

## **Theory of Political Freedom from Imām Khomeinī's Point of View**

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### **The subject**

On the one hand political freedom is directly related to the political power and to the government and on the other hand it refers to the role of people in the political system. Political freedom can be said to be one of the main and most fundamental problems in the realm of freedom. Some even deem the political freedom "mother of freedoms"<sup>1</sup> and it indeed proves to be so. A large number of struggles against despotic governments and a good many liberal revolutions in the world have aimed at achieving political freedoms. Political freedom, today, is among the necessary and undeniable elements of democratic systems.

The basic question, however, is whether in political views of Imām Khomeinī political freedom in the political system of Islam is regarded as one of the basic rights of people and whether there is compromise between political freedoms and political system of the Islamic Republic. The main

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<sup>1</sup> Please consult to round table discussion titled "Freedom and Justice" published in "*Nāmeḥ Farhang*" a quarterly magazine, vol. 3, number; 10-11, Summer and Autumn Issues 1372 AHS, pp.7-33.

hypothesis here (although there are other possible peer hypotheses) is that Imām Khomeinī deems political freedom basic right of people and in his views there is no discrepancy in the political thought and system of Islam.

Testing this hypothesis, this paper tries to elucidate the meaning of political freedom while mentioning some of its instances in the political views of Imām Khomeinī.

### **The concept of political freedom**

Political freedom is one in which:

“One can cooperate in the political and social life of his country through electing the rulers and political personalities and by holding public, political and social positions of his country, or expressing one’s ideas and thoughts freely in the political circles and societies.”<sup>1</sup>

In his definition of political freedom, Carl Cohen writes:

“Political freedom simply means freedom to do a variety of different activities the governance requires. These activities fundamentally include freedom of utilizing tools, of practical use in the government, through which the citizen can communicate to others.”<sup>2</sup>

The point common to both definitions is the relationship a citizen can have with the government and the political system in general. Political freedom is in fact the mutual relationship between the rulers and the citizens. It is the fact that the people have roles in and effects on forming and directing the political system and that they can direct their political system to their desired direction. Political structure of any system is of great import in providing freedoms, since it is the political system that determines, guarantees and renews the magnitude of the freedoms especially that of the political freedom. The freer and more democratic the political system, the more dominant is the political system and in this case people enjoy more

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<sup>1</sup> Dr. Manūchehr Ṭabāṭabā’ī, “*Public Freedoms and Justice*”, Tehran, 1370 AHS, p. 96

<sup>2</sup> Carl Kohen, “*Democracy*”, Translated by Farīborz Majīdī, Tehran, I edition, *Khārazmī Publications*, p. 184.

For further details on the concept of political freedom, consult to “*Freedom, Power and Law*” by Frantic Noyman, Translated by ‘Izzatullāh Fūladvand, Tehran, I edition, *Khārazmī Publications*, 1373 AHS.

Please you might also consult to the speech of Āyatullāh Khāmene’ī, the supreme leader, on concept of political freedom published in “*Andīsheh Ḥawzah*” magazine, Summer 1378 AHS, issue, 17.

rights in their own political and social lives. In a limited political system, freedoms in general and political freedom in particular do not boom and people are under pressure, in other words, a despotic and dictator system governs.

Discussions over political development today are known to be good starting point for other important problems. Political freedom as a sign of political development provides necessary grounds for people's extensive and serious cooperation in different affairs. Such factors as an increase in the right to vote and free elections with too many voters, increase in people's cooperation in political procedures, people's cooperation in the form of decision-making councils, freedom of the press and growth of the media, felt responsibility of the rulers before people, the rule of law, etc. can all be included in the category of political freedom.<sup>1</sup>

It is by the virtue of political freedom that people show a tendency to participate in different fields, monitor governmental affairs and if necessary start to criticize, oppose, elect as they wish and vote and determine their own political lives as well as political system of their own country. Participation and helping the Muslims in their affairs has been among bountiful teachings of our religious leaders and infallible Imāms. In an honorable speech the holy prophet says: "He, who wakes up in the morning without the intention to help other Muslims, is not a Muslim."<sup>2</sup>

Man can, by no means, be indifferent to such an important matter as government which is related to his life, faith, religion, wealth, fame and honor. As the God's descendant on earth, man is responsible for the deeds he does. He should, as a result, follow up all the affairs cleverly, with open eyes while participating in different activities. That's why the Imām believes that the future society is an evaluative and critical one, participant in all affairs: "the future society will be an evaluative and criticizing one in which all the people will partake in leading their own affairs."<sup>3</sup>

In discussing political freedom, Montesquieu argues:

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<sup>1</sup> For further details on political development; consult to Dr. Aḥmad Naqībzādeh, Tehran, I edition, Ghomis publications, 1376 AHS, and you might also consult to "An Introduction to Political Science" by 'Abdurrahmān 'Alam, Tehran, II edition, 1375 AHS, A discussion over political development and its positive and negative indicator, p. 123 onward.

