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About Journal

International Multidisciplinary Journal of PURE LIFE is an interdisciplinary quarterly English-language electronic journal. The scope of this journal is Comparative and Interdisciplinary Studies in Religion and Life, Lifestyles, Interreligious Dialogues and Advertising in Cyberspace; however, its focus is on "The Meaning of Life and Pure Life in the Modern Age".

Promoting the level of scientific research related to the Humanities and the Meaning of Life, the International Multidisciplinary Journal of Pure Life seeks to facilitate and develop the relationship among researchers who are doing studies on humanities and divine religions.

Unlike predatory journals whose focus is on making money by the publication of works mainly written by university faculty members and charging authors under the name of APC, this journal welcomes all scientific standard papers in the scope of the journal from scholars, researchers and professors around the world and publishes articles for free regardless of religion, gender, academic rank and any other discrimination only upon the issuance of the letter of acceptance after peer reviews by two editors of the journal.

All required international standards have been considered to prevent any discrimination and create an open scientific space to fulfil the slogan of the Al-Mustafa International University, which is to have the authority on the international science and propagation, and production of science and software movement in the Islamic world. As of now, many of the editorial staff and authors who have published their articles in the journal are priests, Christians and followers of various religions and denominations.

This international journal is in English and is accessible on the website of the journals of Al-Mustafa International University at *http://journals.miu.ac.ir* and receives papers only through the linked e-mail to the above website. Also, IMJPL according to License ID 74327 E-Rasaneh (Ministry of Culture and Islamic Guidance/ Date: 2/3/2015) it Registered at the Level of "Licensed Journals".

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The journal is also indexed in 19 domestic and 28 international databases and benefits 162 reviewers from 28 nationalities. The first issue of The International Multidisciplinary Journal of Pure Life came out in 2015, and it has published 251 papers by 432 authors from 37 nationalities in 31 issues so far.

Row	About IMJPL	Description
1	Period of Publication	Quarterly
2	Type of Publication	Electronic
3	Language of the Journal	English
4	Journal Languages Records	7 Languages for 23 Issue (Farsi, Arabic, Urdu, French, Azeri and Turkish)
5	The First Issue Published	2015
6	Specialized Field	The Meaning of Life and Pure Life in the Modern Age
7	Thematic Priorities	• Comparative and Multidisciplinary Studies in the field of Religion and Life • Life Style • Dialogue between Religions and Denominations • Tabligh in Cyber Space
8	How to Submit Articles	Through the Journal Website
9	Review Process	Double Blind Peer Review (Two Evaluators)
10	Standard Method of Citing Sources	APA
11	The Duration of Evaluation	Three Months
12	Cost of Evaluation	Free

Aims and Scope

Objectives:

1. Theorizing and Production of Science in the Field of Religion, Meaning of Life and Humanities under the Concept of Pure Life

2. Deepening and Promoting of Religious and Human Teachings in the Field of Meaning of Life and Pure Life

3. Analysis, Critique and Review of Important Ideas and Theories in the Field of Humanities and Life Meaning

4. Presenting Models and Applied Theories of Humanities in the Face of Contemporary Social Challenges and Pure Life in the Modern Age

5. Explaining the Basic Religions Ideas and Systematization based on it in Different Areas of Life

6. Explaining the Theoretical Foundations of the Islamic Republic and the Great Islamic Revolution of Iran in Relation to the Concept of Pure Life

7. Creating and Expanding the Scientific and Research Opportunities in Al-Mustafa International University with Emphasis on Teaching Education Life and Religion in Cyberspace

8. Scientific Defense of Religious Teachings and Ideas and Response to Contemporary Doubts in the Field of Meaning of Life and Pure Life

Policies and Strategies:

1. The Focus of Abrahamic Religions, the Thoughts and Ideals of Imam Khomeini, Imam Khamenei and the Discourse of the Great Islamic Revolution of Iran under the Concept of Pure Life

2. Observance of Moral and Legal Standards and Norms among the Abrahamic Religions

3. Attention to the Needs and Priorities of Research in the International Arena with a Focus on the Humanities and Pure Life

4. Emphasis on Using the Scientific Capacity of Non-Iranian Professors, Researchers, Scholars and Graduates of Al-Mustafa International University and International Scientific Institutions

5. Emphasis on Preserving the Originalities and Values of the Seminary and Adhering to the General Policies of the Islamic Republic of Iran

6. Respect for Natural People and Legal Entities

7. Observance of the Principle of Approximation of Monotheistic Religions and Denominations and Refraining from Raising Challenging Issues of Contrary to Unity

8. Interaction and Cooperation with International Scientific Centers and National and International Publications

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Wager E, Barbour V, Yentis S, Kleinert S. Retraction Guidelines. Committee on Publication Ethics (COPE). Sep 2009. Available from:

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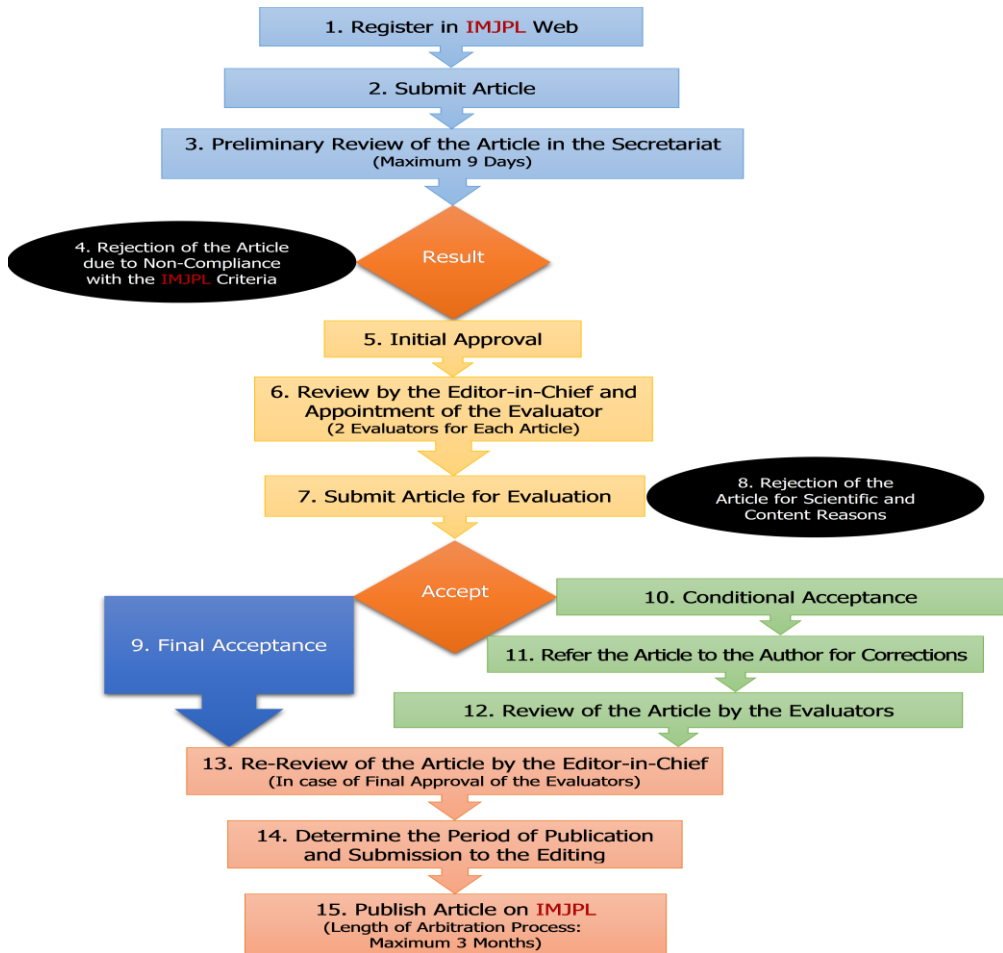
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A Word from Director-in-Charge

International Multidisciplinary Journal of PURE LIFE is an scientific Journal of which will be a window to man's eternal life.

On the other hand, Al-Mustafa International University, considers its mission to introduce the divine teachings to ground dwelled man, so that he could be able to establish a fresh living by using the knowledge bestowed upon him by Almighty God in such a manner that it brings him worldly peace and eternal prosperity.

Accordingly, **International Multidisciplinary Journal of PURE LIFE** is an opportunity for the students and graduates of university and other researchers to spread out their scientific and cognitive knowledge on the vast arena of cyberspace and also, by using scholarly dialect, reflect religious knowledge of monotheistic religions and sects into various aspects of human life.

We hope through efforts of knowledge seekers, this window may become more magnificent outstanding.

A Word from Editor-in-Chief

Research is the vital stream of life in the realm of insight and science. Its dynamism leads to generation and expansion of knowledge borders and neglecting this area, makes knowledge sleeping and lifeless, and the first consequence of this sleeping is ignorance. In these very days, we are witnessing the modern ignorance, which roots in absence of sound and lucid research in different areas.

Today research is considered to be a gate for expanding the borders of knowledge and plays an eminent role in human activities. Exploring humanities areas and Abrahamic religions can enable people to understand the human issues and difficulties to offer solutions for them.

The growing of different fields of knowledge demands discussions in more scientific areas. Today, Explaining a vast range of humanities Science areas and religions in global scope is a necessity.

International Multidisciplinary Journal of PURE LIFE with the aim of creating a situation for presenting articles by scholars and researchers around the world, is trying to improve the level of scientific researches in humanities and religions for expanding the relationships among researchers in humanities and Abrahamic religions.

This interdisciplinary journal is published electronically and in each issue, approach is to deals with comparative studies in the field of religion and life. in every special issue, we are ready to publish scientific articles by scholars, researchers and professors around the world.

International Multidisciplinary Journal of PURE LIFE is published, every season, in a form of a electronic journal. Thanks to Al-Mustafa Journals Commission, **PURE LIFE** as the first international journal in Al-Mustafa International University is ready to publish the scientific articles.

ORIGINAL RESEARCH PAPER

Proofs of the Obedience and Forbidding the Opposition to the Holy Prophets and its Functions in Creating a Pure Life

Dr. Khadijeh Ahmadi Bighash*

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ARTICL INFO	ABSTRACT
	SUBJECT AND OBJECTIVES: The source of sovereignty and obedience is Allah, the Almighty. Any obedience to others but Allah is rejected and considered as oppression unless it be along with His sovereignty and through His permission, such as the Guardianship (wilayah) of prophets and Divine Authorities (wali). The question arises here that what are the reasons for the compulsion of obedience or forbidding opposition to the Prophets.
	METHOD AND FINDING: This paper, was conducted with the method of qualitative research and documentary review. Accordingly, the author has examined the most important proofs of the obligation to follow the commands and instructions of the prophets based on the Quranic sources of narration and the covenants.
  Open Access	**CONCLUSION**: This study argues that its evidences are based on both Sharia (Divine Law) and intellect; because if everyone acts according to his own ideas, as wherever the words of the Prophets agreed with his carnal desires, he would act according to them and if the words of the Prophets were not in accordance with his intentions and desires, he would not pay attention to them and so oppose him, surely such a person is not a follower of the Law of Religious, even though he seems to be a believer. In fact, he is really a hypocrite or ignorant of the truth of religion, which in both cases lacks faith.
* Corresponding Author: **Email:** *Kh.ahmadi@modares.ac.ir* **ORCID:** *0000-0002-7900-7103*	

NUMBER OF REFERENCES	NUMBER OF AUTHORS	NATIONALITY OF AUTHOR
47	1	(Iran)

Introduction

A historical study reveals that the Shia and Sunni jurisprudents believe that all verdicts are subject to divine benefits and deviations, and no doubt the human being's interest is in doing so. Human reasoning is as effective as it is in serving the Shariah, and it is certain that all sacred commandments are subject to benefits and deviations. Therefore, according to common sense of human, the man compelled to do divine tasks must act in accordance with all religious commandments and rituals and never have his preference over the precepts of the Shariah, since the limited wisdom of human is incapable of understanding all advantages and disadvantages. *(Muzaffar, 1996. Vol. 1: 239)*

Therefore, it is not appropriate for believers to disobey the orders of the Prophets and to stand against theirs orders and act on their own opinion, because if anyone can act according to his taste and wherever the Prophet's words are in accordance with his spiritual and worldly desires, accept it and if the words of the Prophets are not in accordance with his desires, then he does not pay attention to it, and disagree on it, such a person does not follow the religious teachings, though he assumes himself a believer. In other words, such a person is hypocritical or ignorant of

the truth of religion, which is both out of the group of believers. The ignorant should be punished, and the hypocrisy of the hypocrites should be avoided, and if possible, he should be made known to the believers and informed.

On the other hand, the Almighty God has repeatedly stated in the Holy Quran that obedience to the Prophet is the same as obedience to God; including the following verse:

"He who obeys the Messenger, obeys Allah". (Quran, 4: 80)

As well as introducing the Prophet as the interpreter and saying:

"(We sent them) with Clear Signs and Scriptures; and We have sent down unto thee (also) the Message; that thou mayest explain clearly to men what is sent for them". (Quran, 16: 44)

It is clear from the word of God that the Prophet would not be able to say or make a mistake otherwise God would not oblige people to obey his speech and interpretation. That is why the Lord says:

"Nor does he say (aught) of (his own) Desire. It is no less than Inspiration sent down to him". (Quran, 53: 3-4)

Therefore, all the words of the Prophet are revelation and he has never talked due to his emotions and passion. According to such verses, all the words of the Prophets,

throughout his noble life, have been revelations. This study seeks to express, study, and analyze the ideological and intellectual foundations of the people in obedience and Wilayat.

The most important questions of this research are:

1. What does obedience, information and guardianship mean?

2. What arguments have commentators put forward about the necessity of obedience and sanctity of opposition to the Prophets and the divine guardians?

3. Shiite and Sunni interpretations have stated the necessity of obedience and sanctity of opposition to the Prophets and the divine saints on what grounds?

Theoretical Foundations of Research

Obedience is derived from the root of «طوع» and «طاعة» means following upward orders with desire. *(Ibn Manzur, 1994, Vol. 1: 78)* Obedience and following also mean the same thing, but obedience is more used to obey the command of the emir. *(Raqib Isfahani, 2004, under "dawn")*

Sheikh *Tusi* states in expressing the meaning of obedience:

Obedience means subordination. The obedience of God and the Prophets is to obey their commandments and to abstain from their prohibitions. (Tusi, 2004, Vol. 3: 236)

Allamah Tabatabai also says:

Certainly the purpose of obeying God is nothing but the commandments which he has revealed to us through his Prophets. But the Prophets has two directions: One is to express a summary of the Word of God to Muslims by means of expressive revelation. Second is that the Prophets has absolute Wilayat to order the believers whatever is needed according to interests. (Tabatabai, 1996, Vol. 4: 388)

Allamah in this statement refers to a precise point and that God's commands are also taken into account as the Prophet's commands since they are revealed to people through Prophets and they must be obeyed.

Also, «اتّباع»: derived from the root «تبع», it means absolute obedience and indisputable pursuit of someone or something. *(Farahidi, 2007, Vol. 1: 76; Raqib Isfahani, 2004)*

The Almighty God says:
- *"Whosoever follows My guidance, on them shall be no fear". (Quran, 2: 38)*
- *"O my people! Obey the messengers". (Quran, 36: 20)*

Allamah Tabatabai has said under the verse: *"follow him that (so) ye may be guided", (Quran, 7: 158)* The meaning of guidance is to find the ultimate bliss which is the same as paradise, not the way to

find the right path, because indisputable obedience and following to the commandments of the Prophet is the same guidance. *(Tabatabai, 1996, Vol. 8: 284)*

God in this verse said that the hope of entering the right path is subject to the indisputable obedience to the Prophet's commandments to make the people aware that if they acknowledge the prophets, but does not follow his orders, undoubtedly they go astray. *(Ibn Ajibah, 2005, Vol. 2: 271)*

"Wilayat" also means governing and charging the affairs of subordinates. *(Jawhari, 2016, Vol. 1: 201)* "Wali" and "Mawla" are used in this sense. God is said to be the *"Wali"* and guardian of the believers. *(Raqib Isfahani, 2004: Under "Wali")*

The following verses have this meaning:

- *"Allah is the Protector of those who have faith". (Quran, 3: 68)*
- *"That is because Allah is the Protector of those who believe". (Quran, 47: 11)*

Allamah Tabatabai has interpreted the following verse and said: *"Your (real) friends are (no less than) Allah, His Messenger, and the (fellowship of) believers"; (Quran, 5: 55)* The above verse expresses the absolute Wilayat of the Prophets just as the following verse: *"The Prophets is closer to the Believers than their own selves". (Quran, 33: 6)*

That is, the Wilayat of God and the Prophets are the same; the Wilayat of God is unconditionally the Wilayat of the Prophets.

Obviously the Wilayat of God is of two types:

1. Wilayat Takwini; through which the world system is governed.

2. Wilayat Tashri'i; through which God establishes the Shar'i verdicts.

God has given the Wilayat Tashri'i to the Prophets and the meaning of Nubuwwat and Risalat is nothing else. In spite of the Wilayat Tashri'i of the Prophets, all the orders of the Prophets are obligatory on all Muslims. Therefore, the Prophets also has a Wilayat Takwini, and as the Wilayat belongs to God above all, so it belongs to the Messenger of God. *(Tabatabai, 1996, Vol. 6: 16)*

They also state in interpreting the verse 6 of surah *Ahzab*: "According to this verse, the Wilayat of the Prophets is preceded to all the interests of the believers. So all his commands are exalted above all". *(Ibid, Vol. 16: 27)*

Due to the fact that the prophets were sent by God and are the messengers of God and they contain the divine message to guide the people of the society to the right path and happiness, opposing them means opposing the divine command and rebellion and rebellion against God Almighty. Therefore, all divine religions have repeatedly emphasized

on obeying the commands of divine prophets and have encouraged people to do so.

On the other hand, God Almighty has sent divine prophets to bring human beings to a good and pure life, and he has assigned all his prophets to send divine messages in order to ensure this happiness. This good life includes a healthy life for humans in this world and happiness in the hereafter. Therefore, it is necessary for humans to follow the prophets and be diligent in achieving this good life and obey them.

Research Background

Numerous writings have been done about the guardianship of the prophets and divine saints, of which the following may mostly be notable:

- *Helmzadeh (1996)*; It describes the duties of the Prophets during his mission.
- *Mirkhani (2006)*; It deals with the reasons for the necessity of Imamate from the perspective of Jaf'ari jurisprudence.
- *Vaqefzadeh (2010)*; It discusses the concept of guardianship in terms of the extent of God to the prophets and divine saints.
- *Zamani Gheshlaghi (2013)*; It covers the guardianship of the Infallible Imams in the field of legislation and human societies.
- *Motahhari (2013)*; It examines the arguments of revelation and prophecy and the necessity of following the divine messengers.

As well as many other writings that could not be

mentioned here; however, none of them did review and examine the Quranic and traditional (hadith) arguments of the necessity of obeying and forbiddance of disobeying the Prophets and the divine saints from the point of view of Shiite and Sunni commentators.

The Proofs of Obligatory Obedience to the Prophets
1. Evidence of Quran and Ahadin

The Almighty Allah has declared the necessity of following the instructions of His Prophets in various interpretations in the Holy Quran and has established it as a doctrinal basis for Muslims.

The necessity of absolute obedience to all the commands of the Prophet is sometimes raised with the word obedience and its derivatives. God has used this word more than forty times in connection with obedience to God and the Prophet, in some of which the direct obedience to the Prophets has been suggested, such as:

- *"He who obeys the Messenger, obeys Allah". (Quran, 4: 80)*
- *"We sent not a messenger, but to be obeyed". (Quran, 4: 64)*

In many cases, the obedience to Prophets is mentioned alongside the obedience to Allah:

- *"Say: 'Obey Allah and His Messenger': But if they turn back, Allah loveth not those who reject Faith". (Quran, 3: 32)*

- *"O ye who believe! Obey Allah, and obey the Messenger, and those charged with authority among you". (Quran, 4: 59)*

Sometimes the necessity of obedience to the Prophets has been mentioned with the word «اتّباع» and its derivatives, such as:

- *"Say [O, Messenger!]: If you truly Love Allah, then follow me". (Quran, 3: 59)*
- *"Those who follow the messenger, the unlettered Prophet". (Quran, 7: 31)*
- *"Follow the Messenger so that you may be Guided". (Quran, 7: 158)*

In addition, God has sometimes referred to the Prophets as the absolute "Wali" (i.e. guardian) of the Muslims, whose Wilayat is as the Wilayat of God. Obviously, when he has Wilayat to the lives and property of Muslims, all of his commands are first and foremost necessary. Like the verses:

- *"The Messenger is closer to the believers than their relatives and more entitled to respect". (Quran, 33: 6)*
- *"Verily, your guardians [after] Allah Are His Messenger [Muhammad] and the believers". (Quran, 5: 55)*

Sometimes God commanded all believers to obey all the sayings and deeds of the Prophets and to be sheer surrender against the Prophets and don't disagree him

otherwise they won't be believer:

- *"No, by your Creator and Nurturer! They Will not be considered believers, unless They accept you as their judge in all that They dispute among themselves; and [Also] if they do not find in their souls Any resistance against what you Decide, and submit] themselves [with Total submission] to your judgement". (Quran, 4: 65)*

- *"When a matter has been resolved for a Believing man or woman by Allah and His Messenger, they are not supposed to prefer their own choice about that Decision and whoever disobeys Allah and His Messenger he has surely Become involved in an evident astray". (Quran, 33: 36)*

In these verses, the Almighty God reminds the believers that none of the believers shouldn't disagree with the commandment of God and the apostle, and whoever rebels against the commandment of God and the apostle is surely misled. Sometimes God also declares the Prophet's commandments completely and unconditionally to be fulfilled, for example:

"So take what the Messenger gives you, and refrain from what he prohibits you". (Quran, 59: 7)

Almighty God has stated the philosophy of absolute obedience to the commands

of the Prophets many times in the Quran. The word of God is that whoever follows the Prophets will attain human perfection, for whatever the Prophets says expresses the will of God, and God will have just mercy on mankind: *(Ref: Quran, 16: 64; Quran, 75: 19)*
- "Nor does he say (aught) of (his own) Desire, it is no less than Inspiration sent down to him." (Quran, 53: 3-4)
- "And We have sent down unto thee (also) the Message; that thou mayest explain clearly to men what is sent for them". (Quran, 16: 44)

Generally, these verses show that the revelation has two types: One is Verbal Revelation which is the Quranic verses, and the other is the Expressive Revelation, through which God has given the knowledge of the truth of the Quran to the Prophets, to express God's purpose to the believers:
- "or Allah hath sent down to thee the Book and wisdom and taught thee what thou knewest not (before): and great is the Grace of Allah unto thee". (Quran, 4: 113)
- "So establish regular prayer and give Zakat; and obey the Messenger. That ye may receive mercy". (Quran, 24: 56)

Allamah Tabatabai then mentioned under this verse:
The beginning of this verse orders to "ṣalat" and "zakat" and refers

to the obedience of God and then mentions the unconditional obedience of the Holy Prophets and stated at the end of the verse: "That ye may receive mercy", that refers to the expediency of obeying God and the Prophet. And in general, divine grace is granted to a Muslim man when obeying God and the Prophet, otherwise he will receive God's wrath. (Tabatabai, 2004, Vol. 15: 157)

Tabari said in the commentary of the above verse:

And obey the Messenger of Allah" means obey whatever the Prophets of God says, and stop doing whatsoever he may prohibit. (Tabari, 1991, Vol. 18: 123)

Also in the verse*: "So take what the Messenger gives you, and refrain from what he prohibits you"*, *(Quran, 59: 7)* this verse talks generally and is not revealed for a specific case. All the benefits are handed over to the Prophets, so all must follow his commandments, and stand before his prohibitions. *(Tabarsi, 2000, Vol. 4: 123)*

So all the Prophet's commandments are unconditionally obliged to be obeyed. At the end of the verse, God threatened those who opposed the Prophet's commandments with severe retribution: And fear Allah, and know that Allah is strict in punishment". *(Tabatabai, 1996, Vol. 19: 204)*

Suyūṭī, in interpreting the above verse, said: In this verse, God introduces commanding and forbidding by the Prophets the same as commanding and forbidding by God; that is to say, all the commandments and prohibitions of the Prophets are God's commandments and prohibitions, against which everybody must be completely submissive. It is not good for a believer to act in accordance with his own thought and opinion against the commandments of God and the Apostle, since it will lead to severe rebellion. *(Suyuti, 1983, Vol. 6: 194)*

Allamah Tabatabai interprets the this verse as: *"He who obeys the Messenger, obeys Allah"; (Quran, 4: 80)* The obligation of the Prophet's obedience is the same as the obligation of the obedience of God, and it is the same as His word. *(Tabatabai, 1996, Vol. 5: 9)*

Therefore, the opposition to the Prophets is also the opposition to God, which is disbelief and hypocrisy. In verse: *"No, by your Creator and Nurturer! They Will not be considered believers, unless They accept you as their judge in all that They dispute among themselves; and [Also] if they do not find in their souls Any resistance against what you Decide, and submit] themselves [with Total submission] to your judgement"; (Quran, 4: 65)* If a Muslim disagree with the Prophet and precedes his own thinking to the Holy Prophet, he is

infidel. *(Tabatabai, 1996, Vol. 4: 406)*

In the commentary of the above verse, Tabari also states: What the Prophets issues an order, it is the same right and no one is allowed to oppose it. *(Tabari, 1991, Vol. 5: 100)*

The word obedience and worship is used a lot in the "Old Testament" and in many verses it is ordered to worship God and forbid obedience and worship of others. The second commandment of the ten commandments is the invitation to worship God and the prohibition of obeying and worshiping other than God: *(Ref: Glenn and Merton, 2000)*

There shall be no other gods before me... bow down to them and worship them. (Book of Deuteronomy, 5: 7-9)

According to the interpretations of the Bible, the word worship in the "Old Testament" means serving and obeying God. And keeping God's commandments is considered a proof of obedience and God's love: *(Ref: Glenn and Merton, 2000)*

Fear Jehovah your God and worship him and swear by his name. (Book of Deuteronomy, 6: 13)

If a person has to swear to something for some reason, he swears to that thing if he commits to some things or does some things that are asked of him. Therefore, he does not swear in the name

of any deity, but he swears in the name of his god and in return, commits to complying and doing certain things. So, if a person possesses all the good things, is afraid of committing sin and is always engaged in worshiping and serving his creator, he can swear by the name of his creator. In this case, a person will be careful not to do anything secretly and carelessly. In this way, man has truly served and obeyed God. *(Bachya Ben Asher, 2003, Vol. 7: 2434)*

2. Evidence of Hadiths

Many hadiths have been compiled through Shia and Sunni as well as verses of the Quran regarding the necessity of obeying all the commands of the Holy Prophets. In addition to the necessity of obeying the Prophets, the Shiites have also recommended the obedience of the infallible Imams, and in the Major Occultation (i.e. the big absence), the obedience to the "Wali Faqih" (Islamic Jurist) was also obligatory.

