19-20).**

This weakness reveals a basic tension that must be resolved if human beings are to attain the purpose for which they are created. It is at this point that divine guidance is sent through the prophets and revealed messages to provide either the sources and principles or basic norms of social organization under which a divinely sanctioned public order is to be established. The Prophet thus becomes a representative of the divine authority on earth and exercises that authority in conformity with the divine plan for human conduct.⁸

In this Qur'anic context of the divine guidance for humanity the Prophet's role should be understood as the Head of a State and the founder of a religious order. The sense in which the Qur'an speaks about the wilaya of the Prophet is necessarily in conformity with the Qur'anic view of divine guidance governing the whole of human life, not just a limited segment of it.

As a consequence, the wilaya of the Prophet meant not merely that the Muslim Ummah be organized in the context of religious devotion to Allah as explained by the Prophet, but also that it acknowledges his political leadership as well. Thus, the wilaya of the Prophet establishes an authoritative precedent regarding the relationship between religion and political leadership in Islam.

It is on the basis of this concept of wilaya in the Qur'an that one can say that in Islam religious and political authority are one and the same. This wilaya is concerned with the whole life of the Muslim Ummah, with the result that it never relinquished its belief in the identity of religion and government as it saw them in the founder of Islam. The Prophet's emergence, the Muslims believe, had a fundamental purpose behind it: to transform the tribal structure of the Arab society at that time into a Muslim Ummah – a religious–social–political community under the divinely planned al-wilayat al-ilahiyya.

The social transformation envisioned and initiated by the Prophet was the necessary consequence of this wilaya, which had to be acknowledged by society as a whole, not merely by individuals as a logical outcome of their faith in Allah. Acknowledgement of the wilaya of the Prophet, necessary to live a new life based on divine norms, led to the emphasis on a crucial requirement for the fulfillment of social responsibility of the Muslim Ummah – namely, that the Ummah always needs to acknowledge a leader, divinely designated, who would exercise wilaya in order to unite its members in their purpose of creating a just social order under the guidance of Islamic revelation.⁹

Thus, the question of leadership (*imama*) is of utmost significance in attaining the purpose of Islam, because it is only through divinely guided leadership that the creation of an ideal society could be realized. The need for the divinely guided leadership in the fulfillment of divine planning, under the aegis of al-wilayat al-ilahiyya, consequently, assumes a central position in the Islamic belief system or worldview, in which the Prophet, as the active representative of the transcendental Allah on earth, is visualized as possessing the divine wilaya.

If the ultimate objective of Islam was conceived as the creation of an ideal community living under a fitting moral, legal, and social system of Islam on earth, then such an ideal, as enhanced by the Qur'an and shown by the example of the Prophet himself, was dependent on leadership that could assure its realization.

This fact was so important that, both during the Prophet's lifetime and immediately following his death in 632 AD, the question of Islamic leadership became inextricably interwoven with the purpose of Islamic revelation, namely, the creation of an Islamic order. Islamic revelation unquestionably presumed divine guidance through the divinely appointed mediatorship of the Prophet for the realization of Islamic public order.

This mediatorship of the Prophet in human affairs was the logical consequence of the strict monotheistic nature of Islam, which precluded the possibility that Allah assume human form, ruling directly over humanity and governing its affairs. Thus, a ruler to represent Allah on earth and to exercise *al-wilaya al-ilahiyya* was deemed necessary in order to achieve the ultimate goal of Islam.

Moreover, in light of the basic human weaknesses indicated in the Qur'an, there had always existed an underlying tension between the purpose of creation and the obstacles to its achievement. This tension was to be resolved, according to the Qur'an, by further acts of divine guidance through the Prophet, who became the pattern of moral behaviour (*uswo hasana*) for human beings, showing them how to reform their character and bring it into conformity with the divine plan.

Studying the Qur'an in its entirety, it becomes evident that the question of divine sovereignty – *al-wilayat a-ilahiyya* – is the integral element in the creation of an ideal society. It is through such a wilaya that the divinely appointed leader is able to provide a set of religious and moral laws and rules by which believers manage their affairs, and through which their public order is governed and should govern itself.

