

Rethinking Islamic political thought: *Wilāyat al-Faqīh* and the caliphate through Ibn Qayyim's theory of legal change

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Abstract

Studies on *Wilāyat al-Faqīh* have primarily emphasized its theological and constitutional dimensions, while comparative analyses with Taqiyyuddin An-Nabhani's concept of the Caliphate through Ibn Qayyim al-Jawziyyah's theory of legal change remain limited. This study aims to examine Ayatollah Khomeini's concept of *Wilāyat al-Faqīh*, compare it with An-Nabhani's concept of the Caliphate, and interpret both through Ibn Qayyim al-Jawziyyah's theory of legal change. This qualitative study employed a library research approach using descriptive-comparative analysis of primary and secondary sources. The findings reveal that *Wilāyat al-Faqīh* represents a reconstruction of Shi'i political thought grounded in the doctrine of *Imāmah* during the Occultation of the Imam, whereas An-Nabhani's concept of the Caliphate derives its political legitimacy from the *bay'ah* of the Muslim community. Viewed through Ibn Qayyim al-Jawziyyah's perspective, both represent forms of political *ijtihād* shaped by historical and social contexts. Consequently, this study contributes to the scholarship on Islamic political thought by offering a contextual comparative framework for understanding the diversity of Islamic models of governance.

Keywords: *Wilāyat al-Faqīh*; Ayatollah Khomeini; Caliphate; Taqiyyuddin An-Nabhani; Ibn Qayyim al-Jawziyyah.

Abstrak

Kajian mengenai *Wilāyat al-Faqīh* umumnya berfokus pada dimensi teologis dan ketatanegaraan, sedangkan analisis komparatif dengan konsep khilafah Taqiyyuddin An-Nabhani melalui perspektif teori perubahan hukum Ibnu Qayyim al-Jauziyah masih relatif terbatas. Penelitian ini bertujuan menganalisis konsep *Wilāyat al-Faqīh* menurut Ayatollah Khomeini, membandingkannya dengan konsep khilafah Taqiyyuddin An-Nabhani, serta menginterpretasikan keduanya melalui perspektif teori perubahan hukum Ibnu Qayyim al-Jauziyah. Penelitian ini menggunakan pendekatan kualitatif dengan metode studi kepustakaan serta analisis deskriptif-komparatif terhadap sumber primer dan sekunder. Hasil penelitian menunjukkan bahwa *Wilāyat al-Faqīh* merupakan rekonstruksi politik Syiah yang berakar pada doktrin imamah pada masa kegaiban Imam, sedangkan konsep khilafah An-Nabhani memperoleh legitimasi politik melalui *bai'at* umat. Ditinjau dari perspektif Ibnu Qayyim al-Jauziyah, kedua konsep tersebut merupakan bentuk *ijtiḥād* politik yang berkembang sesuai dengan konteks sejarah dan sosial. Oleh karena itu, penelitian ini berkontribusi memperkaya kajian politik Islam melalui kerangka analisis komparatif yang kontekstual.

Kata Kunci: *Wilāyat al-Faqīh*; Ayatollah Khomeini; Khilafah; Taqiyyuddin An-Nabhani; Ibnu Qayyim al-Jauziyah.

Introduction

Islamic political thought has remained a dynamic field of inquiry, evolving alongside changing social, religious, and constitutional developments across the Muslim world (Rock-Singer, 2022). Debates concerning the relationship between religion and the state have generated diverse models of governance that seek to establish the *Shari'ah* as the foundation of political authority. Among the most influential of these is *Wilāyat al-Faqīh*, a model of leadership that vests supreme authority in a *faqīh* during the *ghaybah* (Occultation) of Imam al-Mahdī (Kholil et al., 2025). This concept has evolved beyond a purely theological doctrine to become the constitutional foundation of the Islamic Republic of Iran following the 1979 Islamic Revolution (Jansen, 2019). Its emergence demonstrates that the evolution of Islamic political thought has produced diverse forms of governance shaped by theological doctrines, societal needs, and the historical contexts in which they developed.

The development of *Wilāyat al-Faqīh* merits scholarly attention because it illustrates the transformation of a jurisprudential doctrine into a governing system implemented within a modern state. On the one hand, the concept is regarded as integrating religious and political authority, thereby positioning the *Shari'ah* at the center of state governance (Fuadi, 2024). On the other hand, its implementation has generated extensive debates regarding the sources of political legitimacy, the limits of religious scholars' authority, the relationship between religious authority and democracy, and its implications for the political dynamics of the Middle East (Kawtharani, 2020). These debates become even more significant when *Wilāyat al-Faqīh* is compared with the concept of the Caliphate developed by Taqiyyuddin An-Nabhani. Although both concepts are committed to implementing the *Shari'ah*, they propose fundamentally different mechanisms of political legitimacy, leadership structures, and institutional designs, thereby warranting a more comprehensive comparative analysis.