Imam Ali has repeatedly pointed out the necessity of obeying the Prophet, saying:

"The confidant of Muhammad know that I have never, in my life, ever opposed the orders of God and his Prophet". *(Nahj al-Balagha, Sermon. 197)*

Although Imam Ali has not recognized the previous caliphs legitimate, has documented his silence at the behest of the Prophet and said:

"I never concealed a word and never lied. I swear to God that I was made aware of this place and this day - through the Prophet". (Nahj al-Balagha, Sermon. 16)

Imam Sadiq says:
"If the people worship God and testify to the Prophet oneness, then they protest to one of His deeds in appearance or inwardness, they are hypocrite". (Saffar, 2007: 677; Bahrani, 2007, Vol. 2: 119)

Also had a very long tradition on the necessity of obedience to the Prophet and say:
"God only accepts the worship of those servants who know the Messenger of the commandments of God and obey him unconditionally". (Ibid: 689)

Imam Sadiq said in the "Maqbulah" of 'Umar ibn Hanzalah:
"Look at the one who quotes our narration, pays attention to our Halal and Haram and knows our commandments, you must agree with his command and obey him. If he issues an order the same as ours and you don't accept it, surely you have disregarded the order of God, and our word has been rejected and anyone who rejects our word has rejected the word of God and such a person is an infidel and an idolater". (Najafi, 1989, Vol. 21: 395)

Imam Mahdi also states:

"In the events and matters of your life, refer to the narrators of our tradition that they are the authority of me and I am the authority of God". (Najafi, 1989, Vol. 21: 395)

Therefore, opposing the Prophets and disobeying their commands will lead to disbelief and hypocrisy, since the Prophets is the principle.

Imam Sadiq said:

"If anyone worships God all the nights and fasts all days and spends all his money on the way of God and goes on pilgrimage every year; but he does not know Wali of God to perform his deeds according to his instructions, God

guarantees no reward for him, and such a person is not considered one of the believers". (Bahrani, 2007, Vol. 2: 133)

This hadith expresses the necessity of obedience to the "Wali", which first includes the Prophets, the infallible Imams and finally the jurisprudents.

Sunnis have also quoted many hadiths about the need to obey the instructions of the Prophets. Suyuti states under the verse 80 of Surah Al-Nisa *(Quran)*: "Obedience to me is as obligatory as obedience to God". (*Ref: Suyuti, 1983, Vol. 2: 185)*

Nasa'i says:

everyone who obeyed me, has obeyed God and everyone who rebelled against me, has rebelled

against God. (Nasa'i, 2013: 666)

Muslem stated in his book "Sahih":

When I command you something in your religion, you must take it. (Ref: Ibn Hajjaj Naysaburi, 2014: 894-896)

Again he quoted another hadith from Abu Hurairah that the Prophet said:

whatever I detain you stop doing it and whatever I command you, do it without any question, since there were many nations before you, who were destroyed due to their many questions. (Ibid: 894)

The Proofs of the Prohibited Opposition to the Prophets

1. **Evidence of Quran and Ahadin**

The Almighty God has repeatedly forbidden the Muslims in the Holy Quran from opposing the Prophet's commandments, and has called the ideological basis of persecution as a severe punishment. Sometimes the harassment of the Prophet is directly mentioned in the Quran and is prohibited: *(Ref: Quran, 33: 53)*

"But those who molest the Messenger will have a grievous chastisement". (Quran, 9: 61)

Sometimes the Almighty God considers the Prophet's harassment as His own harassment:

"Those who annoy Allah and His Messenger - Allah has cursed them in this world and in the Hereafter, and has prepared for them a humiliating punishment". (Quran, 33: 57)

He has also stated the prohibition of opposing the Prophets with different phrases. Sometimes the word "disagreement" has been interpreted it:

"Then let those beware who withstand the Messenger's order, lest some trial befall them, or a grievous chastisement be inflicted on them". (Quran, 24: 63)

Sometimes it also comes with the word "Shiqaq", which means militancy: *(Ref: Quran, 59: 4)*

"If any contend against Allah and His Messenger, Allah is strict in punishment". (Quran, 8: 13)

Sometimes it has come with the word "Muhaddih", that is to say, a stubborn opposition, as if one prevented working with an iron wand: *(Ref: Quran, 58: 5&20)*

"Know they not that for those who oppose Allah and His Messenger, is the Fire of Hell? Wherein they shall dwell." (Quran, 9: 63)

Sometimes God threatens those opposing the Prophets to destroy their deeds:

"Those who disbelieve hinder (men) from the Path of Allah, and resist the Messenger, after Guidance

has been clearly shown to them, will not harm Allah in the least, but He will make their deeds of no effect". (Quran, 47: 32)

"Habt" from "Al-Habt" means bursting the belly due to bloating caused by overeating that is the irony of the destruction of deeds. *(Raqib Isfahani, 2004: on the following; "Habt")*

Sometimes it has come with the word "revolt": *(Ref: Quran, 26: 216; Quran, 72: 23)*

"But those who disobey Allah and His Messenger and transgress His limits will be admitted to a Fire, to abide therein: And they shall have a humiliating punishment". (Quran, 4: 14)

Sometimes, God has called the friendship with the enemies of the Prophets as the harassment of the Prophets:

"Thou wilt not find any people who believe in Allah and the Last Day, loving those who oppose Allah and His Messenger". (Quran, 58: 22)

Sometimes God has forbidden whispering since it hurts the Prophets:

"Seest thou not those who were forbidden secret counsels yet revert to that which they were forbidden (to do)? And they hold secret counsels among themselves for iniquity and hostility, and disobedience to the Messenger". (Quran, 58: 8)

Sometimes God has called speaking aloud in the presence of the Prophets as bothering him and has put the punishment of all acts as its punishment:

"O ye who believe! Raise not your voices above the voice of the Prophet, nor speak aloud to him in talk, as ye may speak aloud to one another, lest your deeds become vain and ye perceive not". (Quran, 49: 2)

The almighty God has called the opponents of the Prophets as the infidels in some verses:

"That ye may show your faith in Allah and His Messenger. Those are limits (set by) Allah. For those who reject (Him), there is a grievous Chastisement". (Quran, 58: 4)

And says they should fear from the painful punishment of God: *(Ref: Quran, 8: 13; Quran, 59: 4)*

"Or a grievous chastisement be inflicted on them". (Quran, 24: 63)

And those who bother the Prophets deserve the painful punishment:

- *"But those who molest the Messenger will have a grievous chastisement". (Quran, 9: 61)*

- *"Those who annoy Allah and His Messenger-Allah has cursed them in this world and in the Hereafter". (Quran, 33: 57)*

And the rebels against the Prophets are considered the people of the hell: *(Ref: Quran, 58: 8)*

"For any that disobey Allah and His Messenger, for them is Hell: they shall dwell therein forever". *(Quran, 72: 23)*

Or He says about those who oppose the Prophets:

"But He will make their deeds of no effect." *(Quran, 47: 32)*

Therefore, the rebels to the commandments of God and the Apostle are called the astray.

In the address to Prophet Moses in the "Book of Deuteronomy" from the "Old Testament", it is stated: *(Ref: Glenn and Merton, 2000)*

I will send a prophet for them from among their brothers like you, and I will put my words in his mouth, and whatever I command him, he will speak to them, and whoever speaks my words in my name, If he does not hear, I will demand from him. (Book of Deuteronomy, 18: 18-19)

Accordingly and in accordance with the teachings of the "New Testament", Christians consider Jesus Christ, as an example of this good news; *(Acts of the Apostles, 22: 3)* but there are evidences in the phrases of this word that show that these phrases refer to the Prophet of Islam. One of them is "from among his

brothers". *(Ref: Glenn and Merton, 2000)*

2. Evidence of Historical

The prohibition of opposing some people with the Prophets has been done in two stages by the Quran and the traditions:

2-1. Opposition and Offending the Prophet before his Death

God has stated the culmination of this subject in the verse:

"O ye who believe! Raise not your voices above the voice of the Prophets, nor speak aloud to him in talk, as ye may speak aloud to one another, lest your deeds become vain and ye perceive not". *(Quran, 49: 2)*

And He has also mentioned about the destruction of deeds:

"They are those who deny the Signs of their Lord and the fact of their having to meet Him (in the Hereafter): Vain will be their works, nor shall We, on the Day of Judgment, give them any weight". (Quran, 18: 105)

And has introduced those opposing Allah and his messenger as a hatred infidel and says:

"Say: 'Obey Allah and His Messenger': But if they turn back, Allah loveth not those who reject Faith". (Quran, 3: 32)

In this verse, God with exact words has stated precisely that those opposing the Prophet's injunctions

are infidels, because the phrase "does not love the unbelievers" means "He hates infidels", in which the affirmative meaning has been negated.

Obviously, such interpretation is much more straightforward, for if one were to say: "Hates infidels", one might think that the Prophet opponents, although on one hand are suffering from the wrath of God, but on the other hand they might be popular. When he rejected the principle of 'hub i.e. love, there is no more such illusion. *(Tabari, 1991, Vol. 2: 734)*

Bukhari says of these verses:

These verses were revealed about the first and second caliphs. Because they were impolite and raised their voices in the presence of the Prophet, their deeds are destroyed. (Bukhari, 1980, Vol. 6: 47)

The important point here is that after the destruction of act, the repentance is not accepted. The Holy Quran says:

- *"Those who believe, then reject faith, then believe (again) and (again) reject faith, and go on increasing in unbelief, Allah will not forgive them nor guide them on the Way". (Quran, 4: 137)*
- *"But those who reject Faith after they accepted it, and then go on adding to their defiance of Faith, never will their repentance be accepted; for they are those who*

have (of set purpose) gone astray". (Quran, 3: 90)

Among the companions' opposition to the Prophet throughout his life, and even after his death, and despite the emphasis of the verses of the Quran, he opposed the boycott of drinking wine. Ibn Hajar Asqalani writes in his book:

Abu-Talha Zayd ibn Sahl had organized a friendly assembly at his house and invited ten people to that party, all of whom were drinking wine.[1] (Asqalani, 2003, Vol. 10: 4)

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1. These include: Abu-'Ubadah Jarah, Abu-Talha, Zaid ibn Sahl, Suheil ibn Beizah, Abi ibn Kaaba, Abu-Dejana, Abu-Yubi Ansari, Mu'az ibn Jebel, Anas ibn Malik and first and second caliphs. *(Ref: Ibn Sa'd, 1989, Vol. 3: 270; Ibn Asakir, 1995,*

Bukhari, in opposition to the Second Caliph, said:

When Abdullah Abi ibn Salul died, his son begged the Prophet to pray on the body of his father. The Prophet accepted and when he stood up for prayer, the second caliph grabbed the Prophet cloak and said, Why do you pray for him while God forbids you to do so? The Prophet became angry and said: "God has let me choose this". (Bukhari, 1980, Vol. 5: 248; Al-Nuhhas, 1987: 521; Isfahani, 1984, Vol. 1: 43)

Or in the story of asking the pen and paper by Prophet in the last days of

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Vol. 44: 430; Ibn Abi-Shibah, 1988, Vol. 5: 488; Ibn Abd al-Barr, 1991, Vol. 3: 1154)

his noble life, in which some of the Companions, including the first caliph and the second caliph certainly as their head, strongly opposing the Prophet and accusing him of delusions. This story has been narrated by all the great Shiite scholars and famous Sunnite scholars. *(Ref: Tabari, 2008, Vol. 3: 123)* For example, Bukhari states in this regard:

When pain was severe for the Prophet, he told: "Give me a book so I write something for you as such you would not be astray at all". Omar said: Indeed the Prophet has severe pain and we have the Book of Allah which is enough for us. Then, they disagreed and debated much. He said: "Stand up

and go". (Bukhari, 1980, Vol. 1: 54&114)

Muslim also states in his book "Sahih" this story with a slight change: A group of Companions opposed the request of the Prophet and said, What is he doing? Does she say delirium? The Prophet then said: "Leave me alone and go". *(Ibn Hajjaj Naysaburi, 2014, Vol. 2: 771-772)*

All Shiite scholars have also narrated this story. For example, Allamah Majlisi has said:

The Prophet said: "Bring a pen and something to write so that you will not be misled". The companions made a noise and said: The Prophet of Allah says delusions! Surprisingly, it is Sunni scholars who

accepted this great insult to the Prophet again and accepted those people as caliphs and religious leaders. (Majlisi, 2008, Vol. 22: 487)

Also, Ibn Abi al-Hadid Muʿtazili believes:

Ibn Abbas says: In a trip, I was traveling with the second caliph during his caliphate. He said to me: Does your cousin, Ali, still have a grudge against me because of the story of Saqifah? I said: yes. He believes that the Prophet had chosen him to be a caliph. The caliph said: Prophet asked for his pen and paper to write such a will, but the will of God was not, and the will of God was fulfilled, *not the will of the Prophet. I stopped writing of the Prophet. (Ibn Abi al-Hadid, 1958, Vol. 12: 78)*

Ibn Abi al-Hadid has confessed to several things in this story: One is that the second caliph made a distinction between the will of God and the will of Prophet. Another was that he prevented the will of the Prophet for writing, and that the second caliph considered himself to be more aware than the Prophet, and that what he said in this story was an expression of disbelief and hypocrisy, because, according to many Quranic verses, opposition to the Prophet is the same as opposing God, and the difference between God and the Prophet, according to the

approach of the Holy Quran, is a true blasphemy about which God has said in this verse:

"They are in truth unbelievers; and We have prepared for unbelievers a humiliating punishment". (Quran, 4: 151)

According to Ibn Abi al-Hadid, there is no doubt in the disbelief of some of companions. *(Bahrani, 2008, Vol. 2: 304)*

2-2. Disagreement with the Prophet After his Death

This case is divided into two parts:

➢ **Explicit Opposition to the Prophet Definitive Tradition**

For example, the first caliph, burned the five hundred hadiths he had collected from the Prophet, and stated in his lectures that you should not narrate anything from the Prophet. The Quran is among us, call its Halal as Halal, and call its Haram as Haram.

He also opposed the different traditions of the Prophet; Including: Opposing Osama's command of the Revolutionary Guards, opposing the Prophet tradition of fighting Muslims who have not paid Zakat and killing them, opposing divine verdicts; such as Kalalah, not sacrificing for Hajj in the Quran, and ruling according to his own opinion, Ignoring the Prophet tradition in about those whose tiding their hearts together and, according to Umar, refusing to give their share, ignoring the Prophet tradition in the caliphate in the succession of

Ali and without consulting with Muslims, called Umar as his succession, he ignored the Prophet tradition with regard to his daughter, Zahra, and made her angry and bothered her. *(Suyuti, 2005, Vol. 3: 45; Bayhaqi, 2003, Vol. 9: 265)*

The second caliph, also sought to collect and burn all narratives of the Prophet, and prevented the people from narrating the traditions of the Prophet. Some of the oppositions of the second caliph against the tradition of the Prophet are:

Opposition to the dispatch of Osama's corps, opposition to the share of those whose tiding their hearts together, opposition to the Hajj Mut'ah and Women Mut'ah, opposition to three divorces in one session, opposition to the Prophet during the conquest of Mecca about the replacement of the position of Ibrahim which was replaced by the ignorant Arabs, disagreement with the Quran and Sunnah in Tayammum, and issuing the order of non-necessity of prayer in such circumstances, disagreement with the Quran and Sunnah for not spying in the issues of Muslims and considering it as a heretics, removing part of the Adhan and adding another part, opposing the Quran and Sunnah in performing the Hadd on Khalid ibn Walid, the spread of the congregational nafl prayer, creating a Class system in the society by preventing the

government from granting from Bayt al-mal in particular cases, eliminating the consumption of khums for dhawi al-Qurba, establishing an assembly council in Saqifah Bani-Saʿida, etc. *(Suyuti, 2005, Vol. 3: 74)*

The third caliph, came to caliphate with the plan of Umar and Ibn Auf. He adhered to the tradition of the two previous caliphs. Some of his objections to the Sunnah of the Prophet include: Delivering authority and office to his relatives, offering almighty money from Bayt al-mal to the leaders of the Bani-ʿUmayyah, praying completely as four rakʿah in traveling, preventing people to say labbayk during Hajj. *(Bayhaqi, 2003, Vol. 9: 301)*

> ➢ **Annoying the Prophet with Injustice to His Own Prophet**

Some companions like Ali, Abu Dharr, *Miqdād*, etc. never in any way bothered the Prophet and disobeyed him. Ali has repeatedly spoken on this issue. For example: *"Everyone knows that I have never opposed God and the Prophet in any way"*. Then, at the end of the sermon, he states:

Some of the companions of the Prophet after the story of Saqifah, caused the martyrdom of Fatimah, Ali, Hassan and Hussein.

Imam Ali on the innocence of Fatima during her burial says:

"O Prophet of God! Your daughter will tell you about the involvement of your companion in

breaking her bones! Insist and ask her about the matter". (Nahj al-Balagha, Sermon. 202)

Allamah Majlisi says: When Fatimah was suffering from severity of fractured bones in the bed, the first and second caliphs visited her. Fatima turned her back to them and said: Did you hear this hadith from the Prophet that said: "Fatima is a part of me. So if anyone annoys her it is as though annoys me." They said yes. Then Fatima raised her hands to the sky and said: "God, witness that they hurt me. I will complain about them before you and your Prophet". Then she said: "I am not pleased with you and I do not forgive you until visit the Prophet and informing him of your wrongdoings so that he may judge between us". *(Majlisi, 2008: Vol. 43: 117)*

This story is also quoted from Salman Farsi: I asked Salman: Did they enter Fatima's house without permission? He said: Yes! Swear by God they rushed so that Fatima's scarf fell and she shouted, "O, my father". At that time, Qunfudh severely hurt Fatima. Fatima took refuge in the door of the house where the cursed Qunfudh broke her abdominal bones between the door and wall and she had an abortion, and then she fell in the bed and was martyred. *(Salim ibn Qays, 2007, Vol. 2: 588)*

Some Sunni scholars have also told this story. As Fatima's

illness became more severe, a number of Muhajir and Ansar women came to visit her, says Hakim Naysaburi. When they asked Fatima how she is, she said:

"Swear by God I hate your world, I am annoyed with your men, their faces be ugly, their noses to the ground and their hands and feet be cut off, and God's severe retribution to this oppressive people". *(Hakim Naysaburi, 2012: 112)*

Imam Dinawari also quotes the visit of first and second caliphs with Fatima exactly as Allamah Majlisi and says: Fatima said to them:

"I call God and all of His angels to witness that you have hurt me very much and you made me angry. I curse you all

the time for my life to meet the Apostle of God and to complain to him". *(Dinawari, 1990, Vol. 1: 31)*

Dinawari has also narrated the story of Saqifah and the insult to Imam Ali, saying: When they took Ali with insult and oppression to the first caliph, to give him allegiance, Ali said: If I do not make allegiance? They said, Then we'll cut your neck. At that time, the first caliph who saw the extremism of second caliph, said, I will not force him into allegiance until Fatima is alive. *(Ibid)*

It is noteworthy that the Prophet repeatedly condemned the oppression and harassment to the Ahl al-Bayt, especially his daughter, Fatima, and his cousin Ali.

Therefore, all the effects of the oppression to the Prophet are also the same for Fatima and Ali. *(Ref: Erbeli, 1970, Vol. 1: 467)*

In another hadith, the Prophet took the hair of Ali… This hadith is the same as the previous hadith, except that the Prophet has mentioned the bothering to Ali. *(Ref: Bahrani, 2008, Vol. 4: 493)*

Another hadith quoted from Imam Askari that one day someone named Burayda abused the Prophet and made the Prophet very angry. Then he said: Why you, o Buraydah, annoyed the Messenger of Allah. Did not you hear the Allah's saying: *(Ref: Saduq, 1992: 494)*

"Those who annoy Allah and His Messenger- Allah has cursed them in this world and in the Hereafter, and has prepared for them a humiliating punishment". (Quran, 33: 57)

Hakim Naysaburi says: The Prophet has said repeatedly: fighting against Ahl al-Bayt is fighting against me. The Prophet said to Ali, Fatima, Hassan and Hussein:

"I am at peace with those who make peace with you and I am at war with those who make war with you". (Hakim Naysaburi, 2012: 86)

The Holy Prophet said:
- *"Surely Allah becomes angry for the anger of Fatimah and becomes*

satisfied for her satisfaction''. *(Hakim Naysaburi, 2012: 36)*
- "Fatima is a branch of the tree of my existence and she is a part of me. He who offends him is Offends me". (Ibid: 64)

Tirmidhi has also repeatedly quoted such narratives including:
- "O Ali, only a believer loves you and only a hypocrite hates you".
- "Ali is from me and I am from Ali, and none should represent me except myself or Ali". (Tirmidhi, 2007, Vol. 5: 643&699)

Muslim has also quoted such narratives from Prophet about Ahl al-Bayt. *(Ref: Ibn Hajjaj Naysaburi, 2014: 928)*

Conclusion

Governance and Wilayat belongs to the Almighty God, and any kind of governance and Wilayat on His behalf is a definite and valid authority. According to the verses and hadiths and ahadin, the complete obedience to the Prophets and their righteous successors is a Shar'i and rational issue. Some of the most important findings of the present study are:

- From the viewpoint of the verses and narrations and ahadin, the necessity of obeying all the commands of the Prophets and their successors is an ideological and intellectual basis for the people, which is certain

and obligatory issue, and there is no doubt about it.

- From the viewpoint of the Quran and the traditions and ahadin, the boycott of the opposition and harassment to the Prophets is the definitive ideological basis for the people and cannot be denied; and the dissidents and harassers of the Prophets will, in the words of the Holy Quran, be a clear example of infidels and hypocrites. And they include such attributes as the infidels, the hatred, and those suffering from the wrath and curse of God in the world and the hereafter, the destruction of all their deeds, the severe eternal torment of God, and so on.

- The tortures that have been promised to those opposing the Prophets are applicable not only to the people of the time of the their who committed such disagreement and harassment; but, with regard to the law of Jerry and conformity in the verses and narrations, it is also applicable for the opposed ones to the Prophet and the opponents of Ahl al-Bayt and even the Wali Faqih (according to the Shiites) until the resurrection.

Acknowledgment

I present my learnings to: Dear Sir and Syed, Prophet Muhammad Mustafa and also my dear father and mother; Those whose heavenly seal soothes earthly pains, that this will be nothing but a Chinese cluster from the green field of divine knowledge.

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ORIGINAL RESEARCH PAPER

The Spiritual Importance of the Arbaeen Pilgrimage and the Pervasive Silence of the International Media for This Huge Community

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ARTICL INFO	ABSTRACT
      Open Access	**SUBJECT AND OBJECTIVES**: Despite the many uprisings in human history, the revolution of Imam Hussein and his companions is a key example of the Islamic revivalism that has retained its distinct characteristics and reformist features throughout the ages. The philosophy of millions marching to Karbala every year is in commemoration of Ashura Day. In addition to reflecting humanity's thirst for freedom and the populations outrage against social injustice, oppression and tyranny, it also represents the spiritual and practical aspects of love and loyalty to the Master of Martyrs who through his pure blood and the sacrifices of his beloved ones, revived the true spirit of Islam. **METHOD AND FINDING**: This idea of pilgrims visiting Imam Hussein's sanctified physical shrine has been extensively covered in anthropological and social studies. It has also prompted international observers to closely monitor this series of events which are not present at such a massive scale in other parts of the world. Despite the fact that this visit is regarded as the largest mass gathering on a global magnitude, we find that some are attempting in various ways to oppose these great religious rituals and wipe away the message of this visit in all its dimensions. For example, some secularism has criticised the march to Imam Hussein as they believe it disrupts society and imprisons many people's lives. They also have the notion that civilization and growth are built on a foundation of materialistic means, with morality and spirituality views having no place in this society. Also tend to notice that the International media purposefully seeks to ignore these annual visits and this global event, with them seeking to cover and spotlight every news story in various fields and different regions of the world, no matter how minor it may seem. **CONCLUSION**: It is necessary for all of us, in our respective capacities, to spread the message: 'Who is Hussain?', to globalise this religious and social event as one of the most important occurrences in the world while also working on the cultural building and reconstruction of modern Islamic civilization as well as to research the various aspects of this great human and peaceful review centred on the Arbaeen Pilgrimage.
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Introduction

This article reflects the deep love and spiritual connection to Imam Hussein and highlights the secret of millions of people renewing and reviving allegiance and loyalty to the Master of Martyrs every year in Karbala. The Pilgrimage of Imam Hussein's Arbaeen with its political, spiritual, moral and social significance provides a platform for the world's free people to raise the word of truth in opposition to injustice and tyrants and to stand up for what is right, no matter the cost.

