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Theological Governance in Iran: A Comparative Study between Theological and Spiritual Governance and Secular Concepts

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Abstract

Iran's political landscape has long been shaped by the prominent influence of religious leaders, notably the Ayatollahs and Hojatoleslams, deeply rooted in Islamic Shia Hadith without solid ground in the canonic Holy scripture Quran. This leadership style emphasizes struggle and confrontation as integral components of governance, distinct from secular models prevalent elsewhere. This article explores the implications of this distinction, focusing on historical context, theological foundations, and potential trajectories toward secular governance in Iran.

Keywords: Theology, Governance, Hadith, Secular governance

Introduction

The intersection of religion and politics in Iran is uniquely characterized by the influential role of religious leaders within the framework of Shia Islam explained and discussed in the several scholar works of Islamic Shia (Motahhari, 2024). Unlike secular



governance models, which separate religious authority from political power, Iran's system intertwines both, deriving legitimacy and authority from theological principles rooted in Shia jurisprudence.

The Nature of Religious Leadership in Iran

Central to Shia Islam is the doctrine of Imamate, which not only guides spiritual affairs but also mandates a proactive stance against oppression and injustice. Iran's religious leaders, drawing legitimacy from this doctrinal framework, are perceived as heirs to the Imamate's legacy of resistance and sacrifice. This perception is deeply intertwined with Iran's historical narrative, notably highlighted by the Iran-Iraq War, where hundreds of thousands sacrificed their lives, embodying the Shia ethos of struggle akin to pivotal historical battles.

The doctrine of Velayat-e Faqih (Guardianship of the Jurist) formulated by Imam Khomeini serves as a foundational principle for the Islamic Republic of Iran, emphasizing the governance of Islamic jurists. According to Khomeini, the legitimacy of political authority is derived from the divine mandate given to qualified Islamic jurists (faqihs), who are deemed capable of implementing Sharia law and ensuring justice in society (Khomeini, 1970).

Khomeini's vision of Velayat-e Faqih is rooted in the belief that an Islamic government must be led by those who possess deep knowledge of Islamic jurisprudence and piety. This doctrine asserts that in the absence of the infallible Imam (a central figure in Shia Islam), a qualified jurist should assume the role of guiding the Muslim community. Khomeini argued that such a system is necessary to protect the Islamic faith, uphold moral values, and ensure the welfare of the people (Arjomand, 1988).

The theoretical framework of Velayat-e Faqih is detailed in Khomeini's seminal work *Hokumat-e Islami: Velayat-e Faqih* (Islamic Government: Governance of the Jurist), where he outlines the religious and philosophical justifications for the jurist's guardianship over the state. He posits that the faqih must possess not

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only legal expertise but also moral integrity and a commitment to Islamic principles (Khomeini, 1970).

Under Khomeini's leadership, the doctrine was institutionalized in Iran's 1979 Constitution, granting the Supreme Leader extensive powers over legislative, executive, and judicial branches, thereby integrating religious authority directly into the political structure of the state (Arjomand, 1988). This model has profoundly influenced Iran's political and social systems, establishing a unique blend of theocracy and republicanism.

Khomeini's doctrine has been subject to various interpretations and debates, both within Iran and internationally, concerning its implications for democracy, individual rights, and the separation of powers. Despite these debates, Velayat-e Faqih remains a central pillar of Iran's governance, reflecting Khomeini's vision of a state guided by Islamic jurisprudence and moral leadership (Moin, 2001).

Theological Underpinnings: Divine vs. Theocratic Rule

A fundamental distinction exists between divine governance, characterized by direct guidance from a living prophet or teacher (Davoudpour, A.R., 2024a), and theocratic rule, where religious scholars interpret and implement divine teachings. In Iran, theocratic rule manifests through the authority vested in religious scholars, who wield considerable influence over political and social spheres. This blending of religious authority with state governance poses challenges and complexities rooted in interpretations of divine will and human agency. There has been a debate whether Sharia laws and Islamic jurisprudence are in harmony with the innate nature of the communities despite several shortcomings, coercive ruling and violations within the Islamic communities arguing that the innate nature of governance or the spiritual guidance is a transcendental means of the spiritual leader but not necessarily the theological teacher without divine jurisdiction (Davoudpour, A.R., 2024b).