These differences cannot be adequately understood through a purely descriptive approach but instead require an analytical framework capable of explaining why two Islamic political concepts evolved into distinct models of governance. One relevant framework is Ibn Qayyim al-Jawziyyah's theory of legal change, which maintains that legal formulations may change in response to shifts in time, place, social conditions, customary practices, and *maṣlaḥah* (public welfare), while preserving the fundamental principles of the *Shari'ah* (Ningsih et al., 2025). From this perspective, both *Wilāyat al-Faqīh* and the Caliphate may be understood as products of political *ijtihād* that emerged from different historical circumstances rather than as mutually exclusive political doctrines. Consequently, the theory of legal change provides a valuable analytical framework for explaining the relationship between social transformation, the evolution of Islamic political thought, and the emergence of diverse models of governance within the Islamic tradition.

Studies on *Wilāyat al-Faqīh* have been conducted from a wide range of perspectives, including theology, Islamic political thought, and its implementation within the constitutional system of the Islamic Republic of Iran. Bakir (2023) argues that *Wilāyat al-Faqīh* represents a reconstruction of Shi'i political thought that successfully transformed religious authority into the foundation of modern political legitimacy. Likewise, Kara (2020) demonstrates that the concept has played a central role in shaping the constitutional structure of the Islamic Republic of Iran by reinforcing the position of the *faqīh* as the state's supreme authority. Nevertheless, most existing studies remain confined to historical, ideological, or institutional dimensions examined separately. Comparative studies between *Wilāyat al-Faqīh* and Taqiyyuddin An-Nabhani's concept of the Caliphate remain limited, particularly those employing Ibn Qayyim al-Jawziyyah's theory of legal change to explain the distinct historical contexts from which these two political concepts emerged.

Against this background, the present study aims to examine Ayatollah Khomeini's concept of *Wilāyat al-Faqīh*, compare it with Taqiyyuddin An-Nabhani's concept of the Caliphate, and interpret both through the perspective of Ibn Qayyim al-Jawziyyah's theory of legal change. This study is significant because it offers a perspective that goes beyond merely comparing two models of Islamic governance by also explaining the historical, social, and intellectual factors underlying their emergence. Through this approach, the study seeks to provide a more comprehensive understanding of the dynamics of contemporary Islamic political thought while enriching scholarly discussions on the flexibility of political *ijtihād* in responding to social change without compromising the fundamental principles of the *Sharī'ah*.

Method

This study employed a qualitative approach using library research to examine Ayatollah Khomeini's concept of *Wilāyat al-Faqīh* and compare it with Taqiyyuddin An-Nabhani's concept of the Caliphate through the perspective of Ibn Qayyim al-Jawziyyah's theory of legal change (Connaway & Radford, 2021). The research data consisted of both primary and secondary sources. The primary sources included Ruhollah Khomeini's *Hukūmat-e Islāmī: Wilāyat al-Faqīh*, Taqiyyuddin An-Nabhani's *Nizām al-Hukm fī al-Islām*, and scholarly works discussing Ibn Qayyim al-Jawziyyah's theory of legal change. Secondary sources were drawn from academic books, journal articles, dissertations, and official documents addressing the development of Islamic political thought, the constitutional system of the Islamic Republic of Iran, and the dynamics of both Shi'i and Sunni political thought. All data were collected through documentary research by selecting literature that was relevant, credible, and directly related to the focus of the study.

The data were analyzed using a descriptive-comparative approach consisting of three stages. The first stage involved data reduction by identifying the principal concepts

related to *Wilāyat al-Faqīh*, the Caliphate, and the theory of legal change from various sources. The second stage comprised a comparative analysis to identify the similarities and differences between the two concepts, particularly regarding their sources of legitimacy, leadership structures, and political orientations. The third stage involved an interpretive analysis employing Ibn Qayyim al-Jawziyyah's theory of legal change as the analytical framework to explain how historical, social, and political transformations influenced the emergence of these two models of Islamic governance. The trustworthiness of the findings was ensured through source triangulation by comparing information derived from primary works, academic literature, and previous studies, thereby producing interpretations that are systematic, consistent, and academically robust.

Results and Discussion

Transformation of Shi'ī political theology toward *Wilāyat al-Faqīh*

The doctrine of *Wilāyat al-Faqīh* represents the culmination of a long historical development within Twelver Shi'ī political theology, rooted in the doctrine of *Imāmah*. In the Twelver Shi'ī tradition, leadership of the Muslim community is regarded as the exclusive right of the Imams, who are believed to be infallible (*ma'ṣūm*) and to derive their legitimacy directly from God. When the Twelfth Imam entered the period of *ghaybah* (Occultation), the political authority previously vested in the Imam could no longer be exercised directly. This situation gave rise to the tradition of quietism, which maintains that religious scholars (*'ulamā'*) should confine their role to religious affairs—such as issuing legal opinions (*fatwā*), administering justice, and providing religious guidance—rather than assuming political authority. Enayat (1982) argues that this orientation became the dominant characteristic of Shi'ī political thought for centuries because legitimate leadership was believed to be restored only upon the reappearance of Imam al-Mahdī. Similarly, Floor (2001) maintains that, during the early period, the *'ulamā'* primarily functioned as custodians of religious authority rather than as rulers of the state.