<sup>2</sup> 'Allāmah Muḥammad Bāqir Majlisī, "*Biḥār al-Anwār*", vol. 71, Beirut, al-Wafā Publications, 1403 AH, pp. 336, 338-339.

<sup>3</sup> *Ṣaḥīfeh-ye Imām*, vol. 3, p. 53. the Imām's interview with Eshpical Magazine 16/8/1357 AHS.

“Political freedom can exist only in moderate governments, not in all of them, of course, but only in those in which power is not misused. It is proved; however, that a man with power in hand has always misused it and this tendency continues until that power is limited. Even virtue can be said to be in need of being limited. In order to prevent any misuse of power the governmental affairs should be arranged in a way that limits the power.”<sup>1</sup>

As stated, in democratic political systems and in Montesquieu’s words only in moderate governments, applying political freedom can be talked of. The main thesis of this paper is that the political system of the Islamic Republic of Iran is one, which is democratic, formed by people’s movements and activities and whose continuation depends upon people’s support. With regard to this important problem, I deal with instances of political freedom in the views of Imām Khomeinī. It is worth mentioning that of many indexes of political freedom; only a few major ones will be dealt with here.

### **Right of self-determination**

One of the seminal subjects in politics is the problem of sovereignty and the role of people in it. This is so important that the political system of any country can be claimed to be determined with regard to the effect and role of the people in creating the sovereignty and the political power. Most of the governments today claim they are democratic. To what extent this is true should be thought out and analyzed, however.

In addition to deeming freedom basic rights of the human beings,<sup>2</sup> Imām Khomeinī believes that determining the form and type of the government is also the rights of the individuals: “determining the form and the type of the government is among the most basic rights of any nations.”<sup>3</sup> In the Imām’s view the right of self-determination is a rational affair. “People should have authority. This is a rational affair. “Any sane person believes in the fact that the individuals’ fortunes are self-determined.”<sup>4</sup> Elsewhere, Imām cites that the right to self-determination is related to the human rights category and confirms in one way or another, this part of the human rights declaration. In

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<sup>1</sup> Mūsā Ghanī-Nijād, *Civilized Society, Freedom, Economics and Politics*, Tehran, I edition, Tarḥ-e Now Publications, 1377 AHS, pp. 54-55; for further details you might also consult for “Political Freedom from Mintsikio Viewpoint” to his valuable work *The Spirit of Law*, Translated and compiled by ‘Alī Akbar Muhtadī, Tehran, 9<sup>th</sup> edition, *Amīr Kabīr* Publications, 1370 AHS, vol. 11,12.

<sup>2</sup> *Ṣaḥīfeh-ye Imām*, vol. 13, p. 207, vol. 2, p. 130.

<sup>3</sup> *Ibid.*, vol. 3, p. 42.

<sup>4</sup> *Ibid.*, vol. 3, p. 141.

the declaration of human rights, anybody, any nation should determine his or its own fortunes. "Our nation has now risen and is ready to determine its own destiny."<sup>1</sup>

According to what was mentioned of Imām, it is clear that he knows the establishment of the imperial political system illegal, since it was not dependent upon people's votes and people essentially played no role in forming and determining such a government and they were not allowed to have roles in determining their own affairs. "Iranian people are against imperial regime, since it is one that has never been dependent upon people's will and, hence, it is fundamentally against people's will and wish".

At the outset of his entering the country, the Imām made a reference to this fundamental and important matter In Behesht-e Zahrā', saying: "From the very beginning of its establishment, the Pahlavī regime was against law; it was established through force and people had no roles." With this assumption in mind, the Imām set out to overthrow a regime he thought to be essentially illegal and in opposition to the will of the people and void of their wishes. These words logically shows that after the overthrow of the imperial regime, he set out to set up, depending on nation's votes and its wishes and will, a political system legally and he did so.