The Holy Prophet is reported to have said:

"The best Jihad is a word of truth before a tyrannical unjust ruler". (Ref: Robson, 1952)

After seeing that the government's overriding goals were incompatible with Islamic teachings and that the political and social climate was getting worse, Imam Hussain took action. He stood up at that time because he was aware of the excruciating hardships that the Ummah was experiencing and was determined to fulfil his religious duties as the duly chosen leader who might restore Islamic principles.

Imam Hussain served as a leading example of how to sacrifice one's self, possessions, family and social standing in the battle against oppression and injustice. His revolution

turned out to be a clash between truth and falsehood. His timeless lessons have inspired generations of people all over the world and his principles have remained alive for centuries. His insurgency, movement and goals have had a lasting impact on the Muslim empire's conscience and awareness.

Robert Manias, a Hungarian academic and scholar, claims that Imam Hussain's revolution was for all of humanity and not just for a certain group. In his words, the experience of Imam Hussein is a global experience that is not limited to a doctrine, religion or country, but for the entire world and everyone seeking revolution.

He urged Muslims everywhere to follow the path of Imam Hussein.

Historical Origins of Arbaeen Pilgrimage

Every year on the twentieth of Safar, the forty-day anniversary of Imam Hussein's martyrdom is commemorated. One of the notable Ahl al-Bayt companions, Jaber ibn Abdullah Ansari, is regarded as being the first to pay homage at the holy graves of Imam Hussein and his companions. Following the Battle of Karbala, Imam Zayn al-Abidin and the other survivors were taken as prisoners to Yazid ibn Muawiah in Damascus until they were eventually allowed to return to Medina. When Yazid appointed Numan ibn

Bashir to transport the widows and children to Medina, the women requested that he also take them to Karbala. When they arrived at the scene of Imam Hussain's slaughtering, they discovered Jaber ibn Abdullah Ansari, a companion of the Prophet along with a group of Banu Hashem. They stayed for three days, weeping and wailing until their voices became croaky hoarse and their hearts broke. *(Majlisi, 1983, Vol. 27: 45&146)*

It should be noted that what distinguishes Shiites from others is their interest in performing cemetery visits on a regular basis, beginning with Pilgrimage the grave of the Prophet and the pure Imams particularly Imam Hussein. The imams encouraged Shiites to engage in spiritual worship because it brings them closer to God Almighty and strengthens their love for the Prophet Muhammad and the Fourteen Infallibles.

However, some other religious people believed that this type of activity were against Muhammad Sharia and Islamic teachings and that visiting cemeteries and such sites was nothing more than a form of ritual that the Islamic faith forbade.

There have been many hadiths from the Ahl al-Bayt school of thought regarding the virtue of Pilgrimage the Arbaeen of Imam Hussein, including one from Imam Hasan Askari, who stated:

"The signs of a believer are five: Fifty prayers, Arbaeen Pilgrimage, wearing the ring in the right hand, prostrating in the ground, Saying loudly the name of Allah, (Bismillah Rahman Rahim)". *(Hor Amili, 1990, Vol. 10: 373)*

Also, Imam Sadiq stated: *"Whoever wishes to be in the vicinity of the Prophet, as well as next to Ali and Fatima, should not leave Imam Hussain's pilgrimage".* *(Ref: Ibid: 331-339)*

In general, numerous narrations in Islamic literature discuss the spiritual advantages of performing specific rites and supplications; But the most notable deed is the Pilgrimage to Imam Hussain's actual grave on Arbaeen.

Objectives and dimensions of the Arbaeen Pilgrimage

The Arbaeen Pilgrimage has a variety of meanings and objectives: spiritual, moral, social, educational, political and economic. It also has consequences, which are significant to the cultural and spiritual development of Islamic society.

Pilgrimage Imam Hussein's tomb was emphasized by the Imams in many narrations which later developed into a sacred ritual. They also discussed the benefits and the huge reward Allah would bestow upon anyone who performs Imam Hussain Pilgrimage.

The famous Islamic philosopher Mir-Damad talked about the significance of Pilgrimage and stated that even Fakher al-Din Razi, a Muslim theologian and scholar known as an imam or teacher of the skeptics, condones the concept of Pilgrimage. He mentioned an interesting point showing the degree to which Pilgrimage is accepted in various cultures. He said one of Aristoteles' students used to hold discussions next to his teacher's grave when a difficult issue arose which helped him out a lot. This happened because there is a spiritual connection between those who are physically alive and the dead. *(Shomali, 2022, Part. 2)*

In the following, some spiritual, social and political dimensions of Arbaeen pilgrimage are mentioned:

1. Spiritual Dimensions

The question that always arises is why someone would travel such a long distance to Pilgrimage a shrine, enduring all of the hardships along the way. What is the secret that attracts millions of people from all over the world? Why is there so much interest in Imam Hussein? What is the basic philosophy behind this?

The philosophy of walking in the Arbaeen of Imam Hussein is a great indication of the Pilgrims faith and pure love for God Almighty, the Prophets, the infallible

Imams especially Imam Hussein and Imam Reza.

The Holy Prophet said:

"One to whom Allah grants the love of the imams from my Ahl al-Bayt has attained the goodness of this world and the hereafter". (Majlisi, 1983, Vol. 27: 78)

It is love that motivates the Pilgrim, regardless of their location, to walk long distances, overcome all obstacles and reach the shrine of Imam Hussein. It is love that makes a person serve the Pilgrims of Imam Hussein regardless of their sect or religion. It is love that transcends self-limitation and achieves a spiritual connection with the Martyrs of Karbala.

The most visible manifestations of the people's love for Imam Hussein are feeding Pilgrims, treating them with respect, providing comfort, and encouraging them to Pilgrimage the holy shrine again.

This love and giving spirit drive thousands of people to donate blood on the tenth of Muharram in order to save the lives of those who are in need.

In recent years, the culture of donating blood on Muharram days has become more common in some Western countries, with the number of people increasing each year. This positive act prompted the National Health Service in the United Kingdom to

speak about it, as stated: The Imam Hussain Blood Donation Partnership is still the most successful Muslim blood donation partnership in the United Kingdom. *(NHS Blood and Transplant, 2022)*

Even the Guardian newspaper covered this historic event. According to Who Is Hussain, a social justice organisation, more donations from Black, Asian and minority ethnic (BAME) communities are needed as NHS stocks dwindle. *(The Guardian, 2022)*

The volunteer-driven initiative is being directed by the Imam Hussain Blood Donation Campaign, one of the nation's oldest Muslim blood donation organisations and Who Is Hussain UK working with NHS Blood and Transplant.

The people's love of Hussein that drives a lot of individuals around the world to take part in the Global Blood Heroes, a campaign initiated by "who is Hussein". Donations began in New Zealand and ended in America in about 250 locations collecting approximately 50,000 people's blood over 20 centuries all in honour of Imam Hussein who gave his life to reform Islam and oppose the oppression of the then-tyrant ruler Yazid ibn Muawiah.

Muntazir Rai, Director of "Who is Hussein" said: Thousands of people around the world responded to the call to be a Global Blood Hero and save lives and

beat a world record. He added: "Giving blood donation is a universal act that unites people around the world. *(PR Newswire, 2022)*

Hussein's love is what teaches people the culture of giving. Both the Ashura Project, which is an organisation in Dearborn, Michigan and "Who Is Hussein" USA organise food drives, charity events, and other activities for young people in order to spread the message of compassion and unity. *(AAN, 2017)*

People carry love and peace to Imam Hussein, the place where one can feel the highest level of spiritual satisfaction. As shown below, there is a steady increase of Pilgrims coming to the shrine of Imam Hussain. *(Alkafeel Global Network, 2022)*

Table 1: Official Annual Count of Hosseini Arbaeen Pilgrims

2016	11.2 Million
2017	13.8 Million
2018	15.3 Million
2019	15.2 Million
2020	14.5 Million
2021	16.3 Million
2022	21.1 Million

2. Social Dimensions

The Arbaeen Pilgrimage aid in the strengthening of social relations between people of various colours, beliefs, races, ages, and gender-people that help foreigners coming from abroad develop a strong

connection. This is a blessed service that everyone loves to do with sincerity and respect for each other despite there being no materialistic or worldly reward.

These Arbaeen Pilgrimage greatly contribute to strengthening the spirit of equality that the Islamic religion calls for, as well as eliminating the cultural and racial discrimination that has become prevalent in our modern society.

The intellectual balance that Imam Hussein managed to embody was able to eliminate all racial divisions among the millions of people making their way to Karbala. In these crowds, we can find people of different races, nationalities, religions and classes being treated equally with all of them having access to the same facilities in terms of clothing, food, etc.

The most important things that one can be exposed to during the Arbaeen Pilgrimage are unlimited moral and material generosity. We see volunteers of all ages working with social and cultural organisations, as well as spiritual giving. This is the idealised representation of social unity, which international institutions and other organisations have failed to realise.

3. Political Dimensions

God Almighty said in his Holy Book:

"And do not incline toward those who do wrong, or you will be

touched by the fire, and you would not have other than Allah any protectors; then you would not be helped". (Quran, 11: 113)

In the English language, the incline means to remain silent about something. The incline in this noble verse refers to the tendency to defend wrongdoers, justify their actions and deeds, and remain silent about them.

When asked why the Umayyads had such presence and power, Imam Sadiq said:

"If someone had stood up to the Umayyads and opposed their views, they would not have robbed us of our rights". (Majlisi, 1983, Vol. 93: 238)

The Quranic verses and honourable hadiths show that obedience should be shown towards the rightful leader and not to the oppressor because accepting wrongdoing for a long period of time distorts the human instinct and causes a person to be satisfied and content with the oppression.

In addition to their ideological and religious role in directing the people, the Prophets and Imams had a role in confronting dictators and their beliefs, so they had a giant role in preserving Islamic principles and defending the Prophet's Sharia by standing up to tyrants.

For example; Abraham confronted Nimrud, Moses faced Pharaoh and Imam

Ali and his son Imam Hassan faced Muawiya and fought against his corruption. This leads to Imam Hussein and his blessed revolution to revive the Islamic law and save the people from corruption, humiliation and mortification.

Imam Hussein revolution is a never-ending school from which we learn many lessons and which every oppressed people on the earth emulates. It is a message that inspired all of humanity with divinity.

Mahatma Gandhi, who liberated India from the colonial regime, addressed his people by saying:

I have carefully read the life of Imam Hussein, the great martyr of Islam, and paid enough attention to the pages of Karbala, it has become clear to me that if India wants to become a victorious country, they must follow the instructions of Imam Hussein. (Gandhi, 1927)

The Pervasive Silence of the International Med for Arbaeen Pilgrimage

The benefits of Arbaeen and the significant gathering that takes place in Karbala are generally ignored by the International media. How can a small demonstration in London, a march of a few hundred in Hong Kong, or a small gathering in Russia be covered while a blind eye is turned towards the largest human gathering of men, women and children?

Asks Syed Mahdi Modarresi in a harsh critique of the

International media's politicised handling of the Husseini rites. He asserted that if a few hundred anti-immigration protesters demonstrate in London and garner media attention, a pro-democracy march in Hong Kong or an anti-Putin rally in Russia will also receive equal airtime. But a crowd of 20 million protesting obstinately against injustice and terrorism somehow fails to even appear on the TV news ticker. *(Modarresi, 2014)*

For instance, The Independent, as the most famous newspaper in Britain, described the Arbaeen Pilgrimage as the largest and riskiest religious gathering ever, writing; One of the biggest and riskiest pilgrimages in history is currently underway. *(Dearden, 2014)*

It pointed out that the Pilgrimage of Hussein known as the Arbaeen, is five times more than the Muslim Pilgrims to Mecca in terms of the number of Pilgrims; And it continues: It is also more significant than the Hindu festival (Kom Mela), which only occurs once every three years, as the forty days are repeated each year and last for a number of days.

The BBC newspaper headline read: Huge number of Shia Muslim pilgrims gathered in the Iraqi city of Karbala at the climax of a Key festival, despite threats of violence. *(BBC News, 2014)*

The International Media turns a blind eye toward the

positive effects of the Arbaeen while they brainwash the ignorant audience to draw connections between this occasion and danger by emphasising the danger and violence that endanger the lives of millions of people traveling to Karbala. However, they could not disprove the fact that a massive number of people would travel there every year.

Madrasi said the Arbaeen Pilgrimage Husseini should be entered into the Guinness Book of World Records under a number of categories, including the largest human gathering, the longest dining table, the largest number of volunteers in one event and other fascinating and thrilling things.

According to the British journalist Emily Garthwaite, International media continue to overlook the Arbaeen Pilgrimage, and question how more than 25 million people make their way to Karbala each year. She was at Najaf Airport with a group of Iraqi and Iranian photographers getting ready to make a documentary on the Arbaeen Pilgrimage for someone who passed away 1400 years ago and the International media did not consider it a ground-breaking issue.

There is no political or hidden agenda to Arbaeen she says, it is just a religious but more importantly, a humanistic commitment to social justice and empowerment. *(Garthwaite, 2014)*

She notes that the massive media blackout on the Arbaeen Pilgrimage was a reason that inspired her to film it. Emily admits it was very frustrating and almost painful how surprised people would be if they reacted to the positive narrative she was showing to the world.

British journalist Charlie Metcalfe, who was participating in the Arbaeen walk for the first time, discussed the idea of Imam Hussain Holy Shrine with the International Media Centre as follows: Unfortunately, the International media focuses on a different side of Iraq and turns a blind eye towards all of this. I believe if more people knew about Arbaeen, they would want to participate and experience the journey.

According to Metcalfe, the Arbaeen Pilgrimage is underreported in the West and few people are aware of this important yearly humanitarian event.

When she visited Iraq for the Arbaeen Pilgrimage last year, political analyst and author Catherine Shakda, based in London, stressed how important Arbaeen is for fostering unity among Muslims.

We observe that International media and some Western and Arab regimes continue to use media blackouts or deploy them in ways that distort the purpose behind Arbaeen; Even when the issue is addressed, the International media tries to

destroy the historical philosophy behind Imam Hussein which indicates why the media upset to see the huge number of people from all across the globe that come and gather at Karbala each year. Hence it is our job to spread the message Of Imam Hussein that the International media is so scared of and tries so hard to shut down.

Inspiration from the Revolution of Imam Hussein

The immortal Husseini revolution is evident that the battle of Karbala was and continues to be the light and hope for all the people who are oppressed or living in injustice. Imam Hussein revolted for these ideals and beliefs. It is a revolution against oppression and tyranny in which numerous leaders, intellectuals and people were impressed by and surprised by how much their perspective was changed when they read about the event.

In a documentary, a well-known Hollywood actor Morgan Freeman, who has won numerous awards over the course of his more than five-decade career, including an Oscar and a Golden Globe, discussed the series of events that resulted in Imam Hussein's martyrdom.

He said: For centuries, men and women hear their story, I mean those who want to sacrifice themselves for their faith because they believe God chose them, And the name of one of them is Hussein ibn Ali,

and every year millions of Muslims around the world remember his sacrifice to keep his religion on the right path.

In the 2016 documentary "The Story of GOD", Morgan released these statements and introduces Imam Hussein as follows: Christians believe that God chose Jesus to show a new path for Judaism that fell under the rule of the Romans; Shi'ism in Islam is something similar. Its origin goes back to the death of a person named Hussain ibn Ali.

Finally, He concludes: Christians hold weekly ceremonies for Issa's death at an intimate and holy gathering, and Shiites hold one in a year; the funeral ceremony. This is the person they chose, who stood up for Islamic principles, no matter what the price. *(Freeman, 2022)*

Morgan wonders why the Shia community holds Hussein in such high regard. Why do they continue to commemorate his martyrdom after 1400 years? He travels to London to learn more about the Ashura tragedy. While there, he visits the Khoei Foundation Mosque, where he hears from the speakers and interacts with worshippers. He said that the star seemed quite interested in commemorating. *(Freeman, 2016)*

Edward Browne, a famous orientalist and professor of Arabic who studied in the

University of Cambridge, describes the horrible events that befell Imam Hussain at Karbala in the following way: Is it possible to find someone who learns of the tragedy at Karbala without also being overcome with sorrow and grief? Even non-Muslims are unable to deny the morality and spirituality of this Islamic holy war.

The European pastor and philosopher Thomas Masaryk says: Although our priests likewise use the sufferings of Christ to touch people's hearts, you won't find in Christ's followers the same passion and intensity as you will in Hussein's supporters, who symbolise nothing more than a blade of straw in front of a huge mountain. *(Kerbela, 2022)*

Gandhi, an Indian leader also took lessons from Hussein and his great revolution one being that he should be loving and kind until he achieves victory. The Vatican profited from Imam Hussein and even left a special section for the research of Imam Hussein's revolution.

Upon being questioned, the library director said: We saw in Hussein an attractive and effective way of evangelism that we do not have in our method of evangelisation. These studies have been conducted in an effort to better understand Hussein's personality.

Imam Hussein rebelled against oppression and

submission in favour of freedom and humanity. His movement is widespread and has inspired millions to resist oppression and injustice. It has been successful in inspiring feelings of sacrifice and martyrdom while elevating the message of truth to achieve lofty objectives.

Conclusion

God Almighty said in his Glorious Book:

"And from among you there should be a party who invite to good and enjoin what is right and forbid the wrong, and these it is that shall be successful". (Quran, 3: 104)

Justice, freedom and reformation allines with the true principles of Islam that were the principal goals of Imam Hussein's revolution against the life of deceit and corruption that the civilisations at the time were living. This revolution stands out as a movement that is full of spiritual, moral, and religious values that, if put into practice in our own life and philosophy, will be brought down to our children and offspring.

Therefore, as true believers in this revolution and its message, we must not see the harmful events unfolding upon us and sit by idly. Instead, we should make use of occasions like Arbaeen Pilgrimage and other holy days to reform and spread the message of Imam Hussein. For this reason,

it is necessary to Pilgrimage him with a firm understanding of his sacred position so that we can promote his ideals throughout the entire world especially during this Arbaeen as Imam Hussein has evolved into one of the symbols of Islamic identity.

In this regard, it's also crucial to keep in mind the well-known Imam's declaration:

"By God, I did not revolt against the oppressive Bani Umayyad out of self-interest, with the goal of oppression or corruption! I stood up instead to demand reform in the nation of my grandfather; I want to promote right and forbid wrong. Every person who accepts me through accepting the truth rather than accepting me for myself is larger in the eyes of Allah than the truth. And if someone rejects me, I will wait patiently for Allah to make a judgement call on me and them as He is the best judge". (Majlisi, 1983, Vol. 44: 329)

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PAPER DERIVED FROM THESIS

Islamic Model of Peaceful Coexistence amongst Human Beings

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ARTICL INFO	ABSTRACT
	SUBJECT AND OBJECTIVES: One of the main contemporary issues worldwide is to achieve sustainable peace wherein people of different cultures are at peace with one another. In such a situation, it is expected that Islam, as the last and perfect divine religion, will provide solutions for various issues and problems that are in the way of human life, and this article was written with this purpose. **METHOD AND FINDING**: In this qualitative research, which is a type of exploratory study, the religion of Islam strives not only to correct the apparent behavior of human beings towards each other; but also looks at the problem at its core and provides a solution for them. In other words, the model lays the foundation for Islamic culture that manifests peaceful coexistence in human action and is in line with the ultimate human goal. The Islamic model of peaceful coexistence among human beings uses the traditional categorization of Islamic teachings of theology (worldview), jurisprudential (the dos and don'ts), and ethics (the paramount of human potentials), that these elements are interconnected. In such a way that the model firstly refines the self and then the society. **CONCLUSION**: The results show that the Islamic model has the ability to lay the foundations of peaceful coexistence among human beings.
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Introduction

The Islamic model of peace is made up of three levels of teachings, the theological or the worldview, the jurisprudential or the dos and don'ts, and the ethical or the paramount of human potentials. The model presented provides the basis of an Islamic culture where in which thought manifests consciously or unconsciously in human action and forms an integral part of the ultimate goal of a human being.

Accordingly, the model presented has three aspects to it:

1. Theological teachings that give vision to human beings and picturizes their ultimate goal.

2. Jurisprudential teachings have the egal authority and bound human beings with some obligations and prohibitions in order to achieve the intended goal.

3. Ethical teachings are those that are essential to uplift and reach the apex of human potential.

These cannot be achieved except under the umbrella of theology and jurisprudence. The model at a glance is reflected in the following figure:
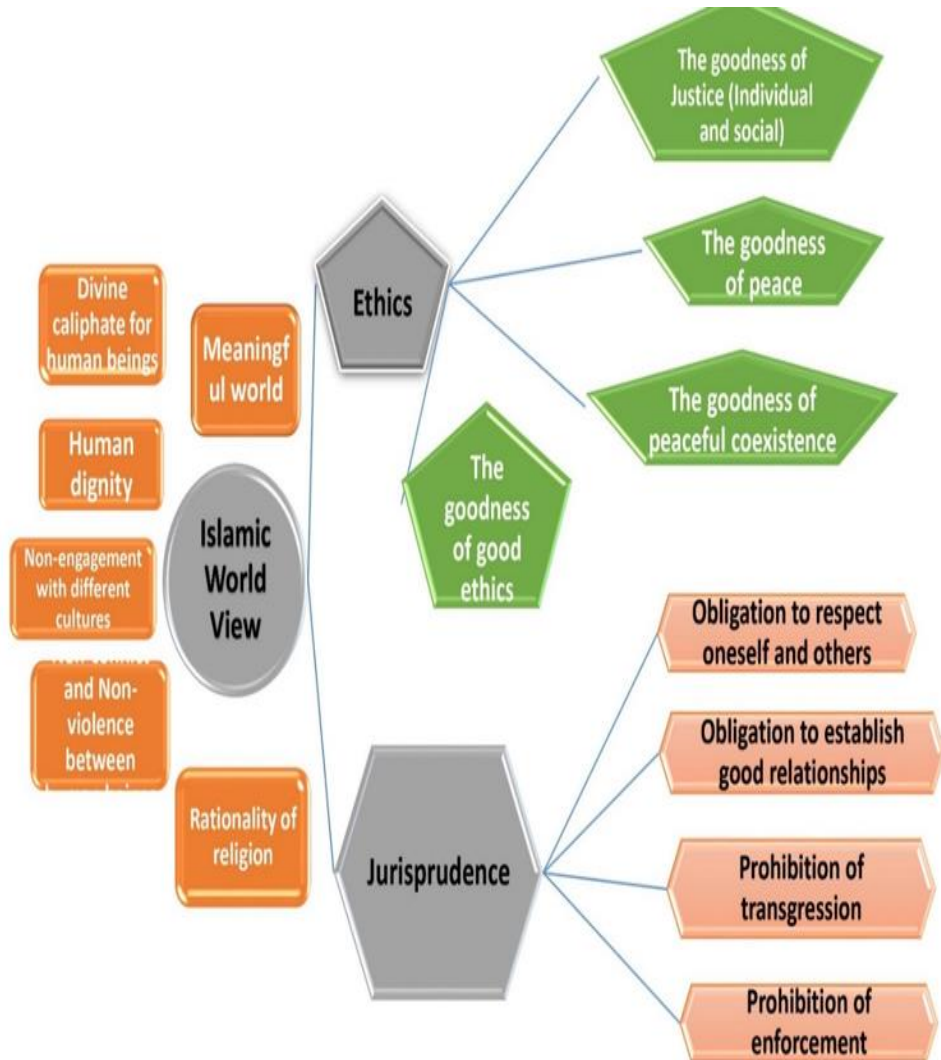
Figure 1: Islamic Model of Peaceful Coexistence in a Multicultural Society

Worldview Principles

Islamic disciplines are divided into three sections, theoretical, jurisprudential, and ethical. In this part, we will discuss the worldview elements which are in the peace model.

1. Divine Caliphate for Human Beings

The Holy Quran says:

- "Certainly, we have honored the Children of Adam, and carried them over land and sea, and provided them with all the good things, and preferred them with a complete preference over many of those We have created". (Quran, 17: 70)

- "When your Lord said to the angels, 'Indeed I am going to set a viceroy on the earth,' they said, 'Will You set in it someone who will cause corruption in it and shed blood, while we celebrate Your praise and proclaim Your sanctity?' He said, 'Indeed I know what you do not know." (Quran, 3: 30)

In Quranic terminology, human beings are the viceroys of God. The verses tell us why man has been sent to this world, what is the significance of his appointment as the vicegerent of Allah on this earth, what are the characteristics and special features of this viceregency. Unlike other Quranic stories,

this story has been mentioned only once.