Historical developments, however, gradually transformed the relationship between the *'ulamā'* and the state. During the Safavid dynasty (1501–1722), Twelver Shi'ism was established as the official religion of Persia, enabling religious scholars to assume a more prominent role within the governmental structure. Although they did not exercise political authority directly, they provided religious legitimacy to the ruling establishment while occupying various official religious positions (Floor, 2001). During the subsequent Qajar period, the development of the institution of *marja'iyyah* further strengthened the position of the *'ulamā'* as the highest legal authorities within the Shi'ī community. Religious authority became increasingly centralized in the office of the *marja' al-taqlīd*, creating a more hierarchical model of religious leadership than that found in the Sunni tradition (Enayat, 1982). According to Satori (2018), these

historical developments constituted the social and intellectual foundations that enabled the emergence of the concept of *Wilāyat al-Faqīh* in the twentieth century.

Table 1. Evolution of political authority in the Twelver Shi‘i tradition

Period	Main characteristics	Form of authority
Era of the Twelve Imams	Leadership vested in the infallible Imams	Religious and political authority unified in the Imams
Period of the Occultation	Development of the quietist tradition	The ‘ <i>ulamā</i> ’ exercised authority over <i>fatwā</i> , judicial affairs, and religious matters
Safavid dynasty	Twelver Shi‘ism established as the official state religion	The ‘ <i>ulamā</i> ’ served as religious legitimizers of royal authority
Qajar dynasty	Development of the <i>marja‘iyyah</i> system	Religious authority centralized in the <i>marja‘ al-taqlīd</i>
Khomeini era	Reconstruction of the concept of <i>Wilāyat al-Faqīh</i>	The <i>faqīh</i> acquired legitimate authority to lead the state

Source: Compiled by the authors based on Enayat (1982), Floor (2001), and Satori (2018).

Table 1 demonstrates that the emergence of *Wilāyat al-Faqīh* cannot be separated from the historical evolution of political authority within the Twelver Shi‘i tradition. Rather than representing an abrupt doctrinal innovation, the concept developed through successive transformations in the relationship between religious authority and political power. The progression from the exclusive authority of the Imams, through the quietist orientation during the Occultation, to the institutionalization of *marja‘iyyah* provided the intellectual and social foundations upon which Ayatollah Ruhollah Khomeini later reconstructed Shi‘i political theology. As a result, *Wilāyat al-Faqīh* emerged as the culmination of a long process of theological and institutional development rather than as a concept detached from the historical trajectory of Shi‘i political thought.

The emergence of *Wilāyat al-Faqīh* cannot be separated from the intellectual journey of Ayatollah Ruhollah Khomeini. From an early age, Khomeini received rigorous education at the *Hawzah* of Qom, where he studied *fiqh*, *uṣūl al-fiqh*, Islamic philosophy, ethics (*akhlāq*), and ‘*irfān*’ under the guidance of distinguished religious scholars. His mastery of these disciplines established him not only as a prominent *faqīh* but also as an influential thinker who sought to reconcile Islamic teachings with the socio-political realities of the modern world (Sayyid Ahmad Khomeini, 2004). Following the death of Ayatollah Borujerdi in 1962, Khomeini emerged as an increasingly outspoken critic of the Shah's policies, which he believed strengthened Western domination while undermining Islamic identity. According to Kurdi (2007), Khomeini's educational background, intellectual activities, and political exile collectively shaped his conviction that the implementation of the *Sharī‘ah* required a political structure led by

the '*ulamā*'. This conviction subsequently became the foundation for his reconstruction of Shi'i political theology, distinguishing it from earlier traditions.

This reconstruction assumed a systematic form through the concept of *Wilāyat al-Faqīh*, which Khomeini developed during his exile in Najaf. In contrast to the classical view that confined the authority of the '*ulamā*' to religious affairs, Khomeini argued that a *faqīh* bears the responsibility of leading society and governing the state throughout the *ghaybah* of Imam al-Mahdī (Khomeini, 1970). He maintained that Islamic law constitutes a comprehensive legal and moral system that cannot be implemented effectively without political authority capable of enforcing it. Consequently, the establishment of an Islamic government was regarded not merely as a political preference but as a logical consequence of the applicability of the *Sharī'ah*. Astuti and Sujati (2018) explain that this concept was not intended to replace the infallible Imam but rather to establish a functional form of leadership that would preserve the implementation of the *Sharī'ah* until the reappearance of Imam al-Mahdī.