In the Shi'i worldview based on the Qur'anic injunction in which the concept of wilaya occurs, the perspective sketched above on the leadership of the Muslim Ummah assumes a central position. The pertinence of the wilaya to the question of lawful and legitimate authority can be deduced in those sections of the Qur'anic exegesis that deal with the passages on wilaya. The following verse of the Qur'an is regarded by Shi'i exegetes as the most important reference to the wilaya:

Only Allah is your Wali (guardian) and His Apostle and those who believe, who perform prayer and pay alms while they bow' (Quran 5:55)¹⁰

This passage establishes the 'guardianship' of Allah, the Prophet, and 'those who believe.' The last phrase – 'those who believe', according to Shi'i commentators, refers to the Imams whose wilaya is established through their designation by the Prophet.¹¹

The term *al-wali*, as it occurs in the above context, has been interpreted diversely by Sunni exegetes. Although there is a consensus among them that the verse was revealed in praise of Imam Ali's piety and

devotion, the term al-wali has been interpreted as denoting *muwalat* ('befriending') of Imam Ali and not necessarily the acceptance of his wilaya (authority, in the form of imama).¹²

But Imami exegetes have taken the term in another of its primary significations, *al-awla* and *al-ahaqq* ('more entitled', 'to exercise authority'), because al-awla in ordinary usage is often applied to a person who can exercise authority (*al-sultan*) or who has discretionary power in the management of affairs (*al-malik li al-'amr*).¹³

Furthermore, al-wali, as it occurs in the above passage of the Qur'an, is unlikely to mean a person invested with *wilayat al-nusra* (the authority of 'backing'), because there are numerous explicit references to that effect in other verses of the Qur'an where believers are exhorted to back the religion of Allah by promulgating Allah's laws, a task in which the Prophet and the community of believers assist each other.¹⁴

Rather, *al-wali*, as applied to the Prophet, signifies a person who is invested with *waliyat al-tasarruf*, which means possession of the authority that entitles the wali to act in whatever way he judges best, according to his own discretion, as a free agent in the management of the affairs of the community. The wilayat al-tasarruf can be exercised only by one so designated by the *wali al-mutlaq* (the absolute authority) or by one who is explicitly appointed by someone in the position of *al-wali bi al-niyaba* (authority invested through deputization). Consequently, the Imam who is designated as wali by the Prophet possesses the wilayat al-tasarruf and is recognized as the ruler over the people.

This was the meaning of the term in the early usage of the Shi'i Imams. In a speech to the Umayyad troops who had come to intercept him on his way to Iraq, Imam Husayn ibn Ali explained to his adversaries the reason why he had refused to pay allegiance to the khalifah Yazid, son of Mu'awiya: "We the family of the Prophet (Ahl al-Bayt) are more entitled (awla) to (exercise) the authority (wilaya) over you than those who have taken it for themselves (i.e., the Umayyads)."¹⁵

Accordingly, tasarruf (discretionary authority) has been regarded as the primary and essential import of wilaya, especially as it is applied to Allah, the Prophet, and the Imams in the above passage. However, there exists a substantial differentiation in the way wilaya is apprehended in relation to Allah, the Absolute Authority (*Al-Wali al-Mutlaq*), on the one hand, and the Prophet and the Imams, the authority through deputization, on the other.

When the Qur'an speaks about Allah being the Wali, it primarily signifies *Wilayat al-Takwnil* – the unconditional wilaya 'originating' in Allah, with absolute and all-encompassing authority and discretion over all that Allah has created. To this wilaya is sometimes appended wilayat al-Nusra, by means of which Allah helps the believers. Thus the Qur'an reads:

'Allah is the Guardian (Wali) of those who believe... Unbelievers have no guardian' (Quran 47: 11)

Moreover, the Qur'an frequently speaks about Allah's wilaya in relation to the believers, by means of

which Allah manages the affairs of the believers – their guidance to the right path and assistance to them in obeying Allah's commandments:

Allah is the Guardian (Wali) of those who believe. He brings them out of darkness into the light' (Quran 2:257).