In his frequent speeches, Imām declared that the government that will hold power will be one based on people's votes as well as on Islamic laws and regulations. The word "nation's vote" means democracy of the political system in his mind, which refers to the form of the system and the words "Islamic laws and regulations" refer to the Islamic aspect of the system, which is indicative of the content of the system. "Islamic Republic" system according to the Imām's definition is a "government dependent upon public votes and opinions, "the final form of our system will be determined by the people themselves with regard to the current conditions and priorities of our society."

The important question, however, is that can the form of the political system in Islam be republic? In other words has Islam defined a certain form of government common to all periods or can the form of the system change according to conditions and requirements of the period. In answer to this question 'Allāmah Ṭabāṭabā'ī says:

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<sup>1</sup> "Seeking path through the Imām's saying", vol. 9, p. 144; and Imām Khomeinī "*Pithy Aphorism*", Tehran, 1 edition, published by the Institute for Compilation and Publication of Imām Khomeinī's Works, 1372 AHS, p. 120.

“In the tradition of Islam there exists no particular order of determining any forms of government and that it has not been mentioned is right. Since tradition is only indicative of the fixed and stable material of religion and the form of the governments can be changed, with transitions of societies, with regard to development of civilizations. What, as a result, can be told in his regard is that the form of the Islamic government should be determined taking into account the three fixed articles of Islam.”<sup>1</sup>

In one of his speeches quoted earlier, the Imām thinks that the form of the government, determined by the people, is based on the conditions and needs of the society.

In a republic government, people play essential roles and altogether, all the bases of the system are shaped by people’s will and ideas, while people have extensive cooperation in different affairs. The idea that the system of the Islamic Republic of Iran is Islamic is due to the fact that most of the Iranian people are Muslims and it is quite natural and inevitable that they are in favor of having the Islamic laws put into action, as we cannot expect people in a non-Islamic country to be in favor of putting into force Islamic laws. The Imām’s hypothesis is that Iran is Islamic and its people are Muslims, hence, its laws and regulations should be based upon Islamic rules. Conceding this problem simply means giving in to people’s will and wish.

In answer to the French correspondent’s question on the fall of the Shāh’s regime, the Imām says:

“Republic, however, is the same that’s found everywhere. Nonetheless, this kind of republic is based upon a constitution that is the laws of Islam. That we talk of the Islamic Republic is because of the fact that both the conditions of election and the laws current in Iran are based upon Islam. The election is made by people, however, and the form of the republic aspect is like those found everywhere.”

In the Islamic system and in the views of Imām Khomeinī, any one who wills to come to power should stand the test of people and the potentialities of such a government is based upon people’s opinions and wishes, although *Wilāyat-e Faqīh* takes its legitimacy not from the people; it has divine legitimacy. Even the Holy Prophet and Imām ‘Alī could not establish governments before they were accepted by the people; although *wilāyah* and *imāmah* were put on their shoulders by God, their being accepted depended upon people’s opinions and will.

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<sup>1</sup> Sayyid Muḥammad Husayn Ṭabāṭabā’ī.

A major issue in the political system of Islam is that when people accept the rule of a person, their work is not finished, still having certain responsibilities in the government. The relation between the ruler and the people is not unilateral and a mutual relation dominates the relations between nation and government while each is expected to carry out the responsibilities put on their shoulders.

The Imām believes that the Islamic government is a national government, one founded on the divine law and people's opinions. He has not thus come to power through strong-arm as to remain in power. He comes to power by people's votes and it is people that keep him in power and the day he acts against people's wills he automatically falls and the people of Iran make him step down. It is worth mentioning that in answer to the religious inquiries of his own representatives in the Bureau for the Country Friday prayer Leaders he deems majority vote as the sine qua non of being in charge with the affairs of the Muslims. The Imām's answer to this question as well as his other speeches made in negating the imperial regime and on other occasions is all indicative of the fact that he believed in the divine legitimacy and popularity of the sovereignty of the *Walī al-Faqīh* [Jurist-Guardian]. Divine appointment is not in opposition to and does not negate popularity. Further discussion of this issue requires more time and it should be done elsewhere. What has so far been mentioned is indicative of the problems relating to establishment and formation of political system. What comes hereafter are related to the issues, which emerge after establishing and setting up of the political system and happen within and after the formation of the political system.

