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A new Fatwa against the fraudulent president and the coup-like election

Grand Ayatollah Bayat: The Supreme Leader's confirmation of someone that has come to power by fraud does not legitimize him.

Grand Ayatollah Bayat Zanjani, one of the Marajs (the most senior religious clerics) against the coup, by issuing an important Fatwa (religious ruling) in response to one of his followers, validated that the Supreme Leader's confirmation of a president who came to power by fraudulent election, does not legitimize him.

According to a report by "Mowje Sabz Azadi" (news agency), this Fatwa states that: "If someone finds confidence that the mentioned individual has come to power by illegitimate means and by forgery, his confirmation by the Supreme Leader as the president and the completion of the inauguration ceremony will not legitimize him as these are not cause for legitimacy and these two are important only when the individual has come to power based on a healthy election."

In continuation of his Fatwa, Grand Ayatollah Bayat also reiterated: “In this situation, based on the principle of “invite to good and prevent from bad,” it is acceptable to use any means possible to introduce the illegitimacy of that individual.”

“Mowje Sabz Azadi” is quoting the full text of this question and Grand Ayatollah Barayt’s response to it from his official website:

In the name of God,

Dear Grand Ayatollah Bayat Zanjani,

With sincere greetings, I plea my questions in three sections so that you may answer them should you find them appropriate. Given the fact that the candidates of the tenth presidential election and some other political figures of the country have announced that the tenth administration is not politically legitimate and additionally the religious illegitimacy of the tenth administration has been announced by some of the Grand Ayatollahs and religious figures, should the Supreme Leader confirm the tenth administration and the president receive his appointment from the Supreme Leader and take the presidential oath in the inauguration ceremony at the Islamic Republic’s Parliament:

1. Does the Supreme Leader’s confirmation return legitimacy to the tenth administration and the president?
2. If after the Supreme Leader’s confirmation and the inauguration ceremony, the tenth administration and the president will still not have political and religious legitimacy, is it allowed for the people to pay utility bills, taxes and any other bills that should be paid by the people to the government; and is it still the responsibility of the people to pay the bills unconditionally or should they refuse to use the utilities?

3. If the president and the tenth administration are illegitimate, is it in some levels religiously forbidden to cooperate with the tenth administration or due to necessity one should cooperate.

Answer: Legitimacy of an administration or lack of it is possible in these ways:

a) The Guardian Council, which has been recognized by the constitution as the official responsible for attesting the acceptance of the election or lack of it, especially the presidential election.

b) The Islamic Parliament, which based on the constitution, has the responsibility to determine the competency of the president or lack of it (the lack of political or executive competence).

c) The condition that one reaches a conscious conclusion that the apparent elected individual does not possess the requirements of legitimacy and for instance has become in charge by illegitimate means, which have been established for that person; therefore the mere announcement of the candidates is not sufficient for concluding this illegitimacy unless this confidence can be established from their words. Therefore, based on this, if someone finds confidence that the mentioned individual has come to power by illegitimate means and by forgery, his confirmation by the Supreme Leader as the president and the completion of the inauguration ceremony will not legitimize him as these are not cause for legitimacy and these two are important only when the individual has come to power based on a healthy election; in this situation, based on the principle of "invite to good and prevent from bad," it is acceptable to use any means possible to introduce the illegitimacy of that individual. In this case, if the lack of cooperation [with him] is effective in the removal of the illegitimate individual or at least lessening his illegal decisions, it is mandatory based on the

principle of “prevent from bad.”

In response to the third question, it should also be explained that if someone or some people conclude that the president does not possess the necessary requirements, this will illegitimate the president but not the administration and the ministers; but if someone considers the president as well as the administration illegitimate, he should not work with them and in case of cooperation, he will be considered as one of “the cooperators with the injustice,” unless he has become so in need that he is forced to cooperate, which in this case he is obliged [by God] to suffice to the minimums and does not strengthen the illegitimate administration as much as he can and does not limit his efforts to resolve the problems of the honest people as much as possible.