But when wali is used in relation to the Prophet, it is designated as *al-wilayat al-i' tibariyya* – that is, 'relative' authority – dependent upon Allah's appointing him in that position; or *al-wilayat al-tashri'iyya*, the religious–moral–legal authority invested in the Prophet to undertake the legislation and execution of the divine plan on earth. Thus, the Qur'an declares:

The Prophet has a greater claim (awla) on the faithful than they have on themselves (Quran 33:6)

The wilaya of the Prophet over the believers is due to his being the Prophet of Allah. As such, the point of reference for his wilaya is, in actuality, the wilaya of Allah. It is for this reason that his wilaya is signified as 'relative' – that is, accorded through designation as a mark of trust. In this sense, the Qur'an speaks of only one kind of wilaya – Allah's wilaya – which is the only fundamental wilaya. The wilaya of the Prophet and 'those who believe' (i.e., in this context, the Imams) is dependent upon Allah's will and permission.¹⁶

It is because this wilaya was vested in them that the Prophet and the Imams had more right than other believers to exercise full authority, handing down binding decisions on all matters pertaining to the welfare of the Muslim Ummah, and requiring complete obedience to them. The corollary of this *wilayat al-tasarruf* was the Shi'i belief that not only was the Imamate the continuation of the Prophethood, because of the authority vested in the Imams after the Prophet, but it also meant that the Imams were the sole rightful authority to lead the Ummah in establishing just public order. The Imams became the just (*'adil*) authority. In a case where the Imam's right to exercise his authority was usurped, the usurping authority was rendered illegal, and the ruler unjust (*al-ja'ir*) and unrighteous (*al-zalim*).

The above elucidation of the concept of wilaya in the context of the Qur'anic verse about the 'trust' makes the following hadith reported by Shaykh Kulayni comprehensible: Imam Ja'far Sadiq was asked by someone about the passage of the Qur'an that mentions the trust (amana) which Allah offered to humankind. The Imam said: " This trust is the wilaya of the Amirr al-Mumineen (Ali ibn Abi Talib)".¹⁷

The Imam's statement makes it clear that it was the act of accepting or rejecting the wilaya of Imam Ali that determined whether one had been faithful to the divine trust or not. The same act, moreover, determined the righteousness or unrighteousness of the ruling authority claiming to be legitimate. In Shi'ism, from its inception, the Imams not only possessed the wilaya to establish political authority on earth, they were also regarded as the sole legitimate authority who could and would establish Islamic public order.

Imami works treating the theory of political authority unanimously maintained that an equitable

government could not be established except by the one who is *ma'sum* – that is, the infallible leader invested with the *wilayat al-tasarruf* to exercise discretionary control over the affairs of the Ummah. Furthermore, it was held that the process through which this authority becomes known to the public is explicit designation (*nass*) by the one possessing *al-wilayat al- i'tibariyya* – the 'relative' authority derived through one's being attributed to that office (e.g. Prophethood or Imamate) by Allah.

Accordingly, in the Shi'i theory of political authority, power in the sense of authority, having moral and legal supremacy because of *al-wilayti al-tasarruf*, with the right of enforcing obedience to Islamic ideology, can never be invested in a person without proper *nass*; and no government can become equitable (*al-hukumal al-'adila*) if it is not headed by *al-sultan al-'adil*, who is explicitly appointed by a legitimate authority like the Prophet. If a government is established without *al-sultan al-'adil* as its head, it is declared unjust and the ruler is *al-sultan ja'ir*. Moreover, because the tyrannical ruler, lacking the necessary *al-wilayat al-tasarruf*, has encroached upon the authority of the rightful *wali al-'amr*, he is also *al-zalim* (the oppressor).

Khulafa al-jawr or *al-zalama* is the title applied to these rulers under whom, according to the Shi'as, the world was filled with injustice. Disobedience to these unjust rulers was regarded as obedience to Allah. Thus, according to Mas'udi there were pious Muslims, not necessarily belonging to the Shi'a community, like Awn ibn 'Abd Allah ibn Mas'ud during the Umayyad khilafah, who upheld the principle that anyone who opposes an unjust ruler (i.e. an Umayyad khalifah) was not devoid of divine guidance, but the unjust ruler was devoid of it.¹⁸

It is perhaps significant that the terms *mashru'iyya* (legitimacy) or *ghayr mashru'iyya* (illegitimacy), to denote these two types of government in Islam, do not appear in the major works of Imami jurisprudence of the classical age.