Allamah Tabatabai using his unique methodology of interpretation mentions the following with regards to the selection of human beings as God's vicegerent and the objection of the angels and says:

When the angels heard the announcement that God was going to create a vicegerent in the world, they arrived at the conclusion that this creation would be the one that would create mischief in the world due to its earthly nature. A vicegerent appointed in the earth would certainly be created from material components. Therefore, he would necessarily be bestowed with two basic traits of desire and anger. These two traits along with the limited resources on the earth would place this vicegerent in constant unceasing struggle and constant confrontation.

Keeping this in view, the angels at once understood that what Allah intended to create was not only an individual but a species. The members of which would have to live together, cooperating with one another, establish a society and a social order. And with a venture like this, they were bound to cause mischief and to shed blood.

On the other hand, however, they knew that viceregency or setting one thing in place of another was unthinkable unless the

vicegerent were a true copy of his predecessor in all the characteristics, traits, and intrinsic abilities.

God with all the divine and uncomprehendable attributes was creating a specie that would be a replica of Himself; of course in its restricted human dimension, the dilemma was, how can God, the sublime, the perfect make someone who would be earthly, deficient, and lowly represent the majesty and splendor of Allah in the earth? Can a lowly creature of the earth be a mirror of divine beauty and sublimity?

For the reply, Allah used a sentence, *"Surely I know what you do not know"*, and thereafter He introduced

an act, *"And He taught Adam the names, all of them"*.

The context shows that:

The vicegerent was to get the viceregency of Allah; he was not to become a successor of any earthly creature that had preceded him. If Allah had wanted the man to take the place of that previous creature, the reply, *"And He taught Adam the names, all of them"*, would be quite irrelevant. Assuming that man was given viceregency of Allah, this prestige would not be restricted to the person of Adam only, his descendants too would be vicegerents of Allah in the earth. Adam was taught the names.

In other words, this knowledge was ingrained in

human being in such a manner that, since that first day, it has been constantly bearing newer, fresher, and better fruits. Therefore, this assumption is correct that the whole of mankind is a vicegerent of Allah is evident by the following verses:

- *"And remember (O people of 'Ãd!) when He made you successors of Nũh's people…" (Quran, 7: 69)*
- *"Then We made you successors in the land after them…" (Quran, 10: 14)*
- *"And He makes you successors in the earth". (Quran, 27: 62)*

The word translated here as "successor" is the same that has been translated as "vicegerent" in the verse under discussion.

Allah did not say that the vicegerent-designate would not cause mischief and bloodshed; nor did He reject the plea of the angels that they celebrated His praise and extolled His glory. By this silence, He confirmed that the angels were right on both counts. But then He made manifest one thing which the angels were not aware of. He showed them that there was a matter which they could not shoulder the responsibility of, while this proposed vicegerent could do so. Man was entrusted with a divine secret which the angels, in their nature, were unable to know or understand and that divine gift would more than compensate the ensuing mischief and bloodshed.

Allah told them, first, that surely, He knew what they did not know. It does not refer to Adam's knowledge of those names. The angels were unaware of even the existence of these "names"; it was not that they knew about the names but were not sure whether Adam knew them or not. Had the angels been doubtful only about Adam's knowledge of the names, it would have been enough to tell Adam to inform the angels of the names in order that they would have known that Adam knew. Instead, Allah first asked them to tell Him "the names of those".

The angels had claimed the viceregency of Allah for themselves, and had hinted that Adam was not fit for it; but the essential qualification for the viceregency was the knowledge of the names; therefore, Allah asked both candidates about the names; the angels did not know them, and Adam knew; it proved that he had the qualification while they lacked it. The question (about this knowledge) addressed to the angels ends with the clause, *"if you are right"*; it means that they had claimed a position, essential qualification of which was this knowledge. *(Tabatabai, 1996: Vol. 1: 193-199)*

The analysis of the above section shows that Human beings are made up of body and soul, which Both the dimensions have their own requirements for

their survival. The body requires food to eat, a place to live, fellow human beings, etc. for its survival whereas intellect, appetite, and anger are the primary traits of the soul essentially required for its prolongment. Since the bodily requirements are due to the material nature of human beings they are called material requirements and since the latter is related to the soul they are known as spiritual. The material aspect is common between mankind and the animal world. The two states of the soul i.e. appetite and anger are also common between the human and the animal world.

What distinguishes the two creations of God is the intellectual attribute in human beings and it is for this reason that human beings have honored and granted superiority over other creations.

The animal world which lacks human intellect acts in line with its natural tendencies of satiating its material requirement with the help of the soul that motivates it in fulfilling it. The other creation of God known as angels are pure intellect and lack the deficiencies brought about by the nature of materiality. Therefore, when the angels were notified about the creation of human beings which had material tendencies, they at once asked God that how can a being that has a tendency towards destruction be a representative of God?

The reason one says that materiality in its essences has a tendency towards destruction is that when the soul chooses one of the two extremes its goes out of the equilibrium and causes destruction.

For example, if anger and appetite are left unchecked, they lead to irreparable destruction. Therefore, unless there is a balance between the two powers materiality would bring nothing but destruction. This is precisely the argument raised by the angels as well to which God replied, *"I know what you do not know"*. Meaning there is a source in this caliph that would prevent him from going towards the extremes. That source is known as intellect, the distinguishing faculty between the human and the animal worlds.

Therefore, if mankind uses its intellect to control the material instincts and create a level of equilibrium between them, then he can rise above the angels who lack these material tendencies likewise if human beings use the intellect to go to the extremes to satisfy their material desires then such people are worse than animals, who lack the faculty of intellect.

This can also be found in the traditions of the infallible, for example, the following tradition from Abdullah bin Sanan who asked Imam Sadiq whether angels were superior or the children of Adam. Imam quoted the

Commander of the Faithful, Ali in response:

"God placed intellect in the angels without lust, He placed lust in animals without intellect and in human beings, He placed intellect along with lust. Hence, if human intellect takes over his lust, he will be superior to angels and if his lust takes over his intellect, he will be lower and meaner than animals". *(Hurr Amili, 1994, Vol. 15: 209)*

In other words, amongst the three creations of angels, animals, and human beings, the first two are bound with their innate nature whereas human beings have the free will to either follow the carnal desires and descend from the level of being called human beings or follow the commands of God and ascend to the heights higher than that of the angels.

The Holy Quran says:

"They have hearts with which they do not understand, they have eyes with which they do not see, they have ears with which they do not hear. They are like cattle; indeed, they are more astray. It is they who are heedless". *(Quran, 7: 179)*

Since, human beings are the representatives of God and therefore they ought to be a manifestation of God, albeit in their own capabilities. The teachings of Islam, including the cultural aspect,

should be such that promotes Godliness in the society. It is impossible that the teachings of Islam are empty of culture. The reason for this is that culture is the common element in a society that leads society towards a single goal. If the teachings of Islam are void of culture then there would be a vacuum between the intellectual, ethical, and practical teachings of Islam and therefore, its adherents would never reach the lofty goal suggested by Islam.

Similarly, as human beings are a combination of two dimensions, the material and the spiritual, the proposed culture should be such to include both. If there are any restrictions in any of the material or spiritual traits, it should be in line with the ultimate goal.

2. The Principle of a Meaningful World

In the Holy Quran mentions:

"Indeed, in the creation of the heavens and the earth and the alternation of the day and night there are signs for people of reason who Who remember Allah while standing or sitting or [lying] on their sides and give thought to the creation of the heavens and the earth, [saying], Our Lord, You did not create this aimlessly; exalted are You [above such a thing]; then protect us from the punishment of the Fire". (Quran, 3: 190-191)

The Quran makes it distinctly clear that it is an error to think that the world is created in vain and human beings have been created simply by chance or without a sounding purpose. The next question that comes to mind is if the world is not created in vain then what is the purpose of creation.

The Holy Quran mentions three types of goals for human beings. They are:

➢ To test human beings
➢ To worship God
➢ To attract His mercy. *(Mesbah Yazdi, 2022)*

The above-mentioned goals are not parallel to each other rather each one is a prerequisite to the other; Meaning, in order to attract God's mercy, one needs to reach the level of worship. Similarly, in order to reach the level of worship, one needs to successfully pass the divine tests and trials. Human beings need to choose the path of worship in times of test in order to attract divine mercy. To further explain the three goals mentioned in the Quran consider the following verses:

- *"It is He who created the heavens and the earth in six days- and His Throne was [then] upon the waters- that He may test you [to see] which of you is best in conduct. Yet if you say, You will indeed be raised up after death, the faithless will surely say, 'This is nothing but plain magic". (Quran, 11: 7)*

- *"It is He who has made you successors on the earth, and raised some of you in rank above others so that He may test you in respect to what He has given you. Indeed, your Lord is swift in retribution, and indeed, He is all-forgiving, all-merciful". (Quran, 6: 165)*

- *"We created man from a mixed sperm to try him, so We have made him hearing, seeing. We have shown him the way: Either grateful or ungrateful". (Quran, 18: 7)*

- *"Do the people suppose that they will be let off because they say, 'We have faith,' and they will not be tested? Certainly We tested those who were before them. So Allah shall surely ascertain those who are truthful, and He shall surely ascertain the liars". (Quran, 29: 2-3)*

- *"He, who created death and life that He may test you [to see] which of you is best in conduct. And He is the All-mighty, the All-forgiving". (Quran, 67: 2)*

It is clear from the above verses that one of the purposes of creation is to test human beings. Success and failure in these tests depend on our determination to act according to God's commandments in all situations.

We have two kinds of tests; one is personal tests, meaning our personal obligations in relation to ourselves and God (although its effect might not be

limited to being personal) like praying, fasting, etc., while the other is the social test; meaning our social obligations towards our neighbors, society, community and the humanity on a whole. The verb presented by Islam for acting in accordance to the divine will in these tests, personal as well as social, is called worship, which is another purpose of creation as mentioned in some verses of the Quran. For example:

- *"I did not create the jinn and the humans except that they may worship Me". (Quran, 51: 56)*
- *"Did I not exhort you, O children of Adam, saying, Do not worship Satan. He is indeed your manifest enemy. Worship Me. That is a straight path?" (Quran, 36: 60-61)*

As mentioned, acting in line with the commandments of Allah is known as worship whether the act is a personal act or a social act.

In the later section, we will introduce the social aspects of Islam which form the Islamic culture and how Islam suggests its adherents to live in multi-cultural society. The need to mention the purpose of human creation is to illustrate that worship encompasses all social encounters as well. For example, if a Muslim acting according to the standards of Islam, greets someone in a nice way, helps his fellow human being, stands against

oppression etc., all of these acts will be considered as worship and through these acts, the person will be able to achieve the ultimate goal of creation i.e. attracting divine mercy.

There are verses in the Quran that point towards an even higher goal for creation and that is to attract divine mercy:

"Had your Lord wished, He would have made mankind one community; but they continue to differ, except those on whom your Lord has mercy- and that is why He created them- and the word of your Lord has been fulfilled: I will surely fill hell with jinn and humans, all together". *(Quran, 11: 118-119)*

Writing about the above verse, Allamah Misbah says:

According with this verse one may conclude that the ultimate purpose of creation is to receive divine mercy. Therefore, the eventual goal is to attain divine mercy and the punishment mentioned is a necessary requirement of it. This is because, attaining divine mercy necessitates human free will and human free will necessitates that there are at least two options for people, one that leads to mercy and the other naturally would be the one leading towards divine punishment. (Mesbah Yazdi, 2022)

It is therefore upon human beings to choose that which would lead to divine mercy which in other words is known as worship and refrain from that which would cause divine punishments alternately known as sin.

The whole world has been created for us so that we can attain these goals:

"He has disposed for you[r benefit] whatever is in the heavens and whatever is on the earth; all is from Him. There are indeed signs in that for a people who reflect". (Quran, 45: 13)

One important thing to take note of here in light of our discussion is that none of the verses talk about believers or non-believers, rather the verses are general and include all human beings. Therefore, all human beings are created for the above-mentioned purposes and all of them enjoy the bounties favored by God. This is an important key, that human beings regardless of their religion, race, language, or any other differentiating factors are created by default to enjoy His blessings and thereby attract even more.

3. The Principle of the Rationality of Religion

The primary resource of Islam includes, Quran, the Ahadith, and rationality. It is a divine gift used not only to understand and comprehend but to deduct religious rulings as well as consent to something that might not be exclusively

mentioned in the Quran and Ahadith.

The Quran extols the wise, the thoughtful, and those who ponder over their affairs: *(Ref: Quran, 8: 29)*

"It is only people of understanding who heed". (Quran, 13:19)

The Holy Quran condemns those who refuse to use this precious gift, it says:

- "They will say: If only we had really listened and used our reason (minds), we would not have been companions of the Blaze". (Quran, 67:10)

- "There are those people who are blind to the truth because they refuse to see it despite the fact that they have normal eyesight, and refuse to hear despite the fact

they have normal hearing: They have hearts wherewith they understand not, they have eyes wherewith they see not, and they have ears wherewith they hear not (the truth). They are like cattle, nay even more astray; those! They are the heedless ones". (Quran, 7: 179)

- "The blind and the seeing are not the same. Nor are those who believe and do right, the same as evildoers". (Quran, 40: 58)

Therefore, even if there were no prophets sent, God would still have an argument in the form of rationality. Imam Kadhim says:

God has two arguments, the apparent and the hidden. The apparent

argument is the prophet and the Imam whereas the hidden argument is the intellect. (Kulayni, 1987)

Accordingly, if one comes across a hadith that goes against the sound intellect or interprets a verse out of context or against the other verses of the Quran, such narrations would not be considered valid, and such an interpretation would be considered incorrect.

The sage, Nasir al-Din Tusi in his book "Tajrid al-I'tiqad" says:

If the means of proving good and evil were restricted to that means provided by religious rulings alone, the good and evil of acts would, in a general manner, cease to have any meaning, since they could be proved neither by intellect nor by religious means. This is because the religious rulings on what is good or evil are in accordance with the principles of good and evil; and these principles in turn are discernible by the intellect. If the intellect were intrinsically incapable of this discernment, then the principles of good and evil become meaningless, being unprovable either by the intellect or religion: an act commanded by God would then be 'good' not because it is an expression of the universal principle of goodness; but only because it has been commanded

by God. (Ref: Sobhani Tabrizi, 2012)

4. The Principle of non-Conflict and Violence amongst Human Beings

I would quote the famous scholar George Bernard who insists that:

If a man like Muhammad was to assume the dictatorship of the modern world, he would succeed in solving the problems that would bring it the much-needed peace and happiness. (Shaw,1936)

He must be called the savior of humanity. The great historian, Lamartine argues that with regard to all standards by which human greatness may be measured, we may well ask, is there any man greater than him? *(Lamartine, 1854, Vol. 2:*

276-277) For he justifiably, does lead the list of the world's most influential persons. *(Hart, 1978)*

Therefore, God glorifies him saying:

"And we have sent you not but as a mercy for all that exists". (Quran, 21: 107)

This refers to Muslims, non-Muslims, animals, plants, etc. In other words, everything existent is encompassed by the Prophets mercy. Each and every aspect of the Holy Prophets life demonstrates perfection and is invaluable for those who seek a model of guidance. That is why he was a prophet and is considered the best of creation. He always desired peace with the Christians, Jews, and idolaters, and only unsheathed his sword

when he was forced to do so in order to defend Islam, peace, justice, and also to repel injustice and aggression. The Prophet was born to establish peace and unity in the world; Therefore, without a doubt the extinction of race awareness between Muslims is one of the most outstanding accomplishments of Islam.

The Quran stressed the steadiness of the religious experience of humankind and taught us that God sent Messengers to every people on the face of the earth. The Quran instructs Muslims to argue other faiths with respect and friendly attitude:

"Do not argue with the Peoples of the Scriptures except in the kindliest manner unless it is such of them as are set on evil doing- and say: We believe in that which has been bestowed upon us, as well as that which was bestowed upon you; for our God and you're God is one and the same, and unto Him that we surrender ourselves". (Quran, 29: 46)

Undeniably, the religion of God presented the compassionate ethos which was the trademark of the more advanced religion: brotherhood and social justice were its crucial virtues. The Jews and the Muslims lived side by side in peace in Madinah. The Prophet allowed them to exercise their religion freely. He made peace between the polytheist tribes of Aws and Khazraj.

In addition to this, he cautioned his followers that if anyone killed or abused a non-Muslim in the slightest of ways, he would not even be able to smell the fragrance of Paradise and that the Prophet himself, on Judgement Day would speak in the defense of the non-Muslim.

5. **The Principle of Human Dignity and Respect for Human Beings Without Considering Other Features**

One of the most influential principles prescribed by Islam to attain peace is to adhere to human dignity. Islam aims to ascertain, uplift, and sustain the honor and dignity of humans. In the Islamic view, man is considered as God's vicegerent on the Earth.

Every component of the world has been created for the purpose of accommodating and facilitating the fulfillment of man's noble mission of viceregency.

God explicitly mentions that the creation of a human being itself without taking into consideration its caste and creed is an honorable one and something which is honored by God should not, therefore, be dishonored by humans:

- *"We have indeed created man in the best of molds". (Quran, 95: 4)*
- *"We honored the progeny of Adam, provided them with transport on land and sea, gave them for sustenance things good and pure, and conferred on them special favors*

above a great part of our creation". (Quran, 17: 70)

It is in this sense that Islam teaches respect for the human body. Not only for the living human body but also for the dead, as exemplified by the prophet who stood up in veneration for the passing by of a funeral of a Jew, at a time when Jews were waging war against him and tried to assassinate him and then poison him but failed. One of his companions exclaimed it was only the funeral of a Jew. The Prophet retorted: is it not a human being?" *(Bukhari, 1997)*

The unity of human beings is established in many verses of the Quran and the traditions of the Prophet. The value of a human being depends on his good deeds, and not on his wealth or position:

"Oh mankind, we created you from a single (pair) of a male and female, and made you into nations and tribes that you may know each other. Verily the most honored of you in the sight of Allah (God) is he who is the most righteous of you". (Quran, 49: 13)

Based on this, if one intends to study of the creation of the universe and mankind and also the status of human beings with God, one ought to invoke the notion of love in Islam. God is love and has created the world out of love. Faith starts with love, an overpowering love for certain

truths. It is required to flourish by the nourishment of this love to the extent that one's love for God fills all of one's heart and directs all aspects of one's life.

The Love for God can rise only through the reduction of our selfishness. Only after ridding ourselves of selfishness will we be able to achieve the ultimate goal of creation. Therefore, we see that the Holy Prophet who was the most in love with God was sent as a prophet of mercy, a manifestation of divine love. He used to say the famous tradition which says:

"People are all God's family, so the dearest people to Him are those who benefit his family the most". (Kulayni, 1987)

According to the hadith similar to what is mentioned in the new testament, on the day of Judgement God will ask some people why they did not visit him when he was sick, why they did not feed him whilst he was hungry and why they did not give him water although he was thirsty. Those people will ask: how could these have happened, while you are the Lord of the entire universe? Then God will reply:

So and so was sick and you did not visit him, so and so was hungry and you did not feed him and so and so was thirsty and you did not give water to him, did not you know that if you did so you

would find me with him? (Heydarpoor, 2002)

6. The Principle of Engagement with Different Cultures

As mentioned, Islam is a religion of rationality therefore, if we come across a culture or a custom that doesn't harm the interests of humanity and doesn't go against the fundamentals of Islam and nor is it mentioned in the verses of the Quran and the narrations, then adhering to it or ignoring it would be free choice. It doesn't enforce its opinion upon others and has left humanity free to choose. In the following, two examples of the verses of the Holy Quran are mentioned:

- *"We showed him the Way: whether he be grateful or ungrateful (rests on his will). (Quran, 76: 3)*
- *There is no compulsion in adhering to the Islamic faith". (Quran, 2: 256)*

Therefore, Islam wants people to hear, ponder and then follow the best way. It wants its followers to have an insight of what they follow and to choose goodness over evil:

"Those who eschew Evil, and fall not into its worship, and turn to Allah (in repentance), for them is Good News. So announce the Good News to My Servants, Who hear advice and follow the best thereof. Such are those whom Allah guideth and such are

men of understanding".
(Quran, 39: 17-18)

The Grand Mufti of Egypt Ali Gomaa says:

I am personally fully convinced that the only ground for capital punishment for the apostate is only when apostasy is coupled with some other serious crimes such as high treason or murder.

He argued that his reasoning was based firmly on three key verses from the Quran which he reminded his audience said first, *"Unto you your religion, and unto me my religion"*; second, *"Whosoever will let him believe, and whosoever will let him disbelieve"*; and, most famously as I have already mentioned above, *"There is no compulsion in religion". (Ref: Banglawala, 2009)*

Jurisprudential Principles
After knowing the theological foundations of the Islamic model, one needs to in line with the peace model analyze the practical elements. Islamic disciplines are divided into three sections, theoretical, jurisprudential, and ethical. In this part, we will discuss the jurisprudential elements which are in line with the theoretical elements of the peace model.

1. Obligation to Respect Oneself and Others
To respect oneself means to honor and value ourselves and the people around us with that which is suitable and considered self-respect.

It is to be in line with the instance so respect in accordance with the customs of nations and their different cultures and social norms. However, to honor ourselves or others it is primarily important to know and realize our worth.

We cannot respect ourselves or others if we are ignorant about the worth of our existence as a being. One cannot expect honor and respect from a person who doesn't honor, respect, and value own self. We don't need to possess any outstanding or unique-distinguishing capabilities. Nor is it necessary to have external material achievements and possessions. The fact that we are created as a vicegerent and possess the capacity to be the caliph and representative of God is enough to dignify the whole of humanity. To understand and cherish being the masterpiece of God. It is only after the creations of human beings that God acknowledged Himself saying:

"Then We created the drop of fluid as a clinging mass. Then We created the clinging mass as a fleshy tissue. Then We created the fleshy tissue as bones. Then We clothed the bones with flesh. Then We produced him as [yet] another creature. So blessed is Allah, the best of creators". (Quran, 23: 14)

We are human beings and we have the supreme divine grace, that is, the power of discernment, choice,

will, and authority. Having all these blessings entails responsibilities. The best way we can honor ourselves is by giving the various elements of our body their correct due.

The fourth Imam, Imam Zain al-Abidin has a famous book called "The Treatise of Rights" wherein he mentions the rights of our body parts as well as the society in which we live. Some of the ways in which we can honor ourselves and the others are as follows:

- Accepting Ourselves and the people as they are.

Of course, this doesn't mean that we should strive to achieve higher ranks in material as well as spiritual. What is meant here is to be grateful for the capabilities given to us by God and not to envy the ability, potentials, possessions, etc. of others.

- Having valuable goals in life. One who respects his-self would never believe that life was bestowed in vanity.

- Having a nice and smiling appearance.

- Taking care of physical as well as mental health.

- Having values in life.

- Having self-esteem.

- Respecting others.

- The perfect example of self-respect is to avoid sins. If we sin, we are creating barriers to reaching perfection.

There are many other things for which one can refer to the book, "The Treatise of Rights".

Mohammad Adel Ziaei, a director of the Shafi'i jurisprudence group at the University of Tehran, says:

The most important issue in the discussion of literature is the need to refer to the behavior of Salaf Saleh (the righteous predecessors) and how they interacted with each other. We can consider their style to be a role model for us. Certainly, their method will help us to address the etiquette of disputes more appropriately. If we look at the golden generation that was present at the beginning of Islam, we see that despite their differences, they ultimately did things with mutual respect.

He continued that the basic principle in respecting others is to pay attention to humanity. Imam Malik says: All human beings make mistakes and also speak the right words.

In other words, their words are sometimes accepted and sometimes they are rejected; Then, referring to the shrine of the Prophet, he said: Except for this grave.

Therefore, if we accept the possibility of error as a fundamental principle, we will also accept the possibility that both we and our fellow human beings may make mistakes. If we do not accept this basis, we cannot claim the etiquette of dispute, and if a person is an absolutist, he cannot implement the etiquette of dispute.

2. Obligation to Establish Good Relationships

Most of the religions regard to worship, sacred rituals, and sacrifices as symbols of the religiosity, piety, and spirituality of a person. Those who abandon their worldly obligations and leave cities and towns for forests and caves to "meditate" are often called "holy persons". Whereas the one who involves himself in farming, trading, and establishing and maintaining good relationships are considered as normal worldly people. Islam however, changed this understanding through the concept of Ibadat or devotions and worships, as well as through its teachings on the economy, social and political affairs as well as international relations.

One important ayah in the Holy Quran refers to this integrated approach in the context of social responsibilities of human beings:

It is not righteousness that ye turn your faces towards East or West; but it is righteousness to believe in Allah and the Last Day, and the Angels, and the Book and the Messengers; to spend of your substance, out of love for Him, for your kin, for orphans, for the needy, for the wayfarer, for those who ask, and for the ransom of slaves; to be steadfast in prayer,

and practice regular charity, to fulfill the contracts which we have made, and to be firm and patient, in pain (or suffering) and adversity, and throughout all periods of panic. Such are the people of truth, God-fearing. *(Quran, 2: 177)*

In this relatively long ayah, the Quran refers to social obligations that are more important than simply facing towards the East or the West to make five times daily prayer. Without downgrading the importance of prayers, the Quran integrates the meaning and purpose of prayer with socially uplifting policies and concern for the welfare of the community. While talking about the articles of faith, the Quran reminds a believer that the declaration of faith in Allah, His Book, and the Last Day is not sufficient unless a conscious effort is also made to care for relatives, orphans, the needy, and travelers as well as to ensure the welfare of those who ask for help. Similarly, it highlights the need to use assets for the liberation of people who have been denied freedom and liberty in their own homeland or abroad.