Khomeini's conception of *Wilāyat al-Faqīh* extends beyond granting administrative authority to a *faqīh* by positioning him as the supreme authority responsible for safeguarding religion and administering the state. This doctrine is commonly known as *wilāyat al-faqīh al-muṭlaqah* (absolute guardianship of the jurist), which grants the authority to formulate public policy on the basis of *maṣlahah* (public welfare), provided that such policies do not contradict the *Sharī'ah*. Khomeini (1970) argues that an Islamic leader must possess profound expertise in *fiqh*, moral integrity (*'adālah*), piety, and the capacity to govern public affairs effectively. Within this framework, political legitimacy derives neither from hereditary succession nor from political power alone, but from the scholarly competence and religious integrity of the *faqīh*. Muhammad (2022) contends that this conception distinguishes Khomeini's political theory from both monarchical and liberal democratic models because the legitimacy of government is ultimately grounded in the authority of the *Sharī'ah* as exercised by qualified religious scholars.

To substantiate his argument, Khomeini grounded the doctrine of *Wilāyat al-Faqīh* in his interpretation of Qur'ānic verses and prophetic traditions (*ḥadīth*). One of the principal scriptural foundations is Q. 4:59, which commands believers to obey God, the Messenger, and *ulī al-amr* (those vested with authority). Khomeini interpreted this verse to mean that, during the period of the Occultation, the function of *ulī al-amr* may legitimately be exercised by a *faqīh* who possesses the competence to understand and implement Islamic law (Khomeini, 1970). He also drew upon narrations transmitted from Imam Ja'far al-Ṣādiq, which authorize religious scholars to serve as authoritative references for resolving legal and social issues. According to Muhammad (2022), Khomeini's use of these scriptural sources demonstrates his effort to connect the Shi'i jurisprudential tradition with the practical requirements of modern governance,

thereby positioning the leadership of the *'ulamā'* as a functional continuation of the authority of the Imams rather than as a replacement for their infallible status.

The transition from the quietist tradition to *Wilāyat al-Faqīh* illustrates that Shi'i political thought underwent a profound process of reinterpretation shaped by Iran's historical, social, and political developments. Whereas the *'ulamā'* had previously functioned primarily as guardians of religious authority, Khomeini redefined their role by placing them at the center of state governance. Mavani (2013) argues that this transformation constitutes one of the most significant innovations in contemporary Shi'i political thought because it expanded the authority of the *faqīh* from the legal sphere into the political domain. Likewise, Enayat (1982) considers this development a turning point in the history of Shi'i political theology, marking the shift from political quietism to active engagement in governance. Accordingly, *Wilāyat al-Faqīh* should be understood not merely as a theological doctrine but also as an intellectual response to the need for an Islamic system of government capable of addressing the challenges of modernity and Western political dominance.

Khomeini's reconstruction of Shi'i political theology did not remain at the level of theoretical discourse but was institutionalized through the constitutional formation of the Islamic Republic of Iran following the 1979 Islamic Revolution. *Wilāyat al-Faqīh* became the constitutional principle that established the *Rahbar* (Supreme Leader) as the highest authority within the state's political structure. This transformation demonstrates that Khomeini's reconstruction successfully elevated the role of the *'ulamā'* from moral authorities to constitutionally legitimized political authorities. Arjomand (2009) identifies this development as one of the most significant innovations in the history of modern Islamic political thought because it integrated the principles of Shi'i jurisprudence into the institutional framework of a contemporary state. Consequently, examining the institutional implementation of *Wilāyat al-Faqīh* within the constitutional system of the Islamic Republic of Iran is essential for understanding how this theoretical doctrine has been implemented, sustained, and contested in political practice, as discussed in the following section.

Institutionalization of *Wilāyat al-Faqīh* in the Islamic Republic of Iran

The 1979 Iranian Islamic Revolution marked a turning point that transformed *Wilāyat al-Faqīh* from a doctrine of political theology into the constitutional foundation of state governance. Following the successful overthrow of Mohammad Reza Pahlavi's regime, the concept that Khomeini had previously articulated in *Hukūmat-e Islāmī* was formally incorporated into the Constitution of the Islamic Republic of Iran. The Constitution stipulates that, during the *ghaybah* (Occultation) of Imam al-Mahdī, leadership of the state shall be vested in a *faqīh* who possesses the requisite qualifications of scholarly competence, justice, and piety (Constitution of the Islamic Republic of Iran, 1979). Arjomand (2009) argues that this provision constituted a

constitutional innovation by integrating the principles of Shi'i jurisprudence into the framework of a modern state. Takeyh (2009) further contends that this institutionalization was intended not only to safeguard the implementation of the *Shari'ah* but also to establish a system of political legitimacy rooted in religious authority, thereby providing the state with a strong ideological foundation.