These terms, however, do appear in works of the Imamis who wrote during the Qajar period, when the question of the legitimacy of a Shi'i authority to exercise *wilayat al-tasarruf* during the occultation of the Twelfth Imam was being discussed. Thus, in his discussion about the necessity of government during the occultation, Muhammad Husayn Na'ini (d. 1936) uses the concept of 'legitimate' (*mashru'*) government in connection with the constitutional authority established by the approval of the righteous jurists.¹⁹

Conclusion

By virtue of his being an infallible leader and authoritative interpreter of Islamic revelation through his designation to exercise *al-wilayat al-tasarruf*, the Imam is the sole legitimate authority who could establish the Islamic public order. However, as historical circumstances unfolded, the Imamate became divided into temporal and spiritual spheres.

The temporal authority of the Imam was regarded as having been usurped by the ruling dynasty, but the

spiritual authority remained intact in the Imam who was regarded as Allah's (unanswerable) demonstration (of divine omnipotence) – *Hujjat Allah* (lit. the proof of Allah), empowered to guide the spiritual lives of his adherents as the true Imam.

This spiritual authority was not contingent upon the Imams being invested as the ruling authority (sultan) of the Ummah. Accordingly, the Imamate in the form of religious leadership that began with the Prophet's proclamation about the wilaya of Imam Ali at Ghadir Khumm in 632 AD continued through all the political circumstances until the last Imam, the Twelfth Imam al-Mahdi, went into occultation (874 AD).

It was during this period that questions regarding Imami political authority during the absence of the Imam began to be treated methodically, especially when, for the first time, following the last manifest Imamate of Imam Ali (656–660 AD), the temporal authority of the Shi'i Imami Buyid dynasty was established de facto. In view of the prolonged occultation of the Imam and the absence of special designation during this period, the Shi'i scholars in their works on jurisprudence reemphasized the separation between power (which could exact or enforce obedience) and wilaya (authority), which reserved the right to demand obedience, depending on legal-rational circumstances) that had existed even during the lifetime of the Imams.

Only the investiture of authority and the assuming of political power could establish the rule of justice and equity. However, delegation of the Imam's wilaya to an individual who could assume both the authority and power of the Imam when the Imam in occultation could not monitor the exercise of that authority was dangerous.

This danger was perceived by some jurists, who, pending the return of the Twelfth Imam, ruled out the possibility of absolute claim to political power and authority (wilaya) resembling that of the Imam himself. Nevertheless, the rational need to exercise authority in order to manage the affairs of the Ummah was recognized and authoritatively legalized. The establishment of the Shi'i dynasties during the occultation did not change the basic doctrine of the Imami leadership whose direction was set on the occasion of Ghadir Khumm by the Prophet.

About the Author

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1. Abd al-Husayn Ahmad al-Amini al-Najafi, *Al-Ghadir fi al-Kitab wa al-Sunna wa al-Adab*, vol 1, Beirut, 1967, P 9–11, and all the Sunni and Shi'i sources cited therein.

2. This is the meaning of the word the Qur'an applies so often to indicate the divine purpose in endowing humanity with guidance, namely, al-falah. Usually translated as 'prosperity,' falah signifies the good of both this and the next world for

those who have responded to the divine guidance.