When an institute calls for the use of material and human resources to liberate people from political oppression, this political activity is normally considered a worldly act. Nevertheless, the remarkable approach of the Quran is to place its emphasis on the

liberation of the oppressed and meeting the needs of economically less-developed people as part of devotion, worship, and faith. The value of social welfare is compared and contrasted with the value of devotion and worship of Allah, the Lord of Universe.

The Quran emphasizes establishing good relations as a basic value. This concern of the Quran for human issues makes it general, relevant, and applicable in all circumstances. It also induces a Muslim to relate his piety with social realities. It gives a new meaning to piety and virtue as social values. These values encourage a person to share the blessings and bounties of Allah with others as a matter of obligation. It is also considered a condition to achieve the ultimate goal of life.

Consequently, piety not only encompasses the love of Allah; but also the love of fellow human beings who should be treated as part of an extended human family. While the ayah begins with a reference to spending substantially for one's kin, it immediately refers to orphans, the needy, travelers, and others who may fall in the category of "strangers". This looks more complete when one adds the narration of the Holy Prophet:

"Religion is not only what one formally or ritualistically practices but how one deals with others". *(Ref: Bassiouni, 2012)*

3. Prohibition of Transgression

Man is a social being and lives in groups with his fellow human beings. The survival and continuity of social life depend on the existence of a strong bond between members of society through love, understanding, and mutual respect.

Hence, in one's social life, one is bound to abide by what one expects people to do and to treat people as one expects to be treated. Therefore, if he likes truth and righteousness, loyalty and adherence to the covenant, his life, property, reputation, honor, etc., he himself ought to be bound by these virtues; Likewise, if he hates stinginess, resentment, and jealousy of others towards himself and expects goodness and kindness from people, he should himself possess these attributes or should be striving to achieve them. If he doesn't like people to violate and transgress his rights, he should follow the suit.

The Holy Quran condemns those who neglect their social responsibilities while expecting others to fulfill them. It considers this kind of hypocrisy to be a sign of irrationality. It says:

"Will you bid others to piety and forget yourselves, while you recite the Book? Do you not exercise your reason?" (Quran, 2: 44)

Imam Sadiq while describing the rights of other members of the society says:

"The minimum right they have upon you is that you love what you love for yourself and do not like what you do not like for yourself". (Majlisi, 1983)

Our intellect, the third source for deriving religious rulings considers transgression evil, and therefore, depending upon the level of transgression every society has certain laws. Since transgression is evil and all that is evil is prohibited in Islam one can conclude that transgression in all its forms is prohibited in Islam.

Allamah Tabatabai while interpreting the verse *"O you who believe! Do not enter houses other than your own houses until you have asked permission (tastaʾnisu, from istinas) and saluted their inmates; this is better for you, that you may be mindful", (Quran, 24: 27)* says the following:

Having 'uns' with or toward something means having a peaceful relationship and affinity with it. Istinas [in the form istif ʿal] means "seeking" or "asking for" such a condition and relationship. It is done practically by mentioning God's name or doing tanahnuh (coughing, clearing the throat, hemming, making a sound like "hem" or "ahem") in order to make the host realize one's presence and willingness to enter the house. It is a way of informing the owner to

prepare for the entrant's presence because he might be in a condition that he does not want others to see him or find him in that state.

Therefore, the wisdom behind this law is to cover the private affairs of the people and respect the honor of the believers. When one asks permission and informs the owner before entering a house, and then salutes the owner after-wards, he is helping the owner to cover his private affairs and is assuring the owner about himself [that he has no ill will and is not intending any harm]. Persistence with this good custom leads to the strengthening of a general sense of brotherhood, friendship, and mutual support to reveal the fair and conceal the foul. This is referred to by saying: "This is better for you, that you may be mindful". (Quran, 24: 27)

It means: May it be that by consistent practice of this custom you would be mindful of what you should observe and revive in terms of the brotherhood and bond of the hearts, for that is where all social happiness lies. (Tabatabai, 1996)

4. Prohibition of Enforcement

This principle in line with the divine gift of free will entails that people are free to choose whatever they

like as long as it does not interfere in the general betterment of society. Meaning, in our interactions, Islam does not instruct us to force our beliefs or practices upon others. So, inviting people towards good and forbidding them from evil is one of the primary obligations upon Muslims but to enforce their belief and practice is forbidden.

On the other hand, if a person commits such a sin and the other person carries out an action out of enforcement, the act will not be accepted in Islam as it was not done with free will.

Islam encourages its followers to act with insight and has condemned blind following. This takes on more importance if the society is multicultural wherein people of different backgrounds, religions, and customs live side by side.

If we look into the history of the advent of Islam, the Holy Prophet didn't enforce Islam upon the people, rather he explained to them and those who were able to understand the message of the prophet and Islam turned towards Islam and those who did not want to follow the message of Islam turned away from it.

Ayatullah Makarem Shirazi, while providing an exegesis for the chapter of "Kafirun" mentions that, this chapter was revealed when the polytheists insisted the Holy Prophet to worship their idols for a year and they

would in turn worship Allah for the other year. The prophet rejected their request, so they said, if you only seek the blessings of our Gods then we would accept your God as well. The Holy Prophet waited for the revelation, *(Makarem Shirazi, 1995, Vol. 27)* which said:

"In the name of Allah, Most Gracious, Most Merciful.
Say: O unbelievers!
I do not serve that which you serve,
Nor do you serve Him Whom I serve:
Nor am I going to serve that which you serve,
Nor are you going to serve Him Whom I serve:
You shall have your religion and I shall have my religion". (Quran, 109: 1-6)

The verses above clearly indicate that Islam does not accept the language of force. It doesn't legitimize accepting force nor does it approve its adherents to resort to force. This is instrumental in a multicultural society that people have the freedom to do and choose whatever they want. Of Corse, like in any society, there are red lines that all citizens need to abide by but people on a social level are forbidden to use the language of force even though they might be witnessed to things they wouldn't approve of.

Ethical Principles

After mentioning the theoretical arguments and the jurisprudential maxims regarding Islam's model of peace, we will now mention the ethical statements of Islam for a peaceful multicultural society.

1. The Goodness of Justice

In Islam, rights are respected and justice, which is to protect the rights of individuals, is considered a value. There are two types of Justices emphasized in Islam, individual and social. If one is not just in his personal affairs, he won't be able to do justice in social affairs either. Opposite to the concept of justice is oppression. Oppression literally means cruelty, persecution, and diminishing one's rights. As much as justice is valuable and virtuous, oppression is considered immoral, inhuman, and vice.

- **Individual Justice**

Individual justice belongs to the individual themselves on a personal basis. Its field of exercise is within the bounds of human existence. Individual justice means that a person is able to strike a balance and establish moderation within himself. It is related to human morality and actions. It is a never-ending struggle to find the correct equilibrium between the three powers of anger, desire, and intellect.

Individual justice is so important that Imam Khamenei says:

In every human being, his personal and individual justice is instrumental in achieving social and collective justice. A person who is drenched in his carnal desires cannot claim to administer justice in society. (Imam Khamenei, 2021)

Although the provision of general and inclusive justice depends on the existence of infrastructures, including appropriate and deterrent laws, it does not necessitate that the existence of these infrastructures would lead to the establishment of justice. The main element that guarantees justice is a god-fearing human being who has reached the level of equilibrium within himself. Therefore, there is a consensus amongst Islamic scholars that individual justice is a necessary prerequisite for the establishment of social justice, and this is the reason why much stress has been laid by Islam for its adherents to adhere to justice and to beware of extravagance.

According to this, Righteousness cannot be achieved unless thru the attainment of justice. A righteous person is someone who is familiar with all the dimensions, components, and indicators of justice and observes all of them in his actions, speech, and behavior. He knows his rights as well as the rights of those in his society and while striving to secure his own rights is

careful to avoid violation of the rights of others.

- **Social Justice**

In the realm of social life, the goal of prophethood is to establish justice:

"We sent Our messengers with clear signs, the Scripture and the Balance so that people could uphold justice". (Quran, 57: 25)

According to Imam Khamenei, the lexical meaning of "justice" is moderation while technically it implies giving everything its due, with any extravagance. Nowadays, justice is the same as social justice. it is in the environment of justice and social justice that human beings can grow, reach higher human levels, and achieve perfection. Thus, the goal of the prophets in the realm of social life is a prelude to the attainment of the same goal that exists in the realm of the individual life i.e. inner transformation, modification, and becoming a true human being. *(Imam Khamenei, 2021)*

Islam promotes social justice with two great principles:
- Comprehensive and balanced unity
- General development and solidarity between individuals and communities

In the view of Islam, God has commanded the establishment of comprehensive justice and calls upon its adherents to rise in order to fulfill this obligation. The principle of social justice is

a comprehensive justice that encompasses all aspects of social, family, cultural, political, and economic life. It is necessary to establish justice in the individual as well as the social spheres of human life for humanity to progress and achieve a blissful life for all human beings. God calls upon people to be just:

"And if you judge, judge between them with equity; surely Allah loves those who judge equitably". (Quran, 5: 42)

Consequently, this divine love is those who rise up for Him desire to establish justice.

2. The Goodness of Peace

The primary principle in Islam is peace; Islam emphasizes peace in communication with all humanity, Muslim and non-Muslim alike, and It encourages its adherents to avoid war and violence, and it places limits on the use of force. Although, the Quran acknowledges the right of retribution but states:

"Those who forgive the injury and make reconciliation will be rewarded by God". (Quran, 42: 40)

In the following, will list a few principles of peace found in the Quran:

The primary principle to achieve peace is to acknowledge difference and give the alter a chance to choose whatever he wishes. The Quran acknowledges this fact and doesn't impose its

ideology or commandments upon others:

"Let there be no compulsion in religion: Truth stands out clear from error: whoever rejects evil and believes in Allah has grasped the most trustworthy handhold that never breaks. And God hears and knows all things". (Quran, 2: 256)

It explicitly mentions and rejects the enforcement of force in belief and practice:

"The truth is from your Lord, so whoever wills- let him believe, and whoever wills- let him disbelieve". (Quran, 18: 29)

Likewise, it prescribes the same ideology for the others in the society as well:

"For you is your religion, and for me is my religion". (Quran, 109: 6)

These passages advocate peace in the society and denounce violence under the banner of Islam. It implies that religious faith is a voluntary matter and that individuals must choose freely and consciously and not compulsively. The message of such verses of the Quran is to respect dissenting beliefs and to recognize the freedom of others. This principle can in many cases prevent cultural violence and contribute to the realization of the culture of peace.

Furthermore, if the path chosen by God is clear and univocal. He invites people to peace and regards war

and violence as the evil way: *(Ref: Quran, 2: 208)*

"Allah invites to the Home of Peace, and guides whomever He wills to a straight path". *(Quran, 10: 25)*

Moreover, it suggests making peace with the enemies as well:

"But if they incline towards peace, then incline towards it, and put your trust in Allah. He is the Hearer, the Knower". *(Quran, 8: 61)*

It calls upon its followers to remember the greater reward with God and the pardon and excuse the wrong-does

"The retribution of a bad action is one equivalent to it. However, whoever pardons and makes reconciliation, his reward lies with Allah. He does not love the unjust". *(Quran, 42: 40)*

3. The Goodness of Peaceful Coexistence

The teachings of Islam are based upon peaceful coexistence and call upon people to live based upon the principle of peace and justice. Therefore, it can be said that peace in Islam is an eternal constitution. Even the nature of war in Islam is a defensive one, not an offensive one because the principle of Islam is peace and coexistence, not conflict, violence, and war. War in Islam is a secondary principle, not a primary one.

The Quran justifies wars for self-defense in order to protect oneself or to protect Islamic communities against internal or external hostility. It permits physical jihad to defend itself from the wars waged against those who "violate their oaths" by breaking a treaty. Even in self-defense has been strictly limited and has its own conditions.

The instances mentioned for jihad are normally interpreted out of context for political gains. The conditions of aggression, violation of a treaty, or self-defense are considered as every person's right and by no means considered to be violence.

The Islamic teachings invite people to peaceful coexistence based upon justice and consider this existence vital for the progress of humanity. Peaceful coexistence is therefore an immortal and primary law and God doesn't love the transgressors:

"Lo! Allah loveth not aggressors". (Quran, 2: 190)

It calls upon its adherents to adhere to humanitarian principles and values. After the conquest of Mecca, the Prophet of Islam said:

"Instead of revenge and bloodshed today is a day of mercy". (Ref: Yazdani, 2020)

Therefore, the distinction between aggression and defense must be distinguished; Aggression is unlawful but

defense is permissible and at times obligatory. The Quran forbids Muslims from humiliating those who are against their ideology and calls upon its followers to respect them even though it is false:

> *"Do not insult those they call upon besides Allah, lest they insult Allah out of hostility and ignorance. We made attractive to every community their deeds. Then to their Lord is their return, and He will inform them of what they used to do".* (Quran, 6: 108)

4. The Goodness of Good Ethics

Islam gives very much emphasis on the importance of ethics and its significance for the development of individuals as well as society. A good society is composed of good people. There are many Quranic verses and hadiths which indicate the importance of ethics. The Holy Quran mentions:

> *"Let there arise out a group of people inviting to all that is good enjoining what is right and forbidding what is wrong. They are the ones who attained success".* (Quran, 5: 44)

The two important points can be highlighted from the above verse; the first is calling others to all that is good, and the second is enjoining what is right and forbidding what is wrong. Good implies the whole Islamic value system, its beliefs,

ideas, ethical principles, and all aspects of life. It can be inferred from the above verse that successful Muslims are those who firstly strive to be good and secondly, they do not limit the goodness to themselves rather they strive to make society better as well.

The manifestation of the level of humanity in human beings can be seen through their ethics. The higher the person is the better are his ethics. The best of people are those that possess the best of ethics. The Holy Prophet says:

"Nothing is heavier on the scale than having a good character". *(Kulayni, 1987)*

Ethics are the basic pillar for a healthy and firm society. A society devoid of ethical values would always be having problems. Therefore, all scholars and philosophers agree on the importance of ethics consider ethics as the foundation of every society. The first step in establishing a peaceful human society is to advocate refined morality. It is an absolute necessity to ensure the happiness and goodness of life.

Humanity needs ethics to monitor its relationship with God, with family, with other fellow human beings in society, as well as the other creatures of the universe. But before all this, the first and foremost need to have a righteous approach within their innermost self. To have such a

relationship the teachings of Islam in terms have been divided into theoretical ethics and practical ethics. The theoretical part deals with the part of the necessity of acquiring ethics and its effects on his world as well as the hereafter, while the practical part mentions the types and ways to achieve the virtues while also providing solutions to eliminate the vices.

The Holy Quran suggests adhering to the moral of the Holy Prophet, who according to the witnesses of history never did injustice to anyone while possessing the best of morals not only with the adherents of Islam but also to the adherents of other religions.

Imam Ali narrates that once the Prophet told the very rich Jew whom he had owed a few dinars that he had nothing to pay him back at that time. The Jew decided not to leave the Prophet before he would pay him. The Prophet, therefore, sat with him. In the same place, he offered the Dhuhr, Asr, Maghrib, Eshaa, and Fajr prayers. As he noticed that his companions were threatening that Jew, the Prophet looked at them and said:

"What are you doing? Allah has not sent me to wrong any person, including the followers of other religions".

Conclusion

The peace model proposed by Islam strives not only to correct the apparent behavior of human beings towards each other, rather, it looks at the problem at its core and provides a solution for them. It starts by preaching the theological basis before making jurisprudential obligations and then making way for ethical commandments. On the theoretical front, it proposes laws that manifest the status of human beings as a whole without them being divided based upon religion and sect.

Islam considers human beings as dignified creatures that have the capability to become divine caliphs. Having such a lofty status involves having greater responsibility as well. It also suggests that the world around us has a purpose and the more we strive to achieve them the higher will our station and rewards be in the hereafter. It separates humanity from other creations due to the presence of rationality within them and then considers it to be a scale upon which people will be judged.

To make people aware of their obligations, Islam then proposes jurisprudential laws. These laws ensure that no right is being usurped and that everyone enjoys a status depending upon their position in society. Justice is the pinnacle of Islamic teachings in all realms. For people to reach higher levels

of personal and social levels, it proposes ethical commandments so that people. These commandments bring peace to the person as well as the society. It ensures better and pleasing settlements for various differences and arguments. It encourages peaceful co-existence, sacrificing for the better good, the forgoing of ego and other vices.

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ORIGINAL RESEARCH PAPER

Model of Government-Clergy Interaction in Imam Khomeini's Perspective and its Relation in giving Meaning to Human Life

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ARTICL INFO	ABSTRACT
	SUBJECT AND OBJECTIVES: Iran's 1979 Islamic Revolution, led by the Imam Khomeini, kicked off a new era in interaction between the clergy and the government; an interaction which has taken shape and been institutionalized at different levels of regulation, legislation and execution, and for sure within the framework of the views of the Leader of the Islamic Revolution and adopted laws. The Imam Khomeini's views about government-clergy interaction bears significance from two aspects; First and foremost, he was instrumental in the emergence of the Islamic Revolution and the ensuing establishment of the Islamic Republic, and also the stabilization of the role of leadership; Second, the criteria he has defined about clergy-government interaction could be an acceptable index for the assessment of their status quo. **METHOD AND FINDING**: The methodology of this article originally pursues an approach based on text analysis and hermeneutics although historical analysis is incorporated. For this reason, this article seeks to know the model of clergy-government interaction which is sketched out based on the Imam Khomeini's standpoint and specifically his 22-volume Sahifeh. The research hypothesis is that the model of clergy-government interaction preached by the Imam Khomeini relies on religious beliefs and the structure of an Islamic society with a view to monitoring the government and guiding people and making the life for its nation (Ommat) meaningful. **CONCLUSION**: The results of the research showed that this article highlights the Shia ideology before discussing the standing of the supreme authority on religious matters (Marja'), Shia political discourse and the process of its formation throughout different periods, as well as the new potentialities of the Islamic Revolution like institution of supreme clerical rule (Velayat-e Faqih) and religious democracy which is an influential factor in the formation and development of the Shia political discourse.
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Introduction

To have a better understanding of the worldview and the ideology of the Shia clergy, it would be helpful to discuss its religious principles. Islam, particularly its Shia faith, envisages a broad-based and extensive spectrum for its instructions about everyday affairs of human life. That stands exactly opposite to the viewpoint limiting religion and faith to liturgy.

In other words, the Shia faith encompasses all aspects of mundane and otherworldly life including political, social, economic and cultural affairs. Popular uprisings and attempts for the establishment of Shia governments throughout different periods of history of Shiism are a product of such a worldview.

To that effect, reviewing the views of the Imam Khomeini as the ideologue and the founder of the Islamic Revolution which he went on to lead takes up added significance. From his view, the final objective of human being is to have meaning in the life and finally to perfect its soul. To reach such a degree of perfection, humanity is facing both internal and external barriers. By internal barriers, the Imam meant carnal desires and seductions and by external barriers he meant submission to tyrannical and usurping powers and governments.

In the religious ideology, refusal to compromise with theocracy is a model manifested in the Islamic

Revolution which was one of the leading political and social events of the second half of the 20th century. This event occurred in a period of human history against the backdrop of some intellectuals' perception of religion as the opium of masses and their belief that religion had lost its efficacy for the new era. *(Ref: Bashirieh, 2021, Vol. 1)*

Theoretical Foundations of Research

1. Human Being

Human is a being very similar to beings in his surroundings in terms of features and particulars. To that effect, human life is divided into three layers: in the first layer human is fed and grows like plants; in the second layer, like animals he has instincts; and in the third layer, human is eligible for perfectionism, which is reserved to humans. Due to his perfectionist nature, human is never content with any amount and level of enjoyment. Therefore, if human is abandoned to his own fate, he will not be content with any limits, as is the case with animals. Human is an insatiable animal unless his soul bows to divine law and be led by heavenly guidance. In his words on philosophy, the Imam Khomeini has an eloquent expression of human life. *(Ref: Imam Khomeini, 2002, Vol. 3: 365-366)*

2. Religion

This is where divine revelations, heavenly laws and the presence of prophets and

messengers of God as well as servants of God and religious scholars in the society take up added importance. Their presence, words and deeds rush to the rescue of human beings to help them overcome ignorance. In the Imam Khomeini's thoughts, all prophets were intent on teaching humans and legalize and put constraints on their carnal desires and instincts. For him, the prophets came to perfect the existence of humanity. *(Imam Khomeini, 1999, Vol. 11: 450; Ibid, 2002, Vol. 3: 337-338)*

3. Religious Society

A society in which people have placed faith in the messengers of God and are obedient to divine orders will be governed by divine law which would recognize and rein in human being's carnal and internal desires. In such a society, two groups of people must be distinguished: One group comprising followers the public and the other one comprising humans of higher rank including prophets, servants of God and religious scholars who are tasked with guiding the society.

4. Religious Government

Another important issue that would be instrumental in understanding the model of clergy-government interaction is the Imam Khomeini's view of an Islamic government. In an interview in 1980 with Hamid Algar, he outlined the differences between an Islamic government

and other forms of government:

> *There is a big difference between all regimes in the world and a divine regime which follows divine laws; the big difference is that even just and competent regimes are limited by natural boundaries. Nowhere in the world can you find a regime that seeks to purify the people's souls; they had nothing to do with that. [Other] governments have sought to prevent disorder, they take no action against anything done in private as people are free in private; but they are not allowed to come out and cause chaos. Only divine governments have pursued the objective of training human beings to become what they are supposed to be. (Imam Khomeini, 1999, Vol. 11: 449)*

5. Clergy

A review of the start of the Imam Khomeini movement and its persistence until victory would give a better image of his view of the clergy. The Imam's reform movement was triggered in response to a progressive trend which was breaking the law in a frenzied manner. What infuriates him more than anything else was the regime's disregard of scholars and hostile treatment meted out to them. The Imam had said that in case the regime honored Islamic law or at least the Constitution it would have the support of

scholars. *(Imam Khomeini, 1999, Vol. 1: 299)*

What Imam Khomeini was seeking in the struggles was to restore conditions in which Muslim scholars would be able to play their influential roles like before. His analysis of the future of planned changes was the loss of only social forces who could play the role of the prophets in expressing and applying Islamic law. *(Ibid: 160)* That is why he feels the threat *(Ibid: 419)* and warns against an unknown future.

The clergy is the first and foremost force whom he urges to exercise vigilance and rise up. Even after the victory of the Revolution, the clergy remained the closest and the most reliable social force to the Imam. In a bid to encourage this potential force to exhaust its power, the Imam moved first to remove obstacles which blocked the social presence of the clergy and stood against a propaganda campaign led by opponents and critics. In his view, Islam and the clergy are intertwined to such an extent that they could not be distinguished one from another.

Clergyman means Islam. The clergymen are intertwined with Islam. He who opposes the title of the clergy and clergyman is your enemy. (Imam Khomeini, 1999, Vol. 7: 461)

The Imam's descriptions of the clergy in different

stages of the Revolution are interesting:

- Agreement with the clergy means agreement with Islam. *(Imam Khomeini, 1999, Vol. 7: 468)*

- Islam minus the clergy amounts to treason. *(Ibid: 486)*

- The clergy is an unrivalled phenomenon in safeguarding Islam. The clergy is the standard-bearer of Islam for this nation. *(Ibid, Vol. 8: 44)*

- The clergy is a national asset. *(Ibid, Vol. 11: 462)*

- Islam without the clergy is like a country without doctors. *(Ibid, Vol. 14: 190)*

- Islam, except the clergy, is like medicine, except doctors. *(Ibid, Vol. 15: 21)*

- The clergy is the symbol of Islam and its propeller. *(Ibid, Vol. 18: 13)*

The Imam Khomeini's description of the clergy as the criterion of Islam is originally born out of his view of the nature of human being. For him, human being is unreliable per se as he lacks any intrinsic force to control his desires unless he feels constrained by Islamic instructions. The closer humans are to the focal point of sources of law, the more their knowledge of its implementation will be. Therefore, he draws a parallel between Islam-clergy and medicine-doctor relations. In Imam Khomeini's view,

religious society comprises a human hierarchy system which is linked with divinity.

The closer human beings to the source of revelation the more responsible they will be, and under the presence circumstances the clergy is the closest and hence more responsible. The clergy is the continuation of a string which is linked to the serial chain of the prophets, which ends in the invisible world. Therefore, laymen are expected to accept Islam based on clerical interpretations.

The Imam Khomeini has also warned of consequences of negligence of the clergy with regard to Islam:

The clergy has preserved Islam. If it breaks Islam will break. If at this juncture it is broken in our hands we will be betraying Islam and the Noble Quran. Watch out! Be careful! Adapt your deeds with Islam. If, God forbid, there are deviants among you drive them out. (Imam Khomeini, 1999, Vol. 9: 539)

While addressing people, the Imam refers to the clergy as the criterion of Islam; however, addressing the clergy, he underlines Islam as the criterion of the clergy and calls on clerics to watch out and ostracize incompetent ones in their ranks.