The implementation of *Wilāyat al-Faqīh* within Iran's constitutional system is reflected in the distribution of authority among state institutions, while maintaining the *Rahbar* (Supreme Leader) as the highest political authority. According to the Constitution of the Islamic Republic of Iran (1979), the *Rahbar* is empowered to determine the state's general policies, appoint the commanders of the armed forces, designate the head of the judiciary, and supervise the overall administration of government. Below the *Rahbar* is the President, who is responsible for the executive administration of the state but remains subject to the general policy framework established by the Supreme Leader. In addition, the Guardian Council is responsible for reviewing legislation to ensure its conformity with both the *Shari'ah* and the Constitution, while the Assembly of Experts is entrusted with selecting, supervising, and, when necessary, dismissing the *Rahbar*. Arjomand (2009) argues that this institutional arrangement demonstrates how Iran's political system combines electoral mechanisms with religious authority, whereas Satori (2018) maintains that this balance was designed to ensure that governance remains consistent with Islamic principles.

Table 2. Institutional implementation of *Wilāyat al-Faqīh* within the constitutional structure of the Islamic Republic of Iran

Institution	Primary function	Relationship to <i>Wilāyat al-Faqīh</i>
<i>Rahbar</i> (Supreme Leader)	Supreme authority of the state; determines strategic policies; Commander-in-Chief of the armed forces	The principal institutional manifestation of <i>Wilāyat al-Faqīh</i>
President	Administers the executive branch and implements public policy	Governs within the policy framework established by the <i>Rahbar</i>
Guardian Council	Reviews legislation and supervises elections	Ensures that all legislation and political processes conform to the <i>Shari'ah</i> and the Constitution
Assembly of Experts	Elects, evaluates, and may dismiss the <i>Rahbar</i>	Provides institutional legitimacy and oversight of the <i>faqīh</i> 's leadership
Judiciary	Administers the judicial system	Enforces laws based on Islamic principles

Source: Compiled by the authors based on the Constitution of the Islamic Republic of Iran (1979), Arjomand (2009), and Satori (2018).

Table 2 illustrates that Iran's political system cannot be characterized exclusively as either a theocracy or a liberal democracy; rather, it combines elements of both within

a single constitutional framework. On the one hand, citizens directly elect the President, members of Parliament, and the Assembly of Experts through general elections. On the other hand, the existence of the *Rahbar* and the Guardian Council ensures that all political processes remain within the normative boundaries established by the *Shari'ah*. According to Nasr (2006), this institutional arrangement produces a distinctive model of governance in which political legitimacy derives simultaneously from popular participation and religious authority. Arjomand (2009) argues that this system has contributed to maintaining political stability in the post-revolutionary period, whereas Takeyh (2009) contends that the predominance of religious institutions has also generated enduring debates concerning the balance between democratic representation and the authority of the *faqih* within Iran's constitutional order.

Despite serving as the constitutional foundation of the Islamic Republic of Iran, the implementation of *Wilāyat al-Faqih* has remained the subject of considerable debate among Shi'i scholars themselves. One of the most influential critiques was advanced by Ayatollah Hossein Ali Montazeri, who was initially among the principal proponents of the doctrine. Montazeri argued that the authority of the *faqih* should be constrained by constitutional provisions, institutional oversight, and public participation in order to prevent the excessive concentration of political power (Mavani, 2013). Conversely, many scholars associated with the Najaf tradition have continued to uphold the quietist position, maintaining that the '*ulamā*' should serve primarily as moral and religious guides rather than directly exercising political authority. Juwita (2021) explains that these differing perspectives reflect the diversity of interpretations within the Shi'i tradition regarding the relationship between religious authority and the state. Accordingly, *Wilāyat al-Faqih* should not be regarded as a universally accepted doctrine but rather as an enduring subject of debate within contemporary Shi'i political discourse.

The institutionalization of *Wilāyat al-Faqih* has also generated consequences extending beyond Iran's national borders. Following the 1979 Islamic Revolution, Iran incorporated the doctrine into its broader foreign policy identity by supporting various Shi'i movements and communities throughout the Middle East. This influence is evident in Iran's relationships with Hezbollah in Lebanon, several Shi'i groups in Iraq, and other political-religious networks sharing ideological affinities with the Islamic Republic of Iran (Nasr, 2006). Takeyh (2009) argues that this influence has not been exercised solely through military intervention but also through diplomatic engagement, religious education, social assistance, and the strengthening of transnational networks of religious scholars. Arjomand (2009) maintains that this strategy demonstrates how *Wilāyat al-Faqih* evolved from a theory of national leadership into an instrument that has significantly shaped Iran's geopolitical position within the politics of the Middle East.