3. Fiqh in its early usage was not limited to legal jurisprudence. It dealt with doctrinal and credal matters connected with basic Islamic beliefs, including the subject of Muslim authority after the Prophet's death. This early trend in fiqh writing continued much later as is evidenced in many works of fiqh that were written in the sixth/twelfth–thirteenth century which began with a prologue on the main tenets of Islam. See article, *Fiqh in Encyclopaedia of Islam*, 2nd edition; also Introduction to my work: *The Just Ruler in Shi'ite Islam: The Comprehensive Authority of the Jurist in Imamite Jurisprudence*, New York: Oxford University Press, 1988.
4. Muhammad ibn al-Hasan al-Tusi, *Al-Masa'il al-Ha'iriyat*, Najaf, 1969, pp 312–313.
5. Tusi, *Tafsir al-Tibyan*, Najaf, 1957, 8/368.
6. See also, Al-Fadl ibn al-Husayn al-Tabarsi, *Majma' al-Bayan fi Tafsir al-Qur'an*, Beirut, 1379, 8/373–374; Zamakhshari, *Al-Kashshaf*, 3/276–277.
7. Muhammad Husayn Tabataba'i, *Al-Mizan fi Tafsir al-Qur'an*, Beirut, 1960, 6/10ff.
8. John Wansborough, *The Sectarian Milieu: Content and Composition of Islamic Salvation History*. Oxford, 1978, has discussed the development of the practical application of the Qur'an during the process of community formation. In his section dealing with authority he describes the Islamic concept of authority as 'apostolic.' The charismatic figure of the Prophet is depicted therein in an essentially public posture in the emergence of Islamic polity. See especially pp 70–71.
9. However, in the composition of Islamic salvation history, it was in Shi'ism that the wilaya of the Prophet, as I have elaborated in this paper, was repeatedly and consistently expressed by Shi'i scholars; whereas in Sunnism the wilaya (authority in the form of exemplum [imam]) of the Prophet, in the absence of the charismatic authority following the death of the Prophet, came to be located in the Sunnah, which became the imam of the community. See: Wansborough, *Sectarian Milieu*, pp 70ff.
10. See Tusi, *Tibyan*, 3/559
11. Tusi, *Tibyan*, 3/561; Muhammad ibn Ya'qub ibn Ishaq al-Kulayni, *Al-Usul min al-Kafi*, Tehran, 1964, 2/402, hadith 77; Tabataba'i, *Mizan*, 6/ 1ff. 'Abd al-Husayn Sharaf al-Din Musawi, *Al-Murji'at*, Beirut, 1963, p 180.
12. See, for example, Tabari, *Tafsir*, 6/186ff; Zamakhshari, *Kashshaf*, 1/623–624; Baydawi, *Anwar*, p 154
13. Tusi, *Tibyan*, 3/559
14. See, for example, the Qur'an, 47:7, 7:157, 59:8. See also Tabataba'i. *Mizan*, 6/13; Tusi, *Tibyan*, 3/565, alludes to this.
15. Tabari *Ta'rikh al-Rusul wa al-Muluk*, Cairo, 1962, 5/402. See also 5/357, where instead of *awla*, *ahaqq* is used to signify the same conclusion of being 'more entitled to *tasarruf*.' (16) *Awla* in this verse has been translated by A J Arberry and others as 'nearer' and 'closer.'

But, taking into consideration the Prophet's speech on the occasion of the Farewell pilgrimage, where the same verse of the Qur'an occurs in the form of a question by the Prophet to the Muslims, the implication is in the sense of being 'more entitled.' The Prophet asked the assembled pilgrims: 'who is more worthy [in the eyes of] the believers than their own selves?' see: fn 1.

16. Among the early works, besides the Qur'anic exegesis where wilaya occurs in the meaning of wilayat al-tasarruf, one can cite the *Ikhtiyar ma'rifat al-rijal* of Abu 'Amr Umar ibn 'Abd al-'Aziz al-Kashshi, especially where he mentions the wilaya of Abu al-Khattab, which was denounced by Imam Ja'far as-Sadiq. See *Rijal*, Mashhad, 1348/1964, 296, 523. Also Tabataba'i's *Mizan*, 6/12–14.
17. Kulayni, *Kufi* 2/368, hadith 02
18. Ali ibn al-Husayn al-Mas'udi *Muruj al-Dhahab wa Ma'adin al-Jawaher*, Beirut 1966. 3/ 193ff. In a more explicit speech, Imam Husayn, on his way to Iraq, reminds the soldiers of the Umayyad commander who had come to arrest him that the Prophet had required the Muslims to challenge a sultan who had ruled unjustly, breaking all laws of Allah and opposing the Sunnah of the Prophet. see Tabari, *Ta'rikh*, 5, 403.
19. Al-Mirza Muhammad Husayn al-Na'ini, *Tanbih al-Umma wa Tanzih al-Milla*, Tehran, 1955, p 15.

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