Summary: Theological Critique of Unchecked Religious Authority

The Quranic verses from Surah Al-Infitar (82:6)¹ and Surah Az-Zukhruf (43:36-37)² offer critical insights into the limit of religious authority which has its impact on governance. Surah Al-Infitar (82:6) admonishes against the arrogance of assuming divine authority, reminding believers of the dangers of hubris when one claims to act on behalf of divine will without proper justification (The Holy Quran). This verse serves as a caution against the presumption of divine sanction that may accompany claims of religious leadership.

Surah Az-Zukhruf (43:36-37) presents a different perspective. It discusses the obstacles and barriers created in front of those who claim religious authority but lead others astray, likening them to false Mahdis who mislead followers from the true path (The Holy Quran). This depiction highlights the potential for misuse of religious authority to obstruct progress and misguide people.

Together, these verses provide a theological critique of unchecked religious authority in governance. Surah Al-Infitar underscores the need for humility and the avoidance of presumption in religious leadership, while Surah Az-Zukhruf warns against the dangers posed by false leaders who block the path to spiritual and social advancement. These Quranic admonitions advocate for a balanced approach that separates spiritual guidance from political administration, suggesting that governance should not be solely based on religious claims but should also consider justice, equity, and the well-being of the community.

Challenges associated with spiritual governments have previously been hypothesized through Jungian and spiritual perspectives (Davoudpour, A.R., 2024c) elsewhere, particularly focusing on the intersection of psycho-spiritual dynamics and political power.

وَإِنَّهُمْ لَيَصُدُّونَهُمْ عَن ٱلسَّبِيلِ وَيَحْسَبُونَ أَنَّهُم مُّهْتَدُونَ ﴿ وَمَن يَعْشُ عَن ذِكْرِ ٱلرَّحْمَٰن نُقَيِّضْ لَهُ شَيْطُنَا فَهُوَ لَهُ قَرينٌ ﴿ (زخرفُ ٣٠ و٣٧) 2

يَآأَيُّهَا ٱلْإِنسِٰنُ مَا غَرَّكَ بِرَبِّكَ ٱلْكَرِيمِ (انفطار - ٤) 1



The Case for Secular Governance

Transitioning to secular governance in Iran entails a paradigmatic shift from the current theocratic model toward a system where political authority is distinct and separate from religious influence. Key changes would include:

- 1. Reduced Religious Influence: Restricting religious leaders from direct political involvement, focusing instead on their traditional role of spiritual guidance (Asad, 2017).
- 2. Strengthened Democratic Institutions: Establishing independent institutions that uphold democratic principles, human rights, and the rule of law, irrespective of religious doctrines (Chehabi, 2013).
- 3. Enhanced Civil Liberties: Safeguarding freedoms such as speech, assembly, and religion to cultivate a pluralistic society accommodating diverse viewpoints (Bayat, 2013).

Challenges to Secular Governance

Despite its potential advantages, the transition to secular governance in Iran faces formidable challenges. These include resistance from entrenched religious authorities reluctant to relinquish political power (Tibi, 2009), opposition from conservative factions safeguarding the current system (Ehteshami and Zweiri, 2019), and the need to redefine national identity amidst cultural and religious pluralism (Gheissari and Nasr, 2006). Overcoming these obstacles necessitates careful navigation of historical precedents and theological imperatives to forge a cohesive national vision.

Conclusion: A Path Forward

In conclusion, the distinction between divine and theocratic governance in Iran underscores the potential benefits of embracing secular governance principles. While divine governance as an innate nature of the humanity is a form of spiritual and transcendental guidance (Mikaeil et al., 2024) which requires an enlightenment and



alteration of the consciousness, the legislative and coercive ruling is an ordinary practice in religious politics. By upholding the Quranic admonitions on humility and respecting human agency (Ayubi, 1995), Iran can reconcile its rich religious heritage with modern democratic aspirations. This transformative journey promises a future marked by justice, prosperity, and inclusive governance, aligning with global trends towards democratic consolidation and human rights advocacy.