Based on the foregoing discussion, the institutionalization of *Wilāyat al-Faqīh* can be understood as a process that integrates theological, constitutional, and political dimensions within a single framework of governance. Khomeini's success in incorporating this doctrine into the Constitution of the Islamic Republic of Iran demonstrates how an idea that originally emerged within the tradition of Islamic jurisprudence was transformed into a state system supported by relatively well-established legal and institutional mechanisms. Nevertheless, continuing internal criticism from segments of the Shi'i scholarly community, together with the doctrine's broader geopolitical implications, indicates that the implementation of *Wilāyat al-Faqīh* continues to face significant conceptual and practical challenges (Arjomand, 2009; Mavani, 2013). The following section therefore compares *Wilāyat al-Faqīh* with Taqiyuddin An-Nabhani's concept of the Caliphate in order to identify their similarities, differences, and relevance from the perspective of Ibn Qayyim al-Jawziyyah's theory of legal change.

***Wilāyat al-Faqīh* and the Caliphate: A comparative analysis from the perspective of Ibn Qayyim al-Jawziyyah's theory of legal change**

Taqiyuddin An-Nabhani's concept of the Caliphate is founded on the belief that Islam constitutes a comprehensive system governing all aspects of life, including political governance. Accordingly, the Caliphate is conceived as a political institution that continues the leadership of the Prophet Muḥammad (peace be upon him) in implementing the *Sharī'ah* comprehensively (An-Nabhani, 1994). Unlike monarchical or modern democratic systems, the legitimacy of a caliph is derived through the *bay'ah* (pledge of allegiance) of the Muslim community after fulfilling the prescribed legal qualifications, including being a Muslim, just ('*adl*), mature, mentally competent, and capable of governing. Parno (2021) and Widiyanto (2015) argue that the *bay'ah* constitutes the principal source of political legitimacy within the Caliphate, while the establishment of the state itself is regarded as a collective obligation (*farḍ kifāyah*) to ensure the comprehensive implementation of Islamic law in society.

Although emerging from different theological traditions, *Wilāyat al-Faqīh* and the concept of the Caliphate share a broadly similar normative orientation. Both maintain that religion and politics are inseparable and that the state bears the responsibility of implementing the *Sharī'ah* as the foundation of governance (Khomeini, 1970; An-Nabhani, 1994). Their similarities are also reflected in the objectives of political leadership, which extend beyond maintaining political stability to include the protection of religion, the establishment of justice, and the realization of public welfare (*maṣlahah*). Topan (2013) argues that both Khomeini and An-Nabhani reject the secular state because it separates law from religious values. Accordingly, both concepts may be understood as efforts to formulate an Islamic political system that places the

Shari'ah at the center of political legitimacy and public policy, despite being grounded in distinct theological foundations.

Table 3. Comparison of *Wilāyat al-Faqīh* and Taqiyuddin An-Nabhani's concept of the Caliphate

Aspect		<i>Wilāyat al-Faqīh</i>	An-Nabhani's Caliphate
Basis of legitimacy	of	Doctrine of <i>Imāmah</i> and the authority of the <i>faqīh</i> during the Occultation	<i>Bay'ah</i> of the Muslim community to the caliph
Leader		A <i>faqīh</i> possessing the required scholarly qualifications and justice	A caliph fulfilling the prescribed legal qualifications
Intellectual tradition		Twelver Shi'ism	Sunni Islam
Source of authority	of	Shi'i jurisprudence and the doctrine of <i>wilāyah</i>	The Qur'ān, the Sunnah, and the consensus (<i>ijmā'</i>) of the Companions
Scope of governance	of	Islamic Republic of Iran	The global Muslim community (<i>ummah</i>)
Primary objective		Preserving the implementation of the <i>Shari'ah</i> during the Occultation	Unifying the Muslim community under a single political authority

Source: Compiled by the authors based on Khomeini (1970), An-Nabhani (1994), Parno (2021), and Widiyanto (2015).

Table 3 demonstrates that *Wilāyat al-Faqīh* and Taqiyuddin An-Nabhani's concept of the Caliphate share the common objective of establishing the *Shari'ah* as the foundation of state governance, yet they are constructed upon distinct theological foundations and mechanisms of political legitimacy. Within *Wilāyat al-Faqīh*, political legitimacy derives from the doctrine of *Imāmah*, according to which the *faqīh* exercises the representative authority of the Imam during the period of the Occultation (Khomeini, 1970). By contrast, An-Nabhani (1994) grounds the legitimacy of the caliph in the *bay'ah* as a political contract between the Muslim community and its leader, whereby governmental authority originates from the community's acceptance of a leader who fulfills the requirements of the *Shari'ah*. These differences also shape the role of religious scholars within the political system. Whereas Khomeini's model places the '*ulamā'*' at the center of state authority, An-Nabhani's model assigns them a more limited role as providers of legal opinions (*fatwā*) and moral guardians of government. Saputri (2020) explains that these distinctions reflect the fact that the two concepts emerged from different theological constructions and historical experiences. Consequently, they should not be regarded as mutually exclusive systems but rather as two models of Islamic governance that evolved in response to their respective social, historical, and political contexts.

