

A Tribute to the Virtuous Theologian My Mentor HosseinAli Montazeri NajafAbadi

Mohsen Kadivar

کتاب «سوغ‌نامه فقیه پاک‌باز: استاد حسین‌علی منتظری نجف‌آبادی» (۱۳۸۸-۱۳۰۱) مجموعه مقالات، سخنرانی‌ها، مصاحبه‌های نگارنده در چهار سال نخست دوران فقدان ایشان است به‌ضمیمه‌ی گاه‌شمار زندگی استاد. مهم‌ترین مطالب این مجموعه عبارتند از: مکتب منتظری: پاک‌سازی جمهوری اسلامی از ولایت جائر، تالو چراغ دین، و دادخواهی خون‌های به ناحق ریخته شده زندانیان سیاسی در تابستان ۱۳۶۷. این کتاب جلد دوم کتاب «در محضر فقیه آزاده استاد منتظری» است.

استاد منتظری به عالم اسلام و تشیع خدمات ارزنده‌ای کرد. آثاری در فقه، اصول، کلام و شرح احادیث اهل بیت به رشته تحریر در آورد. صاحب ابتکاراتی در حوزه اسلام سیاسی و فقه معاملات، انسانی‌وارسته، مسلمانی‌پاک‌نهاد، مومنی‌مذهب و موحدی خالص بود. عمری را به مبارزه علیه ظلم و بی‌عدالتی سپری کرد. حقاً مجاهد فی سبیل الله بود و در اعتلای کلمه حق از هیچ‌کس و هیچ چیز نهراسید و دریا دلانه به مقام و موقعیت‌های زودگذر دنیوی پشت پا زد و همواره از حقوق مردم دفاع کرد. اگر چه سال‌ها به عنوان قائم مقام رهبری از سوی مجلس خبرگان انتخاب شده بود، اما «نصیحت به ائمه مسلمین» را فدای دستیابی به قدرت ظاهری نکرد و در دفاع از حقوق زندانیان و پافشاری بر حقوق شهروندی ملت ایران از قدرت کنار گذاشته شد. هرچند تا پایان عمر کوشید جمهوری اسلامی را که خود از باغبانانش بود، از علف هرز «استبداد دینی» اصلاح کند. انتقادات صریح آن فقید سعید از دیکتاتوری در ۱۳ رجب سال ۱۳۷۶ به پنج سال و شش ماه حصر خانگی انجامید. لکه ننگ این حصر غیرقانونی هرگز از دامن حاکمان جمهوری اسلامی پاک نخواهد شد. آن رادمرد همواره از منظر دینی به نقد قدرت می‌پرداخت و ضوابط رحمت نبوی و عدالت علوی را به حاکمان متذکر می‌شد. ایشان به صراحت حکومت فعلی را نه جمهوری و نه اسلامی اعلام کرد. او رضایت و رأی مردم را شرط لازم هر نوع تصدی‌گری در حوزه عمومی می‌دانست و در فتوای تاریخی ۱۹ تیر ۸۸ خود جائران بی‌تدبیر را خودبه‌خود معزول دانست.



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www.kadivar.com
Kadivar.mohsen59@gmail.com

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Introduction

Ayatollah HosseinAli Montazeri NajafAbadi (1922-2009) passed away six years ago. He was a senior jurist and teacher at the Qom Theological Seminary since 1950, and one of the first ranking Shi'ite authorities (*marja' al-taqlid*) between 1983 and 2009. Montazeri was the second figure of 1979 Revolution in Iran, the vice leader of Islamic Republic of Iran who was elected by the Assembly of Experts of Leadership in July 1985, and was suspended from office by Ayatollah Khomeini in May 1989 (100 days before his death). He was the most influential dissident of Islamic Republic of Iran between 1989 and 2009.

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Montazeri was the student of Ayatollahs Seyyed Hossein Tabataba'i Borujerdi (1875-1961), Seyyed Ruhollah Musavi Khomeini (1902-89), Seyyed Mohammad Hossein Tabataba'i (1903-81) and Mirza Ali Aqa Shirazi (1877-1956). He was the best representative of the juridical school of Borujerdi, and the most learned of the students of Ayatollah Khomeini. Montazeri was a traditional jurist, who remained loyal to the criteria of familiar *ijtihad* (independent reasoning) in Shi'ite Theological Seminary. He sought reform in the human interaction part of jurisprudence (*fiqh al-mu'amalat*) especially political *fiqh* in the framework of traditional Shi'ite jurisprudence and its methodology (*usul al-fiqh*).