Since the very beginning of the Movement, the Imam did not conceal his worries:

- The clergy's thirst for power will lead to corruption. *(Imam Khomeini, 1999, Vol. 6: 285)*
- The ruling clergy should not act like the diabolical regime. *(Ibid, Vol. 8: 1)*
- In the Islamic Republic, the clergy is more than anywhere else susceptible to deviation. *(Ibid: 2)*
- The ruling clergy's anti-Islam acts will give a wrong image of Islam. *(Ibid: 3)*
- The clergy is required to prevent anti-Islam acts by the turbaned people. *(Ibid: 5)*
- The clergy is required to prevent the corruption of the clergy. *(Ibid: 303)*
- A wrong deed is in contrast with the essence of the clergy. *(Ibid: 421)*
- Islamization of the clergy in the Islamic Republic is a must. *(Ibid: 521)*
- Denial of public freedom and mistreatment of people by the clergy will play into foreigners' hands. *(Ibid, Vol. 9: 475)*
- Like every other scientific organ, the clergy is disorganized and needs reorganization. The issues will not be resolved by playing a blame game. *(Ibid: 480)*
- In the Islamic Republic, individual and collective reforms constitute the divine and religious duty of the clergy. *(Ibid: 511)*

- Un-Islamic deeds by the clergy will break the clergy and Islam. *(Imam Khomeini, 1999, Vol. 6: 539)*

- Wrong deeds by teachers in the society will push the clergy to failure. *(Ibid, Vol. 10: 24)*

- The clerics outside power must help the government instead of sitting down and complaining. *(Ibid, Vol. 15: 336)*

- A wise scholar reforms the environment he lives in and a corrupt scholar will corrupt his surroundings. *(Ibid: 484)*

- Undermining the clergy and division in the clerical rank risk distancing people away from the clergy. *(Ibid, Vol. 18: 18)*

- Instead of quantitative expansion, the clergy must put efforts in scientific and moral boost. *(Ibid, Vol. 19: 2)*

- The more the clergy braces for material benefits, the more its spirituality will be weakened. *(Ibid: 25)*

- The loss of quality of life of scholars will result in the elimination of Islam and the Islamic Republic. *(Ibid: 137)*

As described above, the Imam Khomeini maintains that the main mission assigned to an Islamic government is to make endeavors for training humans. Governments cannot remain indifferent vis-à-vis people's beliefs and morality. Therefore, by envisaging such a large-scale and long-term

objective, the presence of the clergy to liaise people and government would be inevitable. By coming closer to people and benefiting from their heartfelt trust, the clergy can convince them to align themselves with the government's human development policies and plans.

Another role for the clergy with regard to interaction with the government is to keep an eye on the performance of different branches of government and help it implement Islamic law more effectively. Although it seems that the Imam Khomeini's interpretation of clergy-government relationship has been subject to significant modifications nearly four decades after the

victory of the Islamic Revolution, he had separated the clergy from the government in clear terms:

The clergy's role is to lead the government and steer the people. The clergy does not seek governance; but has a role in the government. The clergy is responsible for looking after the government; however, it does not want to become president. The clergy exercises a controlling role. The clergy is expert in law and regulates implementation of Islamic law. The clergy is neither the government nor stranger to the government. The role of the clergy is to control the power and prevent injustice, dictatorship

and dependence. (Imam Khomeini, 1999, Vol. 11: 462-466)

Also, to see excerpts of Imam Khomeini's views about the clergy-government relationship, refer to these sources: *(Ibid, Vol. 1: 417-418; Ibid, Vol. 9: 225; Ibid, Vol. 13: 11-12&433-434; Ibid, Vol. 21: 288&292; Ibid, 2010: 138)*

6. Clergy-People Interaction

The Imam Khomeini tasks the clergy with safeguarding the people's hearts and under different circumstances urges them to accompany people, reach understanding with them, and win their trust in the government. He also calls upon the clergy to invite people to regularly be present in social affairs and practice perseverance.

(Ref: Imam Khomeini, 1999, Vol. 1: 274-275; Ibid, Vol. 9: 475; Ibid, Vol. 14: 274-275; Ibid, Vol. 15: 327; Ibid, Vol. 16: 97; Ibid, Vol. 18: 37; Ibid, Vol. 19: 3&305)

7. Clergy-Government Interaction

Interaction between the clergy and the Islamic government is an outcome of the social and religious standing of the clergy. On one hand, the clergy is well aware of Islamic law and is tasked with elucidating the law and supervising its correct implementation by different sectors of government, and on the other, it enjoys the empathy and solidarity of Muslims and believers who support the Islamic government. Therefore, the

clergy is tasked with protecting this asset. The clergy is obligated to win people's trust in the clergy and the Islamic government.

Given the Imam Khomeini's guidelines, the following basic points may be highlighted:

- Necessity of the presence of the clergy in social and political affairs in the Islamic Republic. *(Ref: Imam Khomeini, 1999, Vol. 9: 179; Ibid, Vol. 14: 184-185; Ibid, Vol. 15: 486; Ibid, Vol. 19: 185-186,248&305)*

- The clergy's administration of judicial affairs within the government. *(Ref: Ibid, Vol. 16: 423; Ibid, Vol. 17: 236)*

- The clergy's reasonable expectations from the government. *(Ref: Ibid, Vol. 15: 336; Ibid, Vol. 16: 416; Ibid, Vol. 19: 303-304)*

- The clergy's refrainment from undermining the government. *(Ref: Ibid, Vol. 19: 303; Ibid, Vol. 20: 57)*

- The clergy's refrainment from causing division. *(Ref: Ibid, Vol. 19: 250&304; Ibid, Vol. 21: 282)*

- The clergy's refrainment from unnecessary interference with government affairs. *(Ref: Ibid, Vol. 16: 348-349)*

Religion-Politics Relationship

The relationship between religion and politics remains a highly challenging issue in a religious government. Contrary to the Western-style political science which is largely distant from religion, Islam incorporates political views; the history of Islam and establishment of religious

governments in different eras bear proof to this fact. The Holy Quran and traditions have given rise to Islamic culture and civilization and prepared ground for their growth and development throughout different periods by developing concepts, reforms and political thoughts.

For example, in the Quranic verse *"There has certainly been for you in the Messenger of Allah an excellent pattern…"*, *(Quran, 33: 21)* the Prophet Muhammad is described as the pattern of excellence whose words, deeds and thoughts will serve as an example for a religious society to follow. One of these patterns which materialized by the Prophet Muhammad was the establishment of government based on Islamic teachings. *(Enayat, 2010: 18)*

The Imam Khomeini has a clear stance with regard to the relationship between politics and religion:

The extent of what have the clerics to do with politics? Campaign was spread to the point that many scholars had been convinced and every time one word was said [on politics] they responded downright: That's politics and does not concern us. (Imam Khomeini, 1999, Vol. 15: 209)

The Imam Khomeini goes on to highlight the negative impacts of this propaganda campaign, saying:

Once, the clergy would be respected when it was deep in idiocy; otherwise,

a political-minded scholar and a smart and knowledgeable cleric was always viewed negatively. That was common in seminaries. The deviants were more faithful. (Imam Khomeini, 1999, Vol. 21: 278-279)

This modus vivendi of some clerics was criticized by other figures like Ayatollah Taleqani, Shahid Beheshti and Hashemi Rafsanjani. *(Ref: Hosseini Beheshti, 1988; Hashemi Rafsanjani, 1982: 18-19)*

In the preface of a book, Ayatollah Taleqani fires a broadside at those who are indulged merely in invocations: How can one shirk social obligations for good under the pretext of non-interference with politics? *(Ref: Naeini, 1995: 6-15)*

The Imam Khomeini has express remarks:

Islam is the religion of combatants who seek right and justice; the religion of those who want freedom and independence; the school of anti-colonialism combatants and people. (Imam Khomeini, 2010: 10)

Furthermore, the publication of the "Shia School" magazine in 1959, with contributors like Allameh Tabatabaei, Hossein-Ali Rashed, Mohammad-Taqi Falsafi, Abolfazl Mousavi Zanjani and Imam Musa Sadr, was instrumental in the promotion of the Shia ideology and discourse. The magazine was banned

by the Shah regime's intelligence service "SAVAK" in 1964 after the arrest of Hashemi Rafsanjani and some of the magazine's columnists. *(Ref: Jafarian, 2011: 426-428)*

In the wake of the propaganda campaign against the clergy over its alleged relationship with the Second Pahlavi dictatorship, the clergy opted for concealing its true beliefs. The Imam Khomeini was aware of this challenge and he issued a fatwa on taqiyah; It means to precautionary concealment of one's faith or opinion about something when its disclosure is feared to jeopardize one's life or threaten any harm or loss:

- The principles of Islam are in jeopardy. The Quran and religion are in jeopardy. Hence, taqiyah is haram (religiously forbidden) and expression of truth an obligation. No more silence to injustice. (Imam Khomeini, 1999, Vol. 1: 178)
- Taqiyah concerns secondary issues. When the principles of Islam, the dignity of Islam are in jeopardy there is no room for taqiyah and silence. (Ibid, 2010: 135)

These historic fatwas by the Imam effectively encouraged the Shia cleric out of isolation.

Embracing martyrdom in addition to faith in the second coming of the Imam Mahdi to usher in justice are key elements of the

Shia ideology. In the Shia school of thought, embracing martyrdom is intertwined with its evidence, i.e. the Karbala Battle in 680 AD. Fighting injustice and struggling for promoting justice and righteousness are key concepts enshrined in the Shia-prescribed martyrdom. Belief in the reappearance of Mahdi will be the realization of divine promise and fulfilment of obligations of all prophets, servants and combatants for the sake of justice.

Both of the aforesaid concepts define the political life of Shiism. The Imam Khomeini has described the uprising of the Imam Hussein, the third Shia imam and grandson of the Prophet Muhammad, as follows:

Monarchy and [hereditary] succession constitute an ominous and invalid system of government, against which Hadhrat Seyed ash-Shohada (master of martyrs; an allusion to the Imam Hussein) rose up and was martyred. (Imam Khomeini, 2010: 8)

Shia Political Discourse

The history of formation of religious *marja'* in the Shia faith dates back to when the Imam Mahdi went into occultation. As long as the Imam Mahdi remains occult, steering and leading the Islamic society will fall upon competent religious scholars.

According to official data, during the ten centuries leading to the death of Ayatollah Boroujerdi (1961),

58 theologians had been recognized as marja', 34 of whom were Iranian and the rest were Arab. In terms of place of education, 40 of them had studied in Iraq and 14 in Iran. No information is available about the education of remaining four. A total of 18 of them had settled in Iran. *(Haeri, 2013: 82)*

Alongside the foremost mission of Islamic canonists, which was to answer to modern issues by referring to religious tradition, *(Garmroudi, 2006: 142-169)* some historical events occurred and a generation of scholars emerged who upgraded the concept of the marja' and developed the notion of supreme marja' in the 16th and 17th centuries. *(Foran, 1992: 83)*

Beyond these changes and religious developments in the concept of marja' and following changes which transpired Iran in this sector, we may evoke the Shia political discourse. Shia political discourse means a collection of perceptions and responses presented by Shia canonists and scholars about political issues during different periods and they mainly include political theories.

A sign of Shia political discourse are the developments of the three decades leading to the Islamic Revolution. They happened against the background of emergence of knowledge about the standing of the marja' and the clergy and were followed

by the emergence of new religious concepts like Taqiyah, Shahadat or embracing martyrdom, Velayat or guardianship and Intizar-e Faraj or waiting for second coming of the Imam Mahdi. *(Ref: Derakhsheh, 2005: 197-253)*

That was when for the first time the Shia political views found a place within the government. This discourse development culminated in the Islamic Revolution in the first step, and redefined itself in the following stages in light of post-revolutionary events.

Some pundits believe that the Shia marja' has so far developed seven discourses:

1. Unjust Sultan vs. Just Sultan: From the start of period of occultation up to the start of the Safavid dynasty

2. Government of Shia Shah vs. Guardianship of Just Canonist: During the Safavid dynasty

3. Silence: From the end of the Safavid dynasty until start of the Qajar

4. Public Guardianship vs. Legal Monarchy: From the start of the Qajar era to Constitutionalism

5. Constitutional Monarchy vs. Legitimate Monarchy: During Constitutionalism period

6. A politicism: During the Pahlavi era up to arrangements for the Islamic Revolution

7. **Practical Struggle for Materialization of Islamic Government:** During arrangements for the Islamic Revolution until victory of the Islamic Revolution. *(Ref: Kadivar, 2009)*

This transformation of the Shia discourse would be understood more accurately when its background is analyzed. The gradual emergence of such concepts as freedom, equality, parliament, separation of powers and law, which were unknown under former governments like the Safavid and Qajar dynasties, prompted the Shia clergy to elucidate the Shia view of these new notions. The Shia clergy expressed its views in two forms: Discourse of constitutionalist scholars and discourse of legitimate constitutional scholars. *(Jamalzadeh, 1999: 7)*

The Constitutionalist movement failed and the Pahlavi dynasty came to power. The implementation of modernist policies in the 1940s and their contrast with the clerical opinions set the stage for the development of a new Shia discourse. In this context, the Imam Khomeini's role in the development of this discourse by underscoring the necessity of establishment of an Islamic government and the ensuing formation of the Islamic Republic of Iran bears special significance. *(Kadivar, 2008: 24)*

Two more discourses were born out of the discourse of the Islamic Revolution; Velayat-e Faqih and religious

democracy. The notion of Velayat-e Faqih relies on the establishment of Islamic government. This idea was first raised by the Prophet Muhammad upon the revelation of Islam and continued afterwards by the Shia scholars after the start the Imam Mahdi's occultation as to who would be responsible for people's religion and lifestyle. The discussions about imamate and justice helped complete debate on Velayat-e Faqih.

To that effect, the Imam Khomeini says:

Today and forever, the existence of a supreme authority, i.e. a custodian ruler who will look after Islamic order and law is a must. (Imam Khomeini, 2010: 40)

Furthermore, the Velayat-e Faqih notion is based on the three hypotheses of God's sovereignty on existence, implementation of Islamic decrees and people's allegiance to the establishment. In order to make these hypotheses come true, the leader of the society is required to meet three conditions; namely, expertise in Islamic law, justice and competence. *(Ref: Shakerin, 2013: 68-222)*

This theory requires people to meet the three conditions of obedience, supervision and allegiance. Obedience means people are not authorized to make legislation, *(Ref: Imam Khomeini, 2010: 44)* supervision means Vali-e Faqih or ruling supreme cleric is legitimate as long as he is just *(Ref:*

Imam Khomeini, 2010: 73) and allegiance means people's acceptance of the Vali-e Faqih. *(Amid Zanjani, 1999, Vol. 2: 208)*

The notion of Velayat-e Faqih, which was mainly a redefinition of religious topics, was faced with new issues after the Islamic Revolution and it prompted the clergy to have a reasonable view of religion. The product of these efforts was the development of a new political theory which combined the divine and people rules. For this reason, Article 56 of the *Constitution of the Islamic Republic (1989)* underscores on one side the divine sovereignty and protection of traditional and religious values and on the other side it stresses people's sovereignty while calling for an elected establishment, civil and political freedoms.

Sociological Study of Pahlavi Collapse

Neopatrimonialism, which is derived from Max Weber's patrimonialism, is one of famous sociological views about ruling establishments. This theory is largely adaptable to the Pahlavi regime, particularly the tenure of Shah Mohammad Reza Pahlavi; the period when the method of governance prompted the clergy to rise up against the ruling regime.

Neopatrimonialism is seen mainly in the Middle East regimes. Autocracy, strictly centralized power, and neglect of traditional constraints

constitute the main features of such systems. *(Weber, 1978: 230)*

Now, we review some neopatrimonialist features of the Pahlavi regime:

Neopatrimonialist regimes are generally brought to power by special groups. That indicates the limited social base of such governing establishments. Enjoying the support of a group of political pundits, Reza Shah came to power in such a manner. The weakness of private ownership and absence of independent social classes, which occurred in the aftermath of Shah Mohammad Reza's agrarian reforms, set the stage for the independence of social. Furthermore, oil revenues made the regime independent from the people and consequently the dictatorial Pahlavi regime in the proper sense of the word took shape. *(Ref: Chehabi and Linz, 1998: 17-77; Eivazi, 2004)*

Such ruling regimes refuse to honor modern legal systems and laws. Symbols of democratic systems like parliament, general elections and parties are seen; however, these organs are directly or indirectly elected under the eye of an autocracy and are tolerated as long as they do not impose any restrictions upon the establishment. This issue is in maximum compliance with the aftermath of the February 21, 1921 coup d'état; on one side, we see new models of governance are devised for legitimization,

and one the other side, they become invalid as soon as they pose restrictions to the Shah. *(Ref: Manouchehri, 1998: 13)*

As it was mentioned earlier, neopatrimonialist regimes lack a social basis and therefore in a bid to justify their legitimacy they depend on foreign powers' support in addition to resorting to a new method of governance. That is why such regimes will make every effort to benefit from the presence of foreign governments by luring them into Iran through economic projects. Examples could be seen in the presence of Russian, English, European and American officials and companies in Iran. *(Ref: Katouzian, 2000: 18)*

Since the aforementioned issues, i.e. lack of minimal social basis and dependence on foreign powers, do not complete the puzzle of the Pahlavi legitimacy, the rulers capitalize on nationalism in the society in a bid to stabilize and legitimize their standing. The Pahlavi regime was no exception to this rule and since 1933 it pursued such policies as return to ancient Persia, changing the country's official calendar from solar hijri to imperial calendar, staging 2,500-year-old fetes, countering the Arabic language, and promoting Pan-Iranism whose remnants are still visible in the Iranian society. *(Ref: Eivazi, 2004: 74-75)*

Another feature of neopatrimonialism, which is clearly observed in the Pahlavi establishment, is concentration on nepotism and cronyism in economic affairs. The Pahlavi regime relied only on its own affiliates; Of course, these economic activities were often tainted with corruption and illegality.

The abundant petrodollars in the 1970s worsened the situation and stoked economic corruption. Short-term economic growth and boom could be seen in such regimes due to access to new financial sources; however, corruption in the political system, individualism and limited distribution of wealth due to exclusive trust in the royal families would trigger economic crash in the long-term. *(Ref: Alamdari, 1998: 12; Huntington, 2006)*

Apart from the sociological debates about the Pahlavi governance, the phenomenon that transpired the society was the isolation of religion and promotion of secularism in the society. Traditions which constituted a key element of social culture were an opportunity missed by the regime. On the contrary, the regime developed new cultures which did not match the beliefs of a traditional society, thereby widening the gap between the people and the regime in power.

Shia Clergy Stance against Pahlavi Secularism

A main feature of the Shia clergy is their belief in the

divine nature of governance and supervision on all mundane affairs of the people. This issue is a major concept in cognitive fundamentals of Islamic governance from the Imam Khomeini's view.

In the political society leading to the Islamic Revolution, masses were seriously involved. Intellectuals represented an influential player. Ali Shariati may be referred to as the representative of this group. Expressing opposition to the development plans envisaged by the Shah, Shariati managed to push the clergy to close ranks with students and intellectuals. That helped link different social strata like laborers and the poor.

What prepared the ground for the victory of the Islamic Revolution was the coherence of the alliance of people, which was born out of communications between different strata on one hand and the leadership of the Islamic Revolution on the other. Amid the unbridled wave of carnage, like the September 8, 1978 Black Friday, the leadership of the Revolution braced for new methods like calling general strikes and mass protests to shake the foundations of the Pahlavi regime, and after all, the Imam's steadfastness in changing the government and unseating the ruling monarchy to install an Islamic Republic led to the victory of the Islamic

Revolution. *(Foran, 1992: 545-546 & 584-585)*

In his attempt for the victory of the Islamic Revolution, the Imam Khomeini urged the Iranians to continue their strikes before issuing messages to the military and the Army to join the revolutionary movement. The Imam also highlighted the common objectives of opponents, like national independence, freedom and democracy, in order to win a maximum social base, which was the most valuable asset of the Revolution. *(Milani, 2007: 224)*

The sociological and phenomenological approach presented here was painting a historical image of the events leading to the Islamic Revolution in Iran. It seems that despite all the social and historical events of those years, what led to the Revolution were the ideological principles of the leader and the founder of the Islamic Revolution.

Causes of Pahlavi Collapse in Imam Khomeini's View
Imam Khomeini says about this:

- Let me say that neither political factions nor the clergy can claim that they caused revolt across Iran and did this (Islamic Revolution). They were God's combatants who did it. It was a divine order and we pin hope on Him. It was not a human issue to be unsupported. That was an act of God.

(Imam Khomeini, 1999, Vol. 3: 39)

- That was an invisible hand which was extended to awaken this country. *(Ibid, Vol. 16: 181)*

For the Imam Khomeini, divine will was the first and foremost factor in the victory of the Islamic Revolution; this factor is incomparable with other instrumental factors in terms of value and credit:

We are obligated to remove ambiguities that have been fabricated against Islam. As long as we did not erase these ambiguities off minds we could not do anything. We have to remove these ambiguities which have been developed in the minds of even many of our educated people under the influence of negative propaganda against Islam over centuries. I assure you that if you introduce this school of thought and introduce the Islamic government as it is to universities students will accept it. The students are opposed to dictatorship, they are opposed to puppet colonized regimes, they are opposed to bullying and plundering of public assets, they are opposed to consuming ill-gotten wealth and spreading lies; but no university and student opposes an Islam with such social system of governance and teachings. (Imam Khomeini, 2010: 77)

People constitute a major asset for the Islamic Revolution and the Islamic establishment. These people will not become assets before they have not found a correct understanding of their surroundings. The Imam Khomeini believed that universities were seeking facts and that they would not hesitate to join Islam and the Islamic establishment if their questions were answered correctly:

This idea of the Imam Khomeini is supported by the divinity of human nature; a nature which needs to be awakened. That is why the Imam Khomeini refers to "Internal Revolution" as key to objective and external revolution: *(Ref: Imam Khomeini, 1999, Vol. 19: 478-487)*

The most we can do is to awaken the people. (Ibid, 1984, Vol. 10: 46)

Based on this, the Imam Khomeini expected the clergy and religious marja' to awaken the dormant human nature in order to lead it onto the path traced by God for human beings.

As mentioned earlier, the Imam Khomeini believed that humanity was destined to drive its soul to perfection which itself requires self-awareness as the key for going through internal and external barriers.

Another factor largely highlighted by the Imam Khomeini as the cause of the downfall of the imperial regime was the absence of a social base:

Imperial regimes and particularly in this recent regime, this meaning was totally inverted. I mean the ruling regime was treating the nation with allegations, pressure, annoyance, torture, imprisonment and similar conducts and the defenseless nation tried to evade taxes, shirk every responsibility and obstruct state affairs as much as it could. That created a gap between the people and the government which had no popular support. The ruling regime wrongly imagined to be independent and it had broken away from the nation. For its part, the nation did by no means trust the regime and considered it as its enemy. Due to the lack of a base in the nation, it had no option but to go and it finally did go. That must serve as a lesson for all governments. (Imam Khomeini, 1999, Vol. 8: 230)

The Imam Khomeini also refers to widespread injustice done to the people by the Pahlavi regime as another cause of the victory of the Islamic Revolution, saying:

One thing that brought you this victory was the increased injustice and crackdown. In response to suppression, pent-up demands are accumulated and they wait for a voice. Therefore what brought you to victory and defeated them was that they were the oppressor and you were the oppressed.

That caused discontent and then you turned to Islam more and more and you went ahead. (Imam Khomeini, 1999, Vol. 8: 443-444)

Conclusion

The fundamental standing which the Imam Khomeini envisaged for the clergy in the Islamic establishment is a special one rooted in the social background of clerics. Religious scholars enjoy a special standing in the idealistic model of religious society.

The clergy has been assigned two important obligations which it must fulfill simultaneously. On one hand, the clergy is tasked with guidance and monitoring and it should not change the parameters preached by the Imam Khomeini to take power independently and deprive the people of this political chance and marginalize them. On the other hand, if the clergy plans to bring people and government closer together and convince the people to show empathy for and solidarity with the Islamic government it would have to give political room to the people and let them compete among themselves.

Such a trend must be reinforced based on religious democracy from day to day. In return, the clergy would find its genuine standing in the society, as envisaged by the Imam Khomeini, and enjoy opportunities presented by the people's confidence in clergymen and

finally would lead them to better understanding of human life.

Over the past half a century, the Shia clergy has progressed significantly in the world in the face of influential discourses in light of the potentialities of the Shia political discourse. The theory of Islamic government and Velayat-e Faqih is one of these new capacities of the Shia political discourse. On this front, the Imam Khomeini's view mainly promotes the implementation of divine law rather than a religious government. This political discourse, which was raised during the Imam Khomeini's lifetime almost five decades ago, has redefined political concepts in a bid to develop political canon law for the purpose of social democratization and better understanding of human life.

It is also important to note that full knowledge of the Imam's thoughts on the clergy would not be possible only through his speeches and works; hence, we have to discuss other aspects of the issue. But meantime, this study is not expected to outline all aspects of the Imam's thoughts, part of which remains hidden behind his lifestyle. A separate forum would be needed to extract such details.