The fundamental differences between *Wilāyat al-Faqīh* and the Caliphate can be understood more comprehensively through Ibn Qayyim al-Jawziyyah's theory of legal change (*taghayyur al-fatwā wa al-aḥkām*). This theory maintains that legal rulings may

change in response to variations in time, place, social conditions, intentions, and customary practices, provided that such changes continue to promote *maṣlahah* (public welfare) and remain consistent with the fundamental principles of the *Sharī'ah*. Darwis (2017) argues that, from this perspective, political institutions should not be regarded as ends in themselves but rather as instruments for realizing justice, safeguarding religion, and addressing the needs of society. Accordingly, both *Wilāyat al-Faqīh* and the Caliphate may be understood as products of political *ijtihād* that emerged from distinct historical contexts rather than as the sole or absolute model of Islamic governance. This perspective demonstrates that the evolution of Islamic political thought cannot be separated from the changing social realities confronted by successive generations of Muslims.

From this perspective, the emergence of *Wilāyat al-Faqīh* may be interpreted as a response to the political circumstances of Twelver Shi'ism following the Occultation of Imam al-Mahdī. The absence of a legitimate political authority prompted Khomeini to reconstruct the concept of leadership so that the implementation of the *Sharī'ah* would extend beyond the normative sphere and become institutionalized within the state (Khomeini, 1970). By contrast, An-Nabhani's concept of the Caliphate emerged as a response to the political fragmentation of the Muslim world following the abolition of the Ottoman Caliphate in 1924, proposing the reunification of the Muslim community under a single political authority as the solution to political disintegration (An-Nabhani, 1994). Thus, although both concepts seek to address the challenges facing the Muslim community, they arise from different historical experiences, theological foundations, and political circumstances. Darwis (2017) further argues that changes in legal formulations and institutional arrangements constitute a logical consequence of changes in the social conditions to which the *Sharī'ah* is applied.

Based on the foregoing analysis, this study argues that *Wilāyat al-Faqīh* and the Caliphate should not be viewed as mutually exclusive concepts but rather as two forms of Islamic political *ijtihād* that evolved within distinct historical and social contexts. *Wilāyat al-Faqīh* represents a reconstruction of Shi'i political theology intended to address the absence of legitimate leadership during the Occultation of the Imam, whereas An-Nabhani's concept of the Caliphate represents a Sunni political reconstruction aimed at unifying the Muslim community under a universal political order. Viewed through Ibn Qayyim al-Jawziyyah's theory of legal change, the differences between these two models illustrate the flexibility of Islamic law in responding to changing historical circumstances without compromising the higher objectives of the *Sharī'ah*. The principal contribution of this study, therefore, lies in demonstrating that the diversity of governmental models within the Islamic political tradition may be understood as adaptive responses to changing historical contexts, provided that they continue to promote public welfare, justice, and the preservation of the fundamental values of the *Sharī'ah*.

Conclusion

The conclusion should summarize the main findings of the study and directly address the research objectives or questions. It should highlight the significance, implications, and contributions of the research without merely repeating the discussion. Authors are encouraged to emphasize the novelty and value of the study in advancing knowledge within theology, religious studies, civilization studies, humanities, or related interdisciplinary fields.

The conclusion should be written in a concise narrative form consisting of 1–3 paragraphs. Citations, tables, figures, and extensive discussions should be avoided in this section. Where appropriate, authors may include recommendations for future research or practical implications derived from the findings. The conclusion should not be presented in bullet points or numbered lists.

References

- An-Nabhani, T. (1994). *Nizham al-hukm fi al-Islam*. Dar al-Ummah.
- Arjomand, S. A. (2009). *After Khomeini: Iran under his successors*. Oxford University Press.
- Astuti, N. Y., & Sujati, B. (2018). Pemikiran Ayatullah Khomeini tentang wilayah al-faqih dan respon para ulama. *Aqidah-Ta: Jurnal Ilmu Aqidah*, 4(2), 235–251. <https://doi.org/10.24252/aqidahta.v4i2.6499>
- Bakir, A. (2023). Hezbollah's relation with Iran: The proxy-ally debate and Wilayat al-Faqih's impact on Hezbollah's nature, governance, and legitimacy. In *Rebel governance in the Middle East* (pp. 151–185). Springer Nature Singapore. https://doi.org/10.1007/978-981-99-1335-0_6
- Connaway, L. S., & Radford, M. L. (2021). *Research methods in library and information science*. Bloomsbury Publishing USA.
- Darwis, R. (2017). Pemikiran Ibnu Qayyim al-Jauziyah terhadap paradigma perubahan hukum. *Adzkiya: Jurnal Hukum dan Ekonomi Syariah*, 5(1).
- Enayat, H. (1982). *Modern Islamic political thought*. University of Texas Press.
- Floor, W. (2001). *Safavid government institutions*. Mazda Publishers.
- Fuadi, A. I. (2024). Reconfiguring religious authority and ethical governance in Islamic political thought: A comparative literature review. *Sinergi International Journal of Islamic Studies*, 2(3), 136–148. <https://doi.org/10.61194/ijis.v2i3.605>
- Jansen, J. J. G. (2019). Echoes of the Iranian Revolution in the writings of Egyptian Muslims. In *The Iranian Revolution and the Muslim world* (pp. 207–218). Routledge. <https://doi.org/10.4324/9780429311994-12>