### **Freedom of election and opinion**

In a government set up based on popular opinion and will, referendum should be held on all affairs and people should have direct or indirect roles in electing the representatives of the political system. There are certain mechanisms for this in the Islamic Republic of Iran, since in addition to the president; Islamic consultative Assembly (Majlis) members, experts' council and members of city and local Islamic councils are chosen by the people. Supreme leader is also indirectly chosen by the people. Regarding the role that the Imām believes for people, it is clear that in the Islamic Republic of Iran all the mechanisms are based on popular opinion and requires people's support, confirmation and cooperation.

People have said yes freely to such a system with such mechanisms through their cooperation. People have shown in practice that whenever they

have been treated honestly, they have always been on the arena, supporting and guarding the system.

Freedom of opinion and election is one inseparable part of popular governments. In a popular government it is not just to impose something upon people and force them to do something. On the fact that no one should impose his opinion upon another the Imām says:

“Except for rare cases in which Islam is in danger, and this should be recognized by an expert, no one can, in the Islamic Republic, impose his opinion upon others, may it never happens”.

Besides assenting to the freedom of opinion, the Imām warns here that except for rare cases in which the honor of Islam and the political system are in danger, and this should be recognized by the experts, nothing should be imposed upon people. Making people to do things they are not willing to do, has destructive consequences. People’s losing trust and their keeping a way from the political system are only a few examples. Imposing opinion on people is equivalent to negation of political freedom, which is indicative of a despotic government not a republic one.

Elsewhere the Imām says:

“Everybody, you and the nation are always free to vote for the person you want to vote for, however that person is not introduced by the scholars of Qum or Tehran theological centers. It is not fair to force someone and tell him to vote for a certain person.”

He emphasizes elsewhere the importance of free elections and that nothing should be imposed upon individuals.

“Thanks God, our people have enough desirable for political-religious growth and they themselves choose the ones who are religious, are familiar with the suffering of the downtrodden, know the religious-political problems and are concordant with the oppressed. No individual, group, foundation, organization, and no party, bureau or society in this situation can interfere with others’ elections; neither can they choose as nominee individual (s) for the constituency other than that of their own and campaign for them.”



### **Supervision, criticism and objection**

In political systems, mechanisms are devised so that available forces, being independent, monitor and control each other and no force can misuse its power. System of separation and balance of forces, propounded by Montesquieu, in fact took into account this problem in order for the function of political system to remain intact and each force, despite being independent from another force, monitor each other. This mechanism is also accepted in the Islamic Republic of Iran's constitution. Monitoring foundations in the constitution are as follows:

1. Experts' council, which monitor the leader's affairs
2. Islamic Consultative Assembly (Majlis), which monitor the executive and other components of the system
3. Council of guardians whose task is to supervise the compatibility of the laws passed by the Islamic Assembly (Majlis) with religious laws and constitution.
4. The people and the government, who according to the eighth article of the constitution on the problem of invitation to good act and prevention of reprehensible deed etc.

Questioning the executives of the system and their being responsible before people is among factors of further connection between the people and the government. People should be made aware of the issues related to their social and political life and in case the agents of the system make mistakes, people should not vote for them, they should even ask the executives to step down. Political parties and foundations of the civilized society, today, play their roles as the connective links between people and government. On the one hand they communicate people's will to the government and political decision-makers and on the other hand they create a balance in the government's putting into action the laws.

More than anything else, Imām Khomeinī stressed on monitoring and critical aspects, believing that constructive criticism is the cause of society's growth:

"To the point and constructive criticism is the factor of growth in society. If right, criticism can guide both sides. No one should think he is absolute and in need of no criticism."

He also says: "Through communicating thought and constructive ideas the competitive paths should be cleansed from dirt, deviation, and the two extreme ends."

In the political thought of Imām Khomeinī, welcoming criticism on the part of the executives and the presence of monitoring mechanisms provides people with further satisfaction with the political system. People will have further tendency toward their political system, since they can criticize it, making use of their monitoring means. People's losing trust on the political system is the most deteriorating detriment a government can face. Treating people appropriately and keeping the individuals' respect and honor results in strengthening the bases and forces of the political system. It is widely recommended in the Imām's thoughts and speeches to treat people properly so that they do not turn their back to the government. "Treat in a way that people endear you, support you. There will be no fall for the government people support. A regime backed by people will not collapse." The relationship between the government and people from Imām Khomeinī's point of view is a bilateral one; the government is selected by the people and is responsible for its functions and attitudes. Responsibility of the government before people results, in practice, in people's cooperation and collaboration. Accordingly, the Imām constantly emphasized people's active participation and their supervising roles in different affairs. He thought that people's cooperation and supervision guarantees the safety and security of society. "People's awareness and their supervision as well as their collaboration with, and participation in the government chosen by them, is in itself the best guarantee to security in the society."