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PAPER DERIVED FROM THESIS

Infectious Diseases and the Social Responsibility of the Governance System in Improving Human Life

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ARTICL INFO	ABSTRACT
	SUBJECT AND OBJECTIVES: Due to the outbreak of a virus from the corona family called Covid-19, which has infected millions of people around the world, the subject of the possibility or impossibility of Government responsibility for infectious diseases is a global issue. It is the Government's duty to act in order to improve human life, and this is in accordance with its existential philosophy. This debate originates from the capabilities and powers that are monopolized by Government. It is believed that, by resorting to the authority and discretions of a conventional Government, it can prevent the spread of many infectious diseases to a large extent and in case of negligence in performing tasks, must be liable. This is the initial question: Why should the Government be liable for infectious disease which it had no role in creating it? **METHOD AND FINDING**: In this paper, by descriptive and analytical method and by collecting library resources, the continuity and relation between the responsibility of the Government and infectious diseases will be discussed. The Right to Life and the Right to Health are the basis of legal authority to intervene in the field of infectious diseases. **CONCLUSION**: Public Law and Human Rights has a special view of infectious diseases and some statutes provide for Emergency Situations. Governments are committed to taking the most effective measures possible to prevent spread of infectious diseases. According to the findings of this study, during Corona, these liabilities for the Government can be enumerated: Identification, Determining the liable authorities and institution, Education, Responsibility for prevention and treatment, Establish and expand insurance protections, Compensation for victims, Judicial and political Responsibility. In Iran, it is necessary to design a comprehensive system for exceptional situations such as pandemics.
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54	2	(Iran)

Introduction

The corona virus was first discovered in late 2019 in Wuhan, China, and was officially reported to the World Health Organization by the Chinese National Health Commission on January 12, 2020. *(China National Health Commission, 2020)* The virus spread around the world quickly, which the World Health Organization described on March 11, 2020 as a pandemic or global epidemic. Since then, a full-scale struggle against humanity has begun. *(Ref: WHO, 2020)*

The World Health Organization defines infectious disease as: Infectious diseases are caused by pathogenic microorganisms such as bacteria, viruses, parasites, or fungi. These diseases can be transmitted directly or indirectly from one person to another. Tuberculosis and various types of influenza, cholera, measles, SARS and Covid-19 are among these diseases. We must also be aware of the fact that Corona is not the last pandemic, and subsequent pandemics are on the way. About eight years ago, Ellen G.P. Ross and colleagues warned that the outbreak of the Ebola virus signaled another pandemic in the near future: As the Ebola epidemic slows, we need to think about how we can better prepare for the next pandemic. What is very important is the abundance of pandemics that have

occurred over the last few decades. *(Ross et al, 2015)*

The outbreak of various infectious diseases in the last decade proves this claim: Outbreak of acute respiratory syndrome (SARS) in 2007, Influenza A and H5N1 (bird flu) in 2007, H1N1 flu (swine flu) in 2009, Middle East Acute Respiratory Syndrome in 2012 and Ebola in 2014. Therefore, the incidence of pandemics is decreasing.

Governments have a primary liability to ensure that the risk of natural disasters is reduced, responded to, and improved in their territories. For example; the ruling of the European Court of Human Rights in the *Case of Budayeva and Others v. Russia (2008)* declared that

governments were liable for the loss and destruction of property caused by natural disasters.

Governments, on the other hand, have been forced to restrict the individual rights of a large number of their citizens in order to ensure the health of the people, maintain social security, and their survival, citing the rule of law. Under these circumstances, Governments tightly monitor public freedoms.

The premise of examining Government responsibility during an outbreak of coronavirus is that dealing with the disease at the national level requires a model of coherent, purposeful, and legitimate action. The examination of the issue is based on the assumption

that the performance of Governments must be in accordance with the requirements of the constitution and the rule of the constitution. *(Cambot, 1998)*

Now the question is why should the Government engage in a wide range of liabilities when an infectious disease occurs? Every day, Governments are very much looking for resources to retrieve their revenue shortfalls, so why should impose multiple liabilities on them when such diseases occur? This article will try to answer the above questions. In this regard, first, the social responsibility of the governance system in improving human life in dealing with infectious diseases will be examined.

After that, we will address legal documentation of Government liability for infectious diseases. Finally, we will explore the types of Government liabilities in the event of an infectious disease and Iran's assessment of this issue.

The Social Responsibility of the Governance System
In the legal analysis of the theoretical foundations of this discussion, the important characteristics of corona should be considered: epidemic, highly contagious, with persistent symptoms and the possibility of death. *(Ghamami, 2020)* Given this crucial premise, the most important question that needs to be answered is: Why should the Government

be logically liable in the event of a pandemic?

One of the basic analyses may be that whenever the occurrence or spread of the disease is related to two or more factors, some of which are normal and some of which are related to human or organizational (abnormal) error, the abnormal factor should be responsible for compensation. *(Ref: U.S. v. Montrose Chemical Corp, 1995)*

In addition, according to the theory of "Social Contract" that was introduced to public opinion in 1762 by Jean-Jacques Rousseau- by joining to this contract, citizens cede part of their freedoms to the Government and demand security in return. Security in this sense means the security of body and mind, and therefore when people are harmed by a social phenomenon, the Government is obliged to protect the health and lives of people, according to the obligation under this contract.

In the case of Corona, the principles of Government accountability relate to the principle of the need for Government intervention in cases of public interest. Philosophically, the right to life, the right to health and the right to security and a safe environment underlie the legal authority to intervene in infectious diseases.

Explaining the theoretical framework, control of infectious diseases requires public health interventions, which often violate the rights of

individuals. This is unavoidable, as such diseases can spread from one infected person to another. Thus, we need to have a clearer understanding of the moral dilemmas regarding the prevention and treatment of infectious diseases and the control of such diseases, in respect of individual rights in the face of public protection. As a result, there is a fundamental tension between individual rights and the protection of public health and well-being in the prevention, treatment and control of communicable diseases. *(Phua, 2013)*

If the quantity and quality of restrictions on the guarantee of fundamental rights are such that the principle of a democratic system is overshadowed and in practice the political regime changes from a rule of law to an authoritarian system, the actions taken will not be easily justified, because without the guarantee of fundamental rights, even the Constitution will not make sense. Any society in which the guarantee of rights is not assured, nor the separation of powers determined, has no Constitution. *(Declaration of the Rights of Man and of the Citizen, 1789, Article 16)*

In this section, we will explain the various principles that justify the Government's liability for infectious diseases.

1. The Right to Life

The right to life as the most fundamental human value will have the consequence of human rights that no

other rights or basic human values can take precedence over the value of life. Life is morally the most fundamental element of human value. Life in this view seems to be the source and origin of other values. Now, if life is a right, the question will be: Who is liable? Human rights are claims and demands that require an obligation to guarantee and respect them. Lawyers believe that human rights are in fact legitimate demands and claims against the Government, which requires the Government to be obliged to respect human rights. *(Ghari Syed Fatemi, 2016)*

In answer to the question of whether the right to life is a positive or negative right, it should be said that if we consider the right to life as the only negative right, then the scope of this right includes only the prohibition of murder. The essence of the negative right is summed up in the prohibition of others about it. Thus, the commitment of the Government, as the main obligation in protecting the negative rights of others, is to confront those who seek to take the lives of others or even their own lives. The analysis of the right to life in the theoretical framework of the negative right is a very minimal analysis of this right. From such a right, it is difficult to imagine a commitment and obligation for the Government, the individual or other members

of society to take welfare, health or even educational support measures in support of the individual's life. *(Ref: Paust, 2014; Ghari Syed Fatemi, 2016)*

One of the considerable principles in justifying the benefit of individuals from the minimum health is the analysis of the right to life as a positive right. An analysis according to which the Government is committed to protecting the lives of citizens not only against actions that violate the principle of life but also in the form of protective measures to guarantee life. Therefore, it can be said that the Government, as the main obligor in this human right, is obliged not to violate this right on its own, nor to allow others to commit such violations. On the other hand, it is committed to take positive measures to preserve and ensure the lives of its citizens. Based on such analyses and theoretical foundations, the Government's liability in the matter of Corona can be proved.

All in all, the right to life is the most fundamental human right, and other rights enshrined in international human rights instruments stand by it. This right is so important that it cannot be ignored even in an emergency. *(ICCPR, 1966: Article 4)*

The right to life in disturbed situations may be endangered or violated. Failure to provide the necessary provisions in dealing

with those who violate the right to life of others is itself a violation of this fundamental human right. Also, the lack of Government support for certain individuals or groups or leaving the hands of certain groups and individuals in attacking the lives of others are other manifestations of the violation of the right to life. Therefore, in the case of Corona, the Government has a positive duty to protect the right to life of individuals in society and will be liable if it fails.

2. The Right to Health

The right to health, as one of the examples of the second generation of human rights, requires the intervention and positive actions of the Government because individuals alone are not able to protect their health. Without health protection, people will not be able to enjoy many individual and economic freedoms they have been given. This right can include a variety of issues related to public health.

The World Health Organization, with the help of the High Commissioner for Human Rights, has interpreted the right to health enshrined in the Universal Declaration of Human Rights and the Covenant on Economic and Social Rights, and enumerated elements for it. In general, the right to health includes the following components: *(Ref: WHO and OHCHR, 2008)*

- The right of access to health facilities, goods and services on a non-discriminatory basis, especially for vulnerable or marginalized groups: Access must be non-discriminatory, and especially the most marginalized and vulnerable sections of society must be able to access and benefit from goods, services and health centers, both legally and in practice.

- Comprehensive right to health: We frequently associate the right to health with access to health care and the building of hospitals. This is correct, but the right to health extends further. It includes a wide range of factors that can help us lead a healthy life. They include: Safe drinking water and adequate sanitation, Safe food, adequate nutrition and housing, Healthy working and environmental conditions. *(WHO and OHCHR, 2008)*

- The right to enjoy: This right emphasizes the right of citizens to a health care system based on providing equal opportunities, The right to prevent, treat and control the disease, The right to access essential medicines, The right to timely and equal access to basic health services, education and health information and to participate in health decision-making for all.

- Getting rid of degrading and unsatisfactory behavior: This aspect emphasizes the liberation from treatment without patient consent, such as the prohibition of experiments and research without consent. In this regard, Article 7 of the *International Covenant on Civil and Political Rights (1966)* explicitly prohibits medical and scientific experiments on human beings without their full knowledge of the limits and scope of the experiment: No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment. In particular, no one shall be subjected without his free consent to medical or scientific experimentation. On the other hand, the United Nations has adopted the principles of medical ethics regarding the role of health workers and has issued guidelines to protect prisoners and detainees from inhumane treatment and punishment. *(UNGA,1982)*

- Social Determinants of Health: It means the conditions in which people are born, grow and live, work and grow old. These situations are shaped by the distribution of money and wealth, power and resources at the global, national and local levels. *(WHO, 2017)* For example, there is a significant correlation between poverty and

communicable diseases. The map of areas living on less than $ 2 a day is consistent with the malaria and tuberculosis distribution map. *(Alsan et al, 2011)* Poverty leads to poor nutrition and health, ignorance, lack of adequate health care, and large-scale political instability, which are the best conditions for the spread of infectious diseases. On the other hand, infectious diseases cause serious damage to the economic situation, social unrest, political instability and poverty. *(Ebrahimgol et al, 2021)*

The exercise of the right to treatment, based on the principle of self-determination and autonomy, is in a situation where the individual's illness does not harm others or public health or is not contagious. Thus, Treatment of patients with Covid-19 is mandatory, either with the informed consent of the individual or by force; Because this disease is contagious and if the infected person refuses, it will cause the spread of the disease, the violation of the right to health of others and public health. *(McConnell, 2000)*

Therefore, based on such interests, the Government has a moral and legal obligation to treat all patients appropriately based on their right to receive medical and rescue interventions. Suspension of the informed consent of individuals regarding an

ordinary illness is contrary to the fundamental principles of human rights, such as respect for the dignity, independence, freedom of will, the principle of self-determination, and patients have the right to refuse treatment, but in situations like the Corona pandemic outbreak, Life-saving therapeutic interventions are imposed on patients by the Government to protect public health benefits. *(Byrn, 1975)*

The protection of public health is one of the basic duties and responsibilities of the Government, so whenever it is threatened, the Government can, according to the law, ignore the consent of patients who threaten public health. Of course, these impositions must be in compliance with the laws, Islamic rules and human rights, along with judicial supervision, compensation and providing the basic necessities of life for the patients. *(Khosravi, 2020)*

It is important to note that the right to health, like other human rights, is a duty for Governments to their citizens. Governments' commitment to the right to health, like other human rights, is realized at three levels: Respect refers to the negative aspect of Governments' commitment and means the Government's refusal to intervene directly or indirectly negatively in the right to health. The duty to protect the right to health has a positive aspect and means the Government's

positive intervention for third parties from violating the right to health of others. In this approach, the Government is obliged to provide the necessary health education using the correct and valid education content. Provide all sections of society, monitor the quality of food or medicine production, avoid air and water pollution. The duty to fulfill the right to health means the duty of the Government to create the conditions for people to have the right to health and take the necessary measures to meet the needs of individuals regarding health, which is often done in the form of comprehensive and detailed plans. In this regard, the Government is obliged to take measures to implement the executive budget, judicial budget and etc, to realize and enforce these rights. *(Eide et al, 2001)*

Whenever a state's public order is compromised in terms of security, health, and public service delivery, Governments use tools to prevent, manage, reduce, and compensate. These tools are used at different levels in emergency situations. For example, the first coronary heart disease in Italy was registered in late January 2020, and then in a short time, especially in the north of the country, the spread of the disease became very large. The situation was such that by the end of April; ie in three months, the number of infected

people reached 200,000 and more than 25,000 people were reported dead. Hence, Italy had one of the most critical conditions among the countries of the world. To deal with this unprecedented catastrophe, the Government decided to use the tools of emergency legislation provided for in Article 77 of the Constitution. *(Gatta, 2020)*

The Government shall not, unless properly delegated by the Chambers, issue decrees having the value of law. (Italy's Constitution, 1947: Article 77)

Accordingly, Countries have used three models of mild, moderate, and severe or authoritarian restraint based on two specific legislative or compliance with general requirements, including general emergency requirements, to combat coronary heart disease. In creating a state of emergency, a set of legal principles must be observed. These principles include some aspects of the legal system, including the principle of continuity and the principle of conformity in the provision of public services and some refer to public rights and freedoms, including the rule of law, the principle of proportionality and the principle of precaution.

Paying attention to these principles can, on the one hand, regulate crisis management and, on the other hand, prevent gross violations of legitimate rights and freedoms, especially personal information

and privacy, through the constitutional and administrative proceedings. *(Ghamami, 2020)*

In addition, according to Islamic rules and the meaning of the rule of "Saving the System", matters that are secondary as required to maintain order, are obligatory and what disturbs the system is forbidden. The purpose of the system is not only the system of Government but also social order. *(Nobahar, 2019)*

It should be noted that when a democratic state goes into a state of emergency, it practically and apparently loses its difference from an authoritarian system, because both consider the interests of the Government to be superior to the fundamental rights of individuals. Thus, in a state of emergency, in order to differentiate, systems based on the rule of law are obliged to strike the best possible balance between conflicting principles; including the rights of individuals and the interests of Government or the community. *(Jalali and abouata, 2020)*

Therefore, when declaring and implementing an emergency regarding a health crisis such as an infectious disease, it is necessary that the measures taken be specifically to prevent the disease, prevent its spread, and care for patients. For this reason, it is believed that the use of methods such as isolating patients and especially

mandatory quarantine of suspects who violate the right to freedom of movement should be the last resort and if there is no possibility of voluntary quarantine. *(Shu-Acquaye, 2017)*

According to the doctrine of "Due Diligence", Governments are required to control infectious diseases, regardless of whether the threats come from the activities of public or private institutions, legal or non-legal actions, or natural disasters. The prevalence of Covid-19 has these characteristics and its harmful consequences against public health have been scientifically proven. Therefore, Governments are committed to taking the most effective measures possible to prevent its spread and prevent the formation of similar diseases. *(Dias and Coco, 2020)*

Due diligence is one of components of Good governance that assess the extent of the Government's response to threats, or damage and Requires Governments to prevent, stop and compensate for domestic and cross-border damage. Commitment to identifying threats and disseminating information by Governments in the event of an outbreak of a contagious disease is one of the main requirements of the due diligence doctrine during the outbreak of Covid-19. *(Ghasemi and Akefi Ghaziani, 2021)*

Legal Documentation of Government Responsibility

Different legal systems have adopted different ways to control infectious diseases. In some countries, an epidemic is considered an emergency situation. Some countries, using comprehensive health laws that cover a variety of health issues, and have expressed Government liability in the event of an epidemic. Some countries also have special rules for infectious diseases. The following are the most important legal documents to deal with Covid-19.

1. Internal Legal Documents

In the Iranian legal system, there are various documents in the Constitution and ordinary laws that can be applied to special circumstances such as the coronation. In this part of the article, we will examine these legal documents on how the Government deals with infectious diseases.

In the Iranian legal system, Article 79 of the *Constitution of the Islamic Republic of Iran (1989)* states:

> *In case of war and similar emergencies, the Government has the right to temporarily impose the necessary restrictions with the approval of the Islamic Consultative Assembly, but its duration may not exceed thirty days and if the need remains, the Government is obliged to obtain permission from the parliament again.*

Also, Articles 210 and 211 of the *Rules of Procedure of the Islamic Consultative Assembly (2000)*, approved on 2000/04/08, have formulated provisions in line with the application of Article 79 of the Constitution:

- Pursuant to Article 79 of the Constitution, in case of war and emergency, such as when the government has the right to impose the necessary restrictions with the approval of the Islamic Consultative Assembly, before imposing the restriction, the full text of the necessary restrictions with the necessary justifications, together with the bill submitted to the parliament for consideration. *(Article 210)*

- Consideration of the bill is a necessary limitation of a council and, if approved by the parliament, its implementation period may not exceed thirty days. If the need remains after the expiration of this period, the government is obliged to obtain permission from the parliament again. *(Article 211)*

Due to the allegorical nature and comparability of the corona situation with war, the corona situation can be an example of a state of emergency. The state of war has characteristics that by extending them to other conditions and their abolition of the nature of war, it can be said that the current coronary state also

has those characteristics. The first feature of war is the general threat, and the Corona virus undoubtedly carries this threat, because according to statistics published by various institutions, it has severely endangered the life of human society. The second characteristic of war is its spread, and the corona virus has this characteristic too. Therefore, the current corona situation, both in terms of risk and prevalence, can be an example of an emergency situation. So, it should be noted that Article 79 of the *Constitution (1989)*, stating *"State of war and a state of emergency like it"*, considers a high threshold for the imposition of

necessary restrictions. *(Mohebbi and Karami, 2016)*

In a general definition, a "State of Emergency" is a situation to contain the imminent dangers of governance and to restore public order or security and public health to protect the existence of a country. This is a Government statement that suspends some of the normal functions of the executive, the legislature, the judiciary and non-Governmental organizations. Such declarations are usually made in the event of natural disasters or crises and civil unrest or after the declaration of war, or the state of international or domestic armed conflict. *(Ghamami, 2020)*

Regarding the mechanisms of monitoring the announcement and establishment of the necessary restrictions, it can be said that in the Iranian constitution, both mechanisms of legislative supervision and judicial supervision have been used. According to Article 79 of the *Constitution (1989)*, any imposition of necessary restrictions by the Government is subject to the approval of the Parliament. In addition, if the Government imposes the necessary restrictions without the legal permission of the parliament, anyone can revoke the decisions and actions of the Government in imposing the necessary restrictions, which are contrary to the order provided in Article 79 of the Constitution, from the Court of Administrative Justice to demand.

Regarding the basis of the Government's authority to impose certain restrictions on contagious diseases such as coronary heart disease, in addition to Article 79 of the Constitution, Article 176 of the *Constitution (1989)*, which is the subject of the "Supreme National Security Council" may be argued. In explaining national security, it is stated:

> *National security in a semantic sense means the negation of the threat and is diverse in terms of territory and includes different types in the context of time.*

This principle of the Constitution, without imposing any particular restrictions on the exercise of the Council's competence, gives the Council ample opportunity to confront all kinds of internal and external threats in order to safeguard the national interest and protect the Islamic Revolution and its territorial integrity and national sovereignty.

Now, considering that the corona is a national and public threat and endangers public health, its confrontation can be considered in order to ensure national security, and the fight against it in the current situation can be considered as national interests. Thus, the extensive and interpretable capacity of Article 176 regarding the powers of the Supreme National Security Council in the face of a variety of threats, including threats to public health, has enabled the Government to establish a "National Anti-Corona Headquarter" through its approval and through this headquarters, impose some restrictions; Of course, in order for the council to pass, it must be implemented by the approval of the highest official of the political system (the leadership).

In addition to the constitutional capacity, other laws have found ways to combat infectious diseases. According to the range of consequences of the spread of infectious diseases and the resulting damages to individuals and communities,

the fight against infectious diseases is classified as a matter of Government. For this reason, in paragraph "k" of Article 8 of *act Civil Service Management (2007)*, the legislator considers the promotion of health, public education, control and prevention of diseases and epidemics as the duties of the Government (Sovereign acts). The Government intervenes in these matters, citing its authority and powers.

An examination of the relevant laws and regulations shows that infectious diseases, in the event of a general outbreak, are considered examples of crisis and therefore appropriate measures should be taken to deal with them.

Paragraph "A" of Article 1 of the *Law on the Establishment of the Crisis Management Organization of the Country (2008)* defines the crisis as:

It is a situation that arises suddenly or uncontrollably as a result of natural and human incidents, events and actions; except in the case of security and social issues, and causes hardship to a human community and resolving it requires urgent and extraordinary measures.

Article 12 of the law stipulates:

In the event of natural disasters and unforeseen accidents, the Government is allowed to provide the equivalent of one and

two tenths of one percent of the general budget each year from the intended location.

In addition, Article 688 of the *Islamic Penal Code (2012)* has the appropriate capacity to criminalize acts that pose a threat to public health. According to this article, those who threaten public health will be sentenced to imprisonment, and it is up to the Ministry of Health and other responsible institutions to determine this.

The *Act of Prevention of Sexually Transmitted Diseases and Infectious Diseases (1941)*, focuses thematically on infectious diseases, but this law, in terms of antiquity, does not meet the needs of today in a wide-ranging issue such as Corona with its unlimited effects.

Therefore, the Iranian legislative system has a series of general provisions regarding the diseases and medical status of the country, and therefore, there is no specific strategy for dealing with biological weapons and pervasive diseases such as Corona and this is a serious weakness for effective and lawful action. In this regard, it is necessary to approve in accordance with the principle of the rule of law, security and safety of citizens' health. Also, necessary mechanisms should be designed to comply with Article 79 of the Constitution. *(Ghamami, 2020)*

2. Documentation of the International Commitments

Under the provisions of the *International Covenant on Civil and Political Rights (1966)*, all persons have the inherent right to life, No one shall be arbitrarily deprived of his life and this right must be protected by the domestic law of the States (Article 6), Failure by Governments to implement public health policies could lead to violations of this right. Governments have a positive duty to protect and guarantee the right to life and are required to take the necessary measures to protect the lives of individuals and prevent their lives from being endangered in their own land. This includes providing emergency medical services as well as managing accidents and emergencies in situations such as communicable diseases.

The International Covenant on Economic, Social and Cultural Rights (1996), recognizes the right of all persons to the enjoyment of the highest attainable standard of physical and mental health (paragraph 1 of Article 12). In order to achieve this important goal, Governments are required to prevent, treat and combat infectious, endemic, occupational, etc. diseases (paragraph 2 of Article 12).

In many international instruments, including Article 11 of the *European Social Charter (1996)*, Article 16 of the *African Charter on Human and Peoples' Rights*

(1981), as well as Article 10 of the Additional *Protocol to the American Convention on Human Rights in the Area of Economic, Social and Cultural Rights (1988)*, emphasize the right to health in a similar literature. *(Asgharnia, 2016)*

All Governments, in the full realization of the right to health, are required to strive and make maximum use of available resources. This commitment includes the adoption of national health policies in line with the health needs of all members of society and the implementation of necessary measures to prevent, control and treat infectious diseases. *(Dias and Coco, 2020)*

Therefore, Governments that do not take the necessary measures to prevent the outbreak of Covid-19 are likely to be in breach of these international obligations. *(Ghasemi and Akefi Ghaziani, 2020)*

A central and historic responsibility for the World Health Organization (WHO) has been the management of the global regime for the control of the international spread of disease. Under Articles 21(a) and 22, the *Constitution of WHO (1946)* confers upon the World Health Assembly the authority to adopt regulations designed to prevent the international spread of disease which, after adoption by the Health Assembly, enter into force

for all WHO Member States that do not affirmatively opt out of them within a specified time period. *(IHR, 2005: Foreword)*

So, this Constitution, includes health commitments, the violation of which could give Governments international liability. Paragraph 3 of Article 3 of these regulations *(IHR, 2005)* states the implementation of these Regulations shall be guided by the goal of universal application for the protection of all people of the world from the international spread of disease. In addition, in accordance with Article 5 of these regulations, Governments have a responsibility to develop and maintain infrastructure to monitor the reporting and announcing public health crises.