References

- 1. Abrahamian, E. (2008). A History of Modern Iran. Cambridge University Press.
- 2. Arjomand, S. A. (1988). The Turban for the Crown: The Islamic Revolution in Iran. Oxford University Press.
- 3. Arjomand, S. A. (2008). The Turban for the Crown: The Islamic Revolution in Iran. Oxford University Press.
- 4. Asad, T. (2017). Formations of the Secular: Christianity, Islam, Modernity. Stanford University Press.
- 5. Ayubi, N. N. (1995). Political Islam: Religion and Politics in the Arab World. Routledge.
- 6. Bayat, A. (2013). Life as Politics: How Ordinary People Change the Middle East. Stanford University Press.
- 7. Chehabi, H. E. (2013). Iranian Politics and Religious Modernism: The Liberation Movement of Iran under the Shah and Khomeini. I.B. Tauris.
- 8. Davoudpour, A. R. (2024a). God, Teacher, Nation and the Importance of Transcendental Jurisdiction to/in the Quran. Journal of Iranian International Legal Studies, ISSN 2957-2165, [http://dx.doi.org/10.13140/RG.2.2.20021.69600] [http://dx.doi.org/10.13140/RG.2.2.20021.69600]
- 9. Davoudpour, A. R. (2024b). The spirit of law, the role of the religion to legitimize the law: Coercion vs. divine acceptance. Journal of Iranian International Legal Studies. ISSN 2957-2169.
- 10. Davoudpour, A. R. (2024c). Justification of spiritual governments and their challenges from a Jungian and Gnostic perspective: Psycho-spiritual wars. *Journal of Iranian International Legal Studies (IIntbar)*, ISSN 2957-2169.
- 11. Ehteshami, A., & Zweiri, M. (Eds.). (2019). Iran and the Rise of Its Neoconservatives: The Politics of Tehran's Silent Revolution. I.B. Tauris.
- 12. Fischer, M. M. J. (2003). Iran: From Religious Dispute to Revolution. University of Wisconsin Press.

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- 13. Gasiorowski, M. J. (2004). U.S. Foreign Policy and the Shah: Building a Client State in Iran. Cornell University Press.
- 14. Gheissari, A., & Nasr, V. (2006). Democracy in Iran: History and the Quest for Liberty. Oxford University Press.
- 15. Hashemi, N. (2006). The Idea of Iran: Nationalism and Identity in Persian Literature and Culture. I.B. Tauris.
- 16. Hiro, D. (2009). Iran under the Ayatollahs. Routledge.
- 17. Katouzian, H. (2008). The Political Economy of Modern Iran: Despotism and Pseudo-Modernism, 1926-1979. Routledge.
- 18. Khomeini, R. (1970). Hokumat-e Islami: Velayat-e Faqih (Islamic Government: Governance of the Jurist). Institute for Compilation and Publication of Imam Khomeini's Works.
- 19. Mikaeil, A., Zandi, B., & Davoudpour, A. R. (2024). The innate nature of governance: Historical perspectives and cultural implications. Journal of Iranian International Legal Studies. ISSN 2957-2169
- 20. Moin, B. (2001). Khomeini: Life of the Ayatollah. Thomas Dunne Books.
- 21. Motahari, S. M. (2024). The role of historical elements in explaining the principle of Imamate. Fotros Journal of Islamic Studies and Classical Literature. Retrieved August 3, 2024, https://doi.org/10.5281/zenodo.12565184
- 22. Mottahedeh, R. P. (2000). The Mantle of the Prophet: Religion and Politics in Iran. Oneworld Publications.
- 23. Tibi, B. (2009). Islamism and Islam. Yale University Press.