

Various opinions about authorities of the guardian jurist

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Abstract:

The theory of guardianship of the jurist with respect to Shia jurisprudence is as old as religious jurisprudence. All famous jurists have believed in that principle although a small number of them have not agreed on the choices that the guardian jurist has had.

Coming to know the place of the guardianship of the jurist from two aspects is important and they are as follows: a- the verbal and jurisprudential aspect and b- social and political aspect. This writing seeks to prove the principle of the guardianship of the jurist through citing the rational and quotation case and also the subject regarding its absolute choices.

The goal of establishing rule according to Islam is implementation of Godly laws and decrees and in the end it was to lighten human beings. Implementation of laws cannot be cancelled in any time especially in the age of the absence of his excellency the guardian of age and that is because in that age it is not possible to reach the innocent leader. The Islamic system's rule the scientific source and that is one of the responsibilities of the time leader is for the jurist who has the qualification and that individual according to the time leader has general succession. As a result the guardianship of the jurist branches out of leadership and that individual has all the choices of the innocent one.

Leadership jurists believe in the principle of the guardianship of the jurist and a small number of them limit the choices of that individual and say it is limited to calculation, accident and Fatwa and ... and the available quotation case they believe is not for proving the absolute choices of the jurist and they have proven that through rationality and consensus.

Among the important parts of this thesis is explaining the views, thoughts and inventions of the revolution's architect his excellency Imam Khomeini (peace be upon him).