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**Competence of brokers Terms, Reference, Views and Evidence
Looking at Imam Khomeini's Views¹**

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Introduction

Research Paper

The main pillar of any government is its human resources, especially the rulers, agents, and employees of its institutions and organizations. In the Islamic government, the rulers and agents must have the necessary qualifications and conditions based on Islamic principles. To achieve this goal, it is necessary to verify the qualifications based on valid evidence and statistics, and with reference to practical principles and jurisprudential rules, while considering the views of Imam Khomeini (RA). This is essential for the Islamic government to achieve its lofty goals.

Research Background:

The present study is the first research on the topic of verifying qualifications based on Islamic principles and specific goals. No independent research has been conducted in this area to examine the jurisprudential foundations and qualifications of agents in the Islamic government.

Research Method:

The research method is qualitative, descriptive, and analytical. For this purpose, methods such as interviews, observations, and content analysis have been used.

Opinions and Views:

The issue of qualifications and efficiency of Islamic agents and its impact on political stability and efficiency is an important topic that has led to various opinions and views. Here are some of them:

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Verifying qualifications:

In order to select or appoint individuals for the responsibilities of a government, they must have the necessary qualifications for that position. Centers have been established to examine the competency and qualifications of the individual for the assignment of responsibilities and positions, which are responsible for examining the quantitative and qualitative indicators of the candidate for that position.

Theoretical reasons for the theory of verifying qualifications:

One of the reasons for this theory is the foundation of reason and the continuity of rational action without regard to religion, customs, and nations.

Verifying lack of qualifications:

Using the principle of verifying lack of qualifications to examine qualifications requires strong reasons and evidence that prove the absence of all or some of the legal conditions and the existence of all or some of the legal obstacles.

Theoretical reasons for the theory of verifying lack of qualifications:

The theory of verifying lack of qualifications means proving the absence of voting obstacles, not proving the existence of legal conditions and reasons for it.

Lack of verification of qualifications:

Lack of verification of qualifications means the lack of sufficient and certain knowledge of the existence of qualitative conditions, and in the absence of evidence for verifying or not verifying qualifications, the lack of verification of qualifications can be considered.

Theoretical reasons for the theory of lack of verification of qualifications:

The lack of verification of qualifications means the absence of sufficient and certain knowledge regarding the existence of qualitative conditions, and in the absence of evidence for verifying or not verifying qualifications, the lack of verification of qualifications can be confirmed.

Authority for determination and verification of qualifications:

One of the topics in the discussion of qualifications is the authority for determination and verification of qualifications. Can political groups be the authority for verification of qualifications?

The authority for verification of qualifications is the government, and the people have no role in it.

The relationship between the people and the government in an authoritarian and dictatorial model is that the government is the authority and the ruler, and the people are considered obedient and subservient.

The authority for verification of qualifications is the people, and the government has no role.

The people have the role of the ruler, and the government acts as the agent and representative of the people. The people have the right to remove the ruler, and the government must act according to the will of the people.

The authority for verification of qualifications is sometimes the government

and sometimes the people.

It is established based on a mutual agreement between the people and the government, and it is a kind of division of labor in which some tasks are performed by the government and others by the people.

Classification of conditions:

Conditions are divided into positive and negative categories, and the individual must have positive conditions and be free from negative conditions.

Methods of proving the necessity of verifying qualifications:

The author believes that adherence to jurisprudential rules and operational principles is acceptable for proving existential matters, but it is not sufficient for verifying qualifications.

Jurisprudential rules:

Jurisprudential rules are general rules that are used in various jurisprudential issues, and their implementation is common between the Mujtahid (jurisprudent) and the Muqallid (follower).

The principle of validity (Qaidah Sahih):

In the case of verifying qualifications, the principle of validity is related to the action of a Muslim, and this principle alone cannot verify the qualifications of a person.

The principle of absence (Qaidah 'Adum):

The principle of absence means proving the lack of qualifications or the existence of a right for agents, which must be referred to in logical ways that can create confidence for verifying qualifications.

Operational principles:

Operational principles determine the practical duty of a person in cases where they have doubts about a ruling or issue.

The principle of presumption (Qaidah Istishab):

In the case of negative presumption, if there is a suspicion of a person's lack of qualifications, based on previous conditions, it must be investigated whether his qualifications have been rejected or not. If his qualifications have not been rejected, then the presumption of existence can be applied. But if his qualifications have been rejected, then the negative presumption is applied.

The principle of innocence (Qaidah Bara'at):

Considering that verifying qualifications is about proving the legal conditions for taking a position, the principle of innocence is not relevant in this matter.

The principle of caution (Qaidah Ihtiyat):

Observing rational and religious caution in matters of verifying qualifications is of great importance. If verification of qualifications is not done before appointment or selection, it can lead to public condemnation.

In conclusion, according to the viewpoint of Imam Khomeini, the operational principles and jurisprudential rules for verifying qualifications of individuals

holding government positions are necessary and essential, and this is approved by reason and the wise. Moreover, in operational principles and jurisprudential rules, it is the duty of the responsible person to verify qualifications. If a person has a past record and the time period for it has elapsed, presumption of the existence of qualifications can be applied. The principle of innocence is not applicable in verifying qualifications except in very limited cases. The principle of caution also requires preventing the appointment of individuals whose qualifications have not been verified.

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