In general, it should be said that countries have resorted to various ways to deal with the corona crisis, which does not necessarily fall within the scope of the state of emergency. For example, Germany has used *Infection Protection Act (2001)* to control the Corona pandemic, despite the existence of both a "State of Tension" in Article 80, and a "State of Defense" in Article 115. *(German Constitution, 1949)*

Types of Social Responsibility of the Governance System
According to lawyers, a wide range of tasks and liabilities should be considered

for the Government at the time of the outbreak of infectious diseases and especially at the time of the outbreak of Covid-19, which are mentioned below:

1. Identification

Identification is the first step in planning to support human groups in an epidemic situation. In other words, the first step is to identify the prevalence of a pandemic or infectious disease and to announce the specific situation that arose from it. In addition, vulnerable groups should be monitored and recorded based on accurate information systems. Through the creation of information networks, Government support guidelines are developed and made available to Government agents. *(Habibnezhad and Ameri, 2020)*

2. Determining the Liable Authorities and Institution

One of the most important steps in exceptional situations, such as a corona pandemic, is to determine the authorities or institution responsible. The principle of access to liable authorities, if important in normal situations, is crucial in special circumstances. Laws governing emergencies must designate liable authorities and enumerate the scope of their authority. The appointment of these officials makes them accountable to the people if they do not perform their duties. As mentioned earlier, the institution liable for policy-making and coordination of

actions on the issue of Corona is the *Corona National Headquarter*, designed with the approval of the Supreme National Security Council. *(Mozaffari and Mirzaei Moghadam, 2020*) Also, the implementing body of the announced policies are various institutions of the country, including the Ministries (especially the Ministry of Health) and the military force and police.

In general, coherent and focused management in various crises and emergencies is one of the important principles that through this coordination, service distribution and needs are met more equitably and efficiently and waste of resources will

be prevented. *(Habibnezhad and Ameri, 2020)*

3. Education

Education is an important tool for reducing crisis risk in the context of Hyogo action. *(World Conference on Disaster Reduction, 2005)* According to which, the use of knowledge, innovation and education to build a culture of safety and flexibility at all levels is considered as one of the main priorities. According to this framework, the effects of crises are reduced when people are well aware. In this regard, the collection and dissemination of knowledge and information about hazards, vulnerabilities and capacities is a priority, especially for vulnerable people. Furthermore,

providing scientific and transparent information by using psychological capacities to persuade those who refuse treatment has special importance.

4. Responsibility for Prevention and Treatment

Pursuant to Article 12 of the *International Covenant on Economic, Social and Cultural Rights (1996)* and General Theory 14 of Covenant on the Prevention and Treatment of Covid-19, the States Parties to the present Covenant recognize the right of everyone to the enjoyment of the highest attainable standard of physical and mental health. *(Ref: CESCR, 2000: General Comment)*

The steps to be taken by the States Parties to the present Covenant to achieve the full realization of this right shall include those necessary for:

- The provision for the reduction of the stillbirth-rate and of infant mortality and for the healthy development of the child
- The improvement of all aspects of environmental and industrial hygiene
- The prevention, treatment and control of epidemic, endemic, occupational and other diseases
- The creation of conditions which would assure to all medical service and medical attention in the event of sickness
- Apply useful and effective immediate treatments

commensurate with the right to treatment and health

- Establishment of adequate medical, health and psychotherapy centers
- Free or low-cost treatment of patients, especially for vulnerable groups
- Fair and non-discriminatory behavior in the distribution of health and medical facilities
- Declaring a state of emergency in the event of a widespread outbreak of the disease and imposing restrictions on certain rights and freedoms
- Perform tests and screenings to find patients
- Suspension of informed consent of patients and detainees refusing treatment or quarantine

- Compulsory treatment of all patients in compliance with human rights and legal standards
- Epidemiological surveillance includes controlling an infected or suspected person, without restricting a person's freedom of movement, as well as conducting health and epidemiological tests on the individual
- Cleaning and disinfecting virus-infected areas
- Adopt policies for prevention, control and treatment of the disease and criminalizing Corona publishers
- Compulsory quarantine of patients in medical centers or private homes. *(Ref: Ameri and Habibnezhad, 2020)*

5. Establish and Expand Insurance Protections

Providing insurance and support services to vulnerable groups and victims of crises such as the Corona Pandemic is essential. According to Article 29 of the *Iranian Constitution (1989)*:

It is universal right to benefit from social security in respect of retirement, unemployment, old age, disability, being stranded, absence of a guardian, accidents, and from health and medical services and care provided through insurance or other means. The government must provide the afore-mentioned services and financial support for every individual citizen by drawing, in accordance with law, on national revenues and funds obtained through public contributions.

Accordingly, having social security insurance is a public right. This principle emphasizes the protection of people involved in accidents and people in need of health services in the form of social security insurance. Providing the minimum basic necessities, including adequate food, drinking water, shelter and medical and health items, for the general public and especially the vulnerable during the outbreak of infectious diseases, is an important liability of today's Governments.

6. Compensation for Victims

Corona has greatly affected all aspects of human life, including biological, health, economic, cultural, and social dimensions. One of the most important aspects of this pandemic is the huge financial losses to various businesses and only Governments can compensate them, due to the scope of its authority and resources available. In Iran, for example, the Corona National Headquarter has taken a number of decisions to support businesses: *(Center for Presidential Strategic Studies, 2021)*

- Deferment of bank installments
- Employer premium deferral
- Deferment of water and electricity costs
- Postponement of gas costs
- Postponement of municipal costs
- Fixing the effect of returned checks
- Providing lower interest rate loans with a three-month grace period for affected businesses
- Forgiveness of tax debt offenses
- Automatic renewal of licenses
- Social support aimed at reducing the social effects of the corona economic shock. *(Ref: Mahra, 2020)*

7. Judicial and Political Responsibility

Along with the existence of various liabilities for the Government, it is possible

to speak of its judicial responsibility in case of negligence and non-negligence. For example, the Government's failure to close its air and land borders in a timely manner, or its failure to promptly announce the arrival of the coronavirus in the country, could lead to judicial liability on the part of the Government.

In addition, in exceptional circumstances, such as the outbreak of the Corona Pandemic, the suspension of human rights is one of the solutions envisaged in legal systems in order to strike a balance between human rights and freedoms on the one hand and for the benefit of the public on the other. Although conditions are envisaged in order to prevent the possible abuse of Government powers in recognizing the necessity or non-necessity of suspending the rights of individuals, due to the freedom of action of states in recognizing this issue, independent oversight of Government actions is necessary. Therefore, due to the important role of an independent judiciary in protecting the human rights of individuals, judicial oversight of the process of limiting or suspending human rights or Government negligence can be crucial. *(Eghbali, 2019)*

In addition to the judicial liability of the Government, we can talk about its political liability. Politically, Governments are under the

control of formal and informal observers. For example, parliamentary control of the Government, along with the tools of questioning, impeachment, inquiry, ombudsman, and most importantly, public control on Government, are forms of political control.

Assessing the Iranian Legal System in Social Responsibility of the Governance

As mentioned earlier, the Iranian legal system; both the Constitution and ordinary law has the capacity to predict specific circumstances, such as the coronary condition. Monitoring the Government when an infectious disease occurs is an important issue that should be addressed in the legal system. In such cases, the Government gives a lot of power to itself by resorting to the higher interests of society, and then continues to violate many of its obligations regarding the rights of individuals. Therefore, monitoring the performance of the Government will be necessary.

Regarding the mechanisms of monitoring the declaration and application of emergency situations, it can be said that both legislative monitoring and judicial monitoring mechanisms have been used in the Iranian Constitution. According to Article 79 of the *Constitution (1989)*, any necessary restrictions imposed by the Government are subject to the approval of

the Islamic Consultative Assembly and the approval of the relevant law in the Guardian Council. In addition, if the Government imposes the necessary restrictions without the legal permission of the Parliament, anyone can revoke the decision and actions of the Government in imposing the necessary restrictions, which are contrary to the procedure provided for in Article 79 of the Constitution.

As long as this legal solution serves the interests of the political system and the nation, all governing institutions are obliged to accept this legal solution. But Constitution, by anticipating guardianship of Faqih, has given him the authority to act in situations where this legal solution does not serve the interests of the country and the people or going through the legal process requires wasting time and losing more public interests. In such a situation, he acts with his authority to solve the problem that has arisen as a result of the emergency situation. This authority of the Supreme Leader in the Iranian constitution can be considered similar to the model of extra-legal actions; Of course, it should be noted that the Supreme Leader's exercise of extraordinary powers is extra-legal, not illegal, because it is done under specific criteria and with the aim of providing materials that the law is

unable to provide. *(Mohebbi and Karami, 2016)*

Some legal systems, such as the United States legal system, anticipate different levels of emergencies and disasters, and for each of these levels, a mechanism for announcing it by the Government and the President has been established. In addition, the Federal Emergency Management Agency has specific assistance, budgets, and assistance programs for each disaster level. The anticipation of these different levels of emergencies is not reflected in Iranian regulations and is all referred to as an emergency or crisis.

Due to the importance of determining the level of emergencies for planning and service delivery, as well as the type and extent of Government intervention in various emergencies, determining the different levels of disasters and the mechanism for declaring each one in Iranian regulations can better reflect the rights and liabilities of local and central institutions in different emergencies. *(Farrokhi, 2017)*

The lack of legal control on the Government and executive bodies in the event of the declaration or non-declaration of emergency status is another shortcoming of Iranian regulations; However, separation of powers and the need for Government freedom of action in emergencies are cited as reasons for this

uncontrollability, but issues such as the need to respect human rights, the need to compensate for disasters or Government misconduct, as well as the right of local authorities to object to the central Government, challenge this uncontrollability.

In Iran, according to Articles 10 and 12 of the *Law on the Organization and Procedure of the Court of Administrative Justice (2003)*, if there is an illegal restriction or disqualification in an emergency, the Court of Administrative Justice can investigate the matter; Of course, the review of this court is not automatic and relies on litigation. Nevertheless, it is not possible to file a lawsuit regarding security and socio-political issues, of which the Supreme National Security Council is the competent authority, according to the note of Article 12 of this law. Therefore, in Iran, where the National Corona Headquarter has been established as a sub-council of the Supreme National Security Council in accordance with Article 176 of the *Constitution (1989)*, it is out of the administrative proceedings of the Administrative Court of Justice. *(Ghamami, 2021)*

It is important to anticipate specific regulations in environmental protection that are not mentioned in the regulations. For example, in the case of Corona, sanitary waste and repeated use of disinfectants caused

a lot of environmental damage, and it is appropriate for Iranian law to provide a legal solution to the effects and consequences of the actions of the Government and the people.

Conclusion

In this article, we address the important question of why Government should be socially responsible in the event of a pandemic. What is this social responsibility and how is it exercised? It was explained that philosophically, the Right to Life and the Right to Health are the basis of legal authority to intervene in the field of infectious diseases.

The Right to Life is the most fundamental human right on which the implementation of the rights enshrined in international human rights instruments depends. This right is so important that it cannot be ignored even in an emergency. The right to life in disturbed situations may be endangered. Failure to provide the necessary provisions in dealing with those who violate the right to life of others is itself a violation of this fundamental human right. Also, leaving the hands of certain groups and individuals in the attack on the life of others is another manifestation of the violation of the right to life. Therefore, in the case of Corona, the Government has a positive duty to protect the right to life of

individuals in society and will be liable if it fails.

The Right to Health is another principle of Government responsible for infectious diseases. According to the doctrine of due diligence, Governments are required to control infectious diseases, regardless of whether the threats come from the activities of public or private institutions, legal or non-legal actions, or natural disasters.

The prevalence of Covid-19 disease has these characteristics and its harmful consequences against public health have been scientifically proven. Therefore, Governments are committed to taking the most effective measures possible to prevent its spread and prevent the formation of similar diseases. The protection of public health is one of the basic duties and responsibilities of the Government, so whenever it is threatened, the Government can, according to the law, ignore the consent of sick people who threaten public health.

According to the findings of this study, during Corona, these liabilities for the Government can be enumerated: Identification, Determining the liable authorities and institution, Education, Liability for prevention and treatment, Establish and expand insurance protections, Compensation for victims, Judicial and political liability.

In Iran, as in some countries, apart from some limited and scattered legal provisions, there is no special scheme to deal with biological weapons and epidemic diseases such as Corona, and this is a serious weakness for effective and lawful action. In this regard, it is necessary to design a comprehensive system for special conditions and exceptional situations such as pandemics, firstly to ensure the safety and health of citizens and secondly to comply with the principles of the Constitution, especially Article 79 of the Constitution and related mechanisms.

Decision-making constitutes the nature and philosophy of the state, and the state cannot and should not be completely taken by surprise in the face of natural, social, economic, and health crises such as the corona. Rather, it must make the right decisions with foresight while strengthening the agility of its structures and based on citizen participation.

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APPLIED PAPER

The Effect of Public Service and Leadership on giving Meaning to Life and Community Participation in Villages Development (Case Study: Jambi Province, Indonesia)

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ARTICL INFO	ABSTRACT
	SUBJECT AND OBJECTIVES: The purpose of this study was to determine the effect of public service and leadership on giving meaning to life and community participation in village development in Jambi Province, for this purpose, the villages of Jambi province in Indonesia were examined as a case study. **METHOD AND FINDING**: This research was conducted using quantitative and descriptive methods. Based on this, data obtained by using a questionnaire to the respondents as many as 277 people. Determination of the research sample using area sampling technique, from the district, sub-district and village levels. Also, data were analyzed using multiple regression statistical techniques. **CONCLUSION**: The results showed that the public service variable had a significant effect on community participation in village development. The leadership variable also has a significant effect on giving meaning to life and community participation in villages development. Therefore and Simultaneously, the variables of public service and leadership have a significant effect on giving meaning to life and community participation in villages development. Accordingly, it is recommended to the government to improve public services both in quantity and quality and show democratic leadership in order to further increase community participation in giving meaning to life and villages development.
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NUMBER OF REFERENCES	NUMBER OF AUTHORS	NATIONALITY OF AUTHOR
22	3	(Indonesia)

Introduction

The main goal of development is to create an enabling environment for its people to enjoy long, healthy and productive lives. In accordance with the mandate of Law concerning villages, the purpose of village development is to improve the welfare of rural communities and the quality of human life and to reduce poverty through fulfilling basic needs, building village facilities and infrastructure, building local economic potential and utilizing natural resources and the environment in a sustainable manner. *(Lembaran RI Tahun, Vol. 6, 2014)*

Through the development carried out, it can be directed to improve welfare, strengthen community resilience and the basis of economic, social, cultural, political, security and social resilience. In its implementation, the principles of self-help and mutual cooperation are still prioritized, with some existing policies or programs that apply should be harmonized with the different potentials and conditions in each region. Therefore, to overcome the problems that occur in the region must be adapted to each case that occurs in it. *(Tomasi et al, 2019)*

Problem Statement

Participation means conscious and voluntary participation to participate physically and non-physically in activities ranging from planning,

implementation, evaluation and utilization of development results. If the definition of participation is detailed, it contains the following elements:

1. Participation or involvement in an activity
2. Voluntary awareness
3. A pro-active attitude
4. Contributions made, both physical and non-physical
5. The existence of agreements. *(Moch, 2014: 145)*

Community participation in development is still very minimal, this is in line with the results of research conducted, which states that community participation in development is still low and is influenced by several factors, namely: limited public understanding, the absence of the principle of equality in a forum, the existence of a pessimistic and apathetic attitude of the community, when the community clashes with the implementation of development. *(Sigalingging and Warjio, 2014)*

Social harmonization is a very important factor in the life of a multicultural society to realize equal participation for all people in development. *(Włodarska-Frykowska, 2017)*

However, in reality, each place has a different level of participation. There are many factors that make the community reluctant to participate in the development, both individually by the community itself and the support and encouragement of community leaders in the District.

The character of the village community can basically be seen through local organizations that grow and develop in the community, social capital, leadership styles and conflict management mechanisms, these four of which greatly affect community participation in the socio-economic realm, as well as in governance and village development. This means that these four elements contribute to the rise and fall of the degree and intensity of community participation.

Jambi is one of the provinces that have the Developing Village Index (IDM) in the developing category, which is 0.69. Almost all IDM districts in Jambi Province are below 0.71 and there is only 1 district that is classified as independent, namely Sungai Penuh City and classified as advanced Batanghari Regency. *(Badan Pusan Statistik Provinsi Jambi, 2022)* This condition illustrates the not yet maximal development carried out by the government and the level of community participation.

Community participation is influenced by several factors, one of which is public service and leadership. Public service is the provision of services (serving) carried out by public service providers (government) as an effort to fulfil the needs and needs of service recipients or the community as well as implementing provisions of

laws and regulations that have an interest in the organization in accordance with the basic rules and procedures that have been established. Determined. *(Mubarok and Suparman, 2019: 12)*

Meanwhile, leadership is how an individual becomes a leader to try to influence his subordinates to want to work together to achieve an organization's goals. *(Ref: Tristina and Widagdo, 2019)*

Thus it can be concluded that public services and leadership certainly have a role in increasing on giving meaning to life and community participation in villages development. This is in line with the results of research conducted, that the variable quality of public services has a positive and significant influence on community satisfaction, which is 35, 5%. *(Ref: Velayati, 2018)*

Based on the problems and various previous studies, it is necessary to study more deeply the influence of public services and leadership on giving meaning to life and community participation in development in Jambi Province.

Research Methods
The research method used in this study is a quantitative method. The research data was obtained from a random sample of the community. Determination of the sample is carried out using the area sampling technique from the district, sub-district and village

levels. *(Sugiyono, 2017)* Determination of the number of samples using the Solvin technique, as shown in the following table:

Table 1: Research Sample

No	Regency	Subdistrict	Total population	Sample
1	Tanjung Jabung Timur	Nipah Panjang	26,503	33
		Rantau Rasau	24,780	31
		Sadu	13,401	17
2	Tanjung Jabung Barat	Tungkal Ilir	72,795	90
		Pengabuan	25,514	32
		Betara	3,563	4
3	Bungo	Tanah Sepenggal Lintas	23,401	29
		Tanah Sepenggal	23,293	29
		Rantau Pandan	10,324	13
	Total		223,574	277

Source: *Indeks Desa Membangun, Vol. 2, 2016*

The data were analyzed using multiple regression statistical techniques after fulfilling the analysis prerequisite tests, namely normality test, multicollinearity test, and heteroscedasticity test.

Results and Discussion

1. Description of Public Service

Public service is an illustration of how the quality of the bureaucracy in service. The description of public services can be seen in the following table:

Table 2: Distribution of Public Service Frequency

Interval			Category	F	Percentage (%)
13	-	16	Very high	52	18.77
9	-	12	High	203	73.29
5	-	8	Low	22	7.94
1	-	4	Very low	0	0.00
Total				277	100.00

Source: *Badan Pusan Statistik Provinsi Jambi, 2022*

Based on Table 2, it is explained that most (73.29%) of the people in the study area rate the public services provided by the village government in the high category and 52 percent rate it very high. There are 7.94 percent of the people who assess the public services provided by the village government in the low category.

2. Description of Village Head Leadership

Leaders are individuals who lead and leaders are traits that must be possessed by a leader, while leadership is an effort to influence others by providing encouragement and guidance in working together to pursue mutually agreed goals. *(Badu, 2017: 32)*

Table 3: Distribution of Village Head Leadership Frequency

Interval			Category	F	Percentage (%)
13	-	16	Very high	50	18.05
9	-	12	High	202	72.92
5	-	8	Low	24	8.66
1	-	4	Very low	1	0.36
Total				277	100.00

Source: *Badan Pusan Statistik Provinsi Jambi, 2022*

Based on Table 3, it is explained that most (72.92%) of the people in the study area rate that the leadership of the village government is in the high category and 18.05 percent rate it very high. There are 8.66 percent who rate it low and 0.36 percent very low.

3. Description of giving Meaning to Life and Community Participation in Villages Development

The principle of participation is oriented to community resources, the opportunity to participate is wide open so that the community can participate actively and freely in development activities starting from the stages of design, implication, to evaluation.

Table 4: Description of Community Participation in Life and Villages Development Frequency

Interval			Category	F	Percentage (%)
13	-	16	Very high	85	30.69
9	-	12	High	116	41.88
5	-	8	Low	75	27.08
1	-	4	Very low	1	0.36
Total				277	100.00

Source: *Badan Pusan Statistik Provinsi Jambi, 2022*

Based on Table 4, it is explained that most (41.88%) and 30.69 percent are in the very high category. There are 27 percent of the people who have participation in giving meaning to life and village development in the low category and 0.36 percent in the very low category.

4. Regression Analysis Results

Regression analysis was conducted to determine the level of influence of the variables of public service and leadership on giving meaning to life and community participation in village development either partially or simultaneously, as shown in Table 5 below:

Tabel 5: Output Regression

Variabel	Coefficients	Standard Error	t Stat	P-value
Intercept	0.800	0.999	0.801	0.424
X_1	0.536	0.107	4.983	0.000
X_2	0.288	0.096	3.010	0.003

R Square = 0,26

F = 47.30

Based on Table 5, the X1 coefficient value is positive at 0.536, indicating that if public services increase by one unit, it will increase community participation in giving meaning to life and village development by 0.536 units. The value of the X2 coefficient is positive at 0.288, meaning that if the village government leadership variable increases by one unit, it will increase community participation in giving meaning to life and village development by 0.288 units. The two independent variables have a statistically significant effect on the dependent variable either partially or simultaneously at an error rate of 5 percent, mathematically it can be written in the following equation:

$$Y = -3,723 + 1,124\ X_1 + 0,602\ X_2 + e$$

Based on the value of R Square (0.26), the model is classified as weak as a predictor of the effect of public service and leadership variables on community participation in giving meaning to life and villages development. This is because there are many other variables that affect community participation in giving meaning to life and villages development that have not been included in the model. Besides that, in general, cross section data has a small coefficient of determination compared to time series data because each observation has a large variation. *(Ghazali, 2013)*

5. The Influence of Public Services on Community Participation

Good quality public services is a community need to participate in every development movement in the village. Public services are basically present to answer the unrest experienced by the community due to the services provided by government officials. Quality public services will make it easier for the community to participate and obtain their rights. Therefore, good management will directly affect the quality of service.

The findings in this study indicate that public services provided to the community do not encourage their participation in village development. This is understandable because the services provided by the village government to the community are still very minimal so these services have little effect on community participation in village development. Therefore, it is necessary to socialize with the community about various interests in the population that must be fulfilled and supported by good services in facilitating it.

As the findings of *Ibrahim et al (2020)* in their research explain; if services are managed well, it will increase community participation in giving meaning to life and villages development. The same thing was also revealed by *Baharuddin (2019)* in his research in the Sirongo Folaraha village, if the administrative services

provided by the village apparatus to the community are good, it will increase their participation in development and also, on giving meaning to life. Good service will build a strong bond between the community and the government thereby creating great opportunities for the community to participate in development. *(Anders-Morawska, 2017)*

The benefits felt by the community from the services provided by the government will form an idealistic attitude to continue to participate in development. The findings conducted by *Anders-Morawska (2017)* in his research state that idealistic people will continue to participate in

organizations even though they are limited by economic conditions and access to infrastructure.

6. The Influence of Leadership on Community Participation

Leadership is an attempt to influence others to be able to carry out the programs that have been planned. If the government leadership is good, then the community tends to participate in village development.

The findings of *Mohulaingo et al (2022)* in their research state that transformative leadership has a significant influence on giving meaning to life and community participation in Pilohayanga village. A successful leader is a leader who tries to pay attention,

invite, move, and give a positive influence through the power he gains over his subordinates.

The findings in this study indicate that the leadership of the village head has a positive and significant influence on giving meaning to life and community participation in villages development. The positive influence shown by the leadership of the village head on giving meaning to life and and village community participation indicates a good form of leadership played by the village head in running village government so that it becomes a driving force for community participation in village development.

The village head is a leader in community life who acts as a driver, controller and person in charge of development programs. A leadership actor who has the strength and skills will be influential in perfecting the collaboration agenda that is built in the midst of people's lives; *(Valkama et al, 2019)* So that if the development program provides great benefits for people's lives, it will mobilize community awareness in giving meaning to life and villages development. These findings are supported by the findings of *Rahmannuddin and Sumardjo (2018)* in their research which explains that leadership has a positive effect on

community participation in giving meaning to life and villages development.

The results of *Horlings et al (2018)* research also confirm that effective leadership will reflect togetherness and the spirit of collaboration so as to form better performance. The strong will of leaders to realize good governance and supported by citizen participation is the key to successful transformation in people's lives. *(Muñiz Martínez, 2019)*

Thus, encouragement is needed to raise public awareness to participate even with a mobilization pattern where participation is carried out on the basis of encouragement and influence from others. *(Rahmawati, 2016)*

Conclusion

Based on the results of the analysis and discussion that has been carried out, it can be concluded that the public services provided by the village apparatus greatly affect the level of community participation in giving meaning to life and villages development. The leadership shown by the village government also significantly influences community participation in giving meaning to life and villages development. Simultaneously, if public services are supported by good leadership, it will further increase community participation in giving meaning to life and villages development.

Therefore, it is suggested to the village government to increase the quantity and quality of services needed by the community. In addition, the village government must also be wise and open in running the government, be more responsive to the problems faced by the community, and seek to involve all elements of society in order to create a democratic life so that it will further increase community participation in giving meaning to life and villages development.

Acknowledgment

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