- Juwita, J. (2021). *Pemikiran Ayatullah Khomeini dan relevansi wilayah al-faqih terhadap relasi agama dan demokrasi di Iran* [Doctoral dissertation, UIN Ar-Raniry].
- Kara, S. (2020). The legal authority of the jurist and its scope in modern Iran. *Journal of the Contemporary Study of Islam*, 1(1), 1–27. <https://doi.org/10.37264/jcsi.v1i1.3>
- Kawtharani, F. W. (2020). Against the absolutist government: Shams al-Din's critique of Khomeini's thesis Wilāyat al-Faqih. In *Political thought in contemporary Shi'a Islam* (pp. 103–130). Springer International Publishing. https://doi.org/10.1007/978-3-030-28057-4_4
- Kholil, A., Moh, Z., Indah, R., & Djody, F. (2025). Insights beyond the revolution of Iran: A review of moral and philosophical values in the political realm of Imam Ayatollah Khomeini. *Fikri: Jurnal Kajian Agama, Sosial Dan Budaya*, 9(2), 313–327. <https://doi.org/10.25217/jf.v9i2.4940>
- Khomeini, R. (1970). *Hukūmat-e Islāmī: Wilāyat al-faqih* [Islamic government: Governance of the jurist] (H. Algar, Trans.). The Institute for Compilation and Publication of Imam Khomeini's Works.
- Khomeini, S. A. (2004). *Imam Khomeini* (Terjemahan dari Mir'atu Syamsi). Cahaya.
- Konstitusi Republik Islam Iran*. (1979).
- Kurdi, S. (2007). Peranan elit ulama di negeri para mullah (Studi pemikiran Khomeini tentang wilayah al-faqih). *Hermeneia*, 6(1).
- Mavani, H. (2013). *Religious authority and political thought in Twelver Shi'ism: From Ali to post-Khomeini*. Routledge.
- Muhammad, S. (2022). Konsep negara menurut Imam Ayatullah Khomeini dalam tinjauan filsafat politik. *Jurnal Penelitian Ilmu Ushuluddin*, 2(3), 413–429. <https://doi.org/10.15575/jpiu.13635>
- Nasr, V. (2006). *The Shia revival: How conflicts within Islam will shape the future*. W. W. Norton & Company.
- Ningsih, A. S., Angkasa, N., Oktora, N. D., Sakirman, S., Pertiwi, N. L. P., & Triwibowo, A. (2025). Reforming Islamic family law: The relevance of Ibn Qayyim al-Jawziyyah's concept of legal change. *Jurnal Ilmiah Mizani: Wacana Hukum, Ekonomi Dan Keagamaan*, 12(2), 1. <https://doi.org/10.29300/mzn.v12i1.7087>
- Parno. (2021). *Konsep negara khilafah menurut Taqiyuddin An-Nabhani* [Doctoral dissertation, Universitas Islam Negeri Sumatera Utara].
- Rock-Singer, A. (2022). The rise of Islamic society: Social change, state power, and historical imagination. *Comparative Studies in Society and History*, 64(4), 994–1023. <https://doi.org/10.1017/S0010417522000317>

- Saputri, C. A. (2020). *Konsep khilafah dalam pandangan Taqiyuddin An-Nabhani dan Abdurrahman Wahid* [Doctoral dissertation, UIN Raden Intan Lampung].
- Satori, A. (2018). *Sistem pemerintahan Iran modern: Konsep wilayah al-faqih Imam Khomeini sebagai teologi dalam relasi agama dan demokrasi*. Deepublish.
- Takeyh, R. (2009). *Guardians of the revolution: Iran and the world in the age of the ayatollahs*. Oxford University Press.
- Topan, M. (2013). Kekuasaan menurut Taqiyuddin An-Nabhani dalam tinjauan etika politik. *Jurnal Filsafat*, 23(2). <https://doi.org/10.22146/jf.13218>
- Widianto, N. (2015). *Sistem khilafah menurut Taqiyuddin An-Nabhani (1909–1977 M)* [Doctoral dissertation, UIN Sunan Kalijaga].