Elsewhere in his speeches on other occasions the Imām has recommended all people to monitor all the issues:

"The entire nation is bound to monitor these affairs, they are bound to tell me I have put a foot wrong if I do so and to tell me to restrain myself. This problem is very important. The entire nation is bound to monitor all the issues related to Islam. If they observed that maybe a committee, God let it never happen, decided to act against Islamic regulations, merchandiser should object, farmer ought to object, so should the teachers and scholars. They should object on order to make right the foot that has been put wrong."

In the Imām's thought, as a result, people from any social level and position should protest against wrong-doings and deviations, they should criticize, invite to good act in order for the society to improve and the government to take the right path, one to the benefit of the people.

## **Conclusion**

Believing that in comparison with the western democracy, the Islamic democracy is complete, the Imām thinks that Islam's laws are the cause of real freedoms and democracy capable of providing independence of the country. It can be concluded according to his words that firstly there exists democracy in Islam, secondly, Islamic democracy is more complete than the western democracy, thirdly, it is Islam's laws that bring real freedom and democracy and fourthly, Islamic freedom and democracy guarantee independence of the country.

Freedom, from Imām Khomeinī's point of view was taken to be among essential rights of man and as a result he believes, in certain ways, in primary rights of human beings: "Freedom and independence are two categories related to the essential rights of man." "It is also the essential right of man to be free and to talk freely." All these ideas are of course put as a result of the fact that Imām Khomeinī regards freedom a great gift given to human beings and internalized in man's existence. He believes that the value of life comes from independence and freedom and that there exists all kinds of freedom in the Republic aspect of Islam.

The conclusion of this discussion can be propounded within several categories altogether:

1. Believing that human beings have the right to self-determination and that they are responsible for the things they do, Imām Khomeinī counts political freedoms as the most essential rights of man. People cannot keep silent on who govern and rule over them, they cannot be indifferent so this problem. Man is God's successor on earth and he has duty and responsibility as much as he has rights.

2. In the political views of Imām Khomeinī, in the Islamic Republic of Iran, as a popular system based on people's will and wishes and dependent upon their opinions, people are free to criticize, advise, complain of the rulers and object to the statesmen, supervise the functions of the government and the statesmen; they should be responsible before the nation for what they do.

3. The Imām believes that in the Islamic Republic system people vote freely in the elections, they vote for whoever they want and choose their representatives and the authorities. No individual, group or person is entitled to sabotage people's votes or to impose something upon them.

4. Although Imām Khomeinī believes in the divine legitimacy of the *Walī al-Faqīh*, and holds that its strength depends upon popularity, in his opinion there is no serious inconsistency between political freedoms and the system of the Islamic Republic of Iran (based on *Wilāyah al-Faqīh*). In the

political system of the Islamic Republic people have the right, according to the Islamic teachings, to self-determination; they are always actively on the scene, are critics to undesirable acts and deviations and monitor all the affairs.

The scope of the *Walī al-Faqīh*'s authorities is limited to general and social issues and it does not interfere in personal and private lives of the individuals, unless the expediency of the public requires. What can be said here on the theory of "divine selection" is that since the legitimacy of the *Walī al-Faqīh* comes from God, and his popularity as well as his strength is dependent upon people, people can freely and without any force and imposition give into political sovereignty of *Walī al-Faqīh* and, hence, they accept his religious authority both in political and non-political issues. No doubt in a society in which most of the people are Muslims, and the people themselves have voted freely for the political sovereignty of *Walī al-Faqīh*, Islamic rules and regulations and not non-Islamic ones are applied. As in a secular and laical society, Islamic laws and teachings and altogether religious laws are not enforced.

Accordingly, the problem of freedom and *Wilāyah* will not be questioned and the inconsistency between the system of the Islamic Republic (based on *Wilāyah al-Faqīh*) and political freedoms essentially will not be propounded and we don't need to look for finding answers to these questions. In my opinion, there is no inconsistency, as a result, between freedom as an essential right of man and *Wilāyah al-Faqīh* (Jurist guardianship) in the Imām's views.