Montazeri was the most important representative of political Islam among Shi'ite jurists after Ayatollah Khomeini. The main elements of political Islam are believing in necessity of theocracy, especially the theory of guardianship of jurist-ruler (*wilayat al-faqih*), and implementation of sharia' as the rules of the state. Montazeri was like-minded with the founder and leader of Islamic

Republic until 1985. He gradually distanced from his mentor in 1986, and after expressing his critical viewpoints about the policy of Islamic Republic in his public speeches and closed letters to the leader, Ayatollah Khomeini accused him of liberal viewpoints and going astray, and thus disqualified him for the leadership of Islamic republic.

Montazeri continued his criticism in the time of second leader of Islamic Republic of Iran. He criticized Khamenei strongly on the claim of Shi'ite authority (*marja' al-taqlid*) and disqualified him for this religious responsibility, referring to him as the "trivialization of Shi'ite Marja'iyyat" (*ibtidzal al-marja'iyyat al-Shi'yyah*) in 1997. He was illegally put under house arrest for more than five years and was released in 2003 when he became ill so that the doctors feared his death in that situation.

Montazeri tried to purify the Islamic republic from religious dictatorship. Although he was under pressure from a bombardment of insults and threats from the state media for two decades, his funeral gathered a large population of people, one of the largest gatherings in support of a dissident religious authority. Ayatollah Montazeri was one of the most popular clerics in contemporary Iran.

2

Montazeri had two turning points in the evolution of his political thought. Like his mentors Borujerdi and Khomeini, he believed in "the general appointed guardianship of jurists" until 1985. He shifted to the theory of "the electoral restricted guardianship of the jurist" between 1986 and 1997. By electoral he meant that the citizens should elect the jurist-leader directly or indirectly, not appointed by God, His messenger or Shi'ite Imams. In this theory, the leadership is restricted to the constitution as a public contract between citizens and the governments. The leadership is not absolute. He was in disagreement with his mentor Ayatollah Khomeini in these two major issues. Montazeri's final political

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theory was “the supervision of the most learned jurist on the parliament”. He turned to the separation of the powers, rejection of the executive guardianship of the jurist, and conditional theocracy to the citizen consent. Acknowledgment to the human rights as he/she is a human (not as a believer or male) is one of the products of later Montazeri. The treatise of “Human Rights” (*Risalehey Huquq-e Insan*) (2004) was one of the independent compilations of a Shi’ite jurist in the field of human rights.

3

“*A Tribute to the Virtuous Theologian my Mentor Montazeri*” is the collection of my papers, speeches and interviews in the first four years after he passed away. This book consists of four sections: the first section consists six papers and notes. Five speeches in the seventh, fortieth, and annual memorial ceremonies come in the second section. Six interviews explain the viewpoints of Ayatollah Montazerri in the third section. The fourth and last section is the timeline of the mentor.

The first edition was published as a web-book in December 2013. The timeline has been updated, and the speeches have been edited in the second edition. This edition has a new cover, new introduction both in Persian and English. The most important factors of this book is the first declaration: A tribute to the mentor, the second paper: Montazeri’s School, cleansing the Islamic Republic of the tyrannous ‘guardianship’, the second speech: The illumination of religion, and the last interview: The 1988 Brutal Executions of Political Prisoners. This book is the second volume of “*In the Presence of Noble Theologian my Mentor Montazeri*”. The third volume will be “*The Evolution of The Political Thought of Mentor Montazeri.*”

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The two key terms “political Islam” and “sharia” have gone under reflection, reconstruction and evolution in my mind in the course of writing the two editions. The book was organized based

on my previous approaches to these two key terms. I did not revise the terms and kept the structure of the book as it was. In the recent years, I have come to the belief that the politics and political power do not stand on the apex of the Islamic responsibility. Although I do not deny the social aspect of Islamic duties, I believe that the mosque state separation benefits both religion and politics. Sharia, in my present opinion is eternal moral values, not necessarily the ordinances and rules (laws) that is space and time-oriented. Explaining the details of these new terms demands a separate book. It is clear that jurisprudence and understanding Islam will be evolved or have been evolved in light of these two reconstructions.

Mentor Montazeri is an important part of my past. Although I learned a great deal from him theoretically and practically; my learning did not stop in the legacy he left behind. He grew past his mentors too and challenged them in some aspects. His mentors were dear to him, but dearer still was truth. God bless him. May God give him from His mercy and consent, and support his students and followers to continue his way.

Mohsen Kadivar

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