

# The Relationship Between the Absolute Guardianship of the Jurist and Oversight of the Supreme Leader in Islamic Teachings and the Constitution of the Islamic Republic of Iran

1. Alireza Tofighi : Department of Law, Shi.C, Islamic Azad University, Shiraz, Iran
2. Abdolhamid Farzaneh \*: Department of Law, Shi.C, Islamic Azad University, Shiraz, Iran
3. Mahdi Sheikh Movahed : Department of Law, Shi.C, Islamic Azad University, Shiraz, Iran
4. Hamid Mahmoudian : Department of Law, Shi.C, Islamic Azad University, Shiraz, Iran

\*Correspondence: ab.farzaneh@iau.ac.ir

## Abstract

Islam places strong emphasis on the supervision of rulers and the leadership of an Islamic government. The foundations of Islam consider unchecked power as a source of corruption and insist on the necessity of oversight. Supervision of the Supreme Leader pertains to both his qualifications and his performance. This supervision requires an understanding of the characteristics of the Supreme Leader as well as his responsibilities, both from the perspective of Islamic jurisprudence (fiqh) and the Constitution. Given the importance of this issue and the pivotal role played by Islamic jurists in this context, a comprehensive examination from the standpoint of jurisprudence and the Constitution has not yet been conducted. In Islam, there are various evidences that confirm the necessity of oversight of the Supreme Leader. These include: the non-infallibility of the Supreme Leader, the obligation of advising rulers, the conceptualization of responsibility as a trust, and the significance of the religious duty of enjoining good and forbidding wrong. Supervision of the Supreme Leader encompasses both internal and external oversight. The entities overseeing him include divine supervision, public oversight, and institutionalized mechanisms. Certain principles of the Constitution of the Islamic Republic of Iran underscore the importance of the Assembly of Experts, a juristic institution within the Islamic Republic, which bears the legal responsibility for this oversight. This article aims to examine the concept and mechanism of supervision from the perspective of both the Constitution and Islamic teachings.

**Keywords:** Guardianship of the Jurist, Oversight, Government, Constitution, Islam, Power, Jurisprudence, Ruler

Received: 04 April 2025

Revised: 19 May 2025

Accepted: 23 May 2025

Published: 10 June 2025



**Copyright:** © 2025 by the authors. Published under the terms and conditions of Creative Commons Attribution-NonCommercial 4.0 International ([CC BY-NC 4.0](https://creativecommons.org/licenses/by-nc/4.0/)) License.

**Citation:** Tofighi, A., Farzane, A., Sheikh Movahed, M., & Mahmoudian, H. (2025). The Relationship Between the Absolute Guardianship of the Jurist and Oversight of the Supreme Leader in Islamic Teachings and the Constitution of the Islamic Republic of Iran. *Legal Studies in Digital Age*, 4(2), 1-9.

## 1. Introduction

In political philosophy and constitutional law, oversight of power is a serious and controversial subject that cannot be ignored when examining the political system of Islam. This issue is particularly relevant from two perspectives: "Islamic foundations"

and "the Constitution of the Islamic Republic of Iran." Institutionally, it is also connected to the duties of the "Assembly of Experts for Leadership."

One of the fundamental questions in this area is the relationship between the absolute nature of the Guardianship of the Jurist (Velayat-e Motlaqeh-e Faqih) and the issue of supervision over this authority. Some, mistakenly, in an attempt to preserve the status of this guardianship, refrain from raising the issue of oversight, evaluating performance, or assessing the existence and continuation of the leadership's required qualities and characteristics.

Another related question concerns the methods and types of oversight, the characteristics of the overseers, and the scope of their authority in supervising this position within Islamic governance. Jurisprudential and legal perspectives on this issue vary significantly, with interpretations that are diverse and sometimes contradictory.

This study seeks to answer the aforementioned questions through a review of Islamic sources and the Constitution, along with an analysis of scholarly views from experts in Islamic jurisprudence and public law. This is conducted through a library-based research method using descriptive-analytical techniques.

## **2. Conceptual Analysis of Terms and Terminology**

### *2.1. Supervision*

#### *2.1.1. Lexical Definition of Supervision*

In the book *Lisan al-Arab*, "supervision" is derived from the root "nazar" and is defined as "protection," "comparison," "guardian," and "watchman". In *Al-Munjid*, "nazar" is defined as "deliberation," "observation and judgment," "adjudication," and "commanding". Similarly, "supervision" is defined as "the action and position of a supervisor, and monitoring the implementation of affairs" (Moein, 2007). Dehkhoda describes "supervision" as "monitoring and observing a matter, oversight, observing something, and direct engagement" (Dehkhoda, 1967).

#### *2.1.2. Terminological Definition of Supervision*

In management science, supervision is defined as the process by which the performance of employees is formally evaluated at specific times (Saadat, 1994). From a legal standpoint, supervision refers to aligning the performance of governmental officials and institutions with the laws and regulations of the country, carried out by a supervisor to ensure the establishment of legal order and governance (Malek Afzali Ardakani, 2003).

### *2.2. Jurist (Faqih)*

#### *2.2.1. Lexical Definition of Jurist*

The term *faqih* is derived from *fiqh*, which lexically means deep understanding and knowledge.

#### *2.2.2. Terminological Definition of Jurist*

A *faqih* is someone who possesses deep and precise understanding, explores the roots of legal rulings, and resolves their complexities. In other words, a jurist is an expert in Islamic jurisprudence.

### *2.3. Guardianship (Wilayah)*

#### *2.3.1. Lexical Definition of Guardianship*

"Wilayah" is an Arabic word derived from *wali*, which in Arabic means something that follows another without any gap, implying closeness and continuity between them (Hashemi, 2010).

### 2.3.2. Terminological Definition of Guardianship

Guardianship, in terminology, means "the responsibility of administering and managing governance" ([Jawadi Amoli, 1989](#)).

### 2.4. Absolute Guardianship of the Jurist (*Velayat-e Motlaqeh-e Faqih*)

Absolute guardianship implies that the jurist has unrestricted authority within the framework of Islamic rulings and the interests of the Islamic community. The term *absolute* contrasts with *restricted* and means that the jurist's guardianship is comprehensive within the boundaries of primary and secondary Islamic rulings ([Makarem Shirazi, 1992](#)).

Imam Khomeini believed that: "A just jurist holds all the authority that was granted to the Prophet (PBUH) and the Imams (AS) in matters related to governance and politics. Making distinctions between the Prophet (PBUH), the Imams (AS), and the jurist is irrational, because the governor is the executor of divine rulings, the enforcer of divine limits, the collector of taxes and other revenues, and the disposer of those funds for the welfare of Muslims" ([Mousavi Khomeini, 1999](#)).

## 3. Oversight of Government in Religious Teachings

### 3.1. The Necessity of Oversight in the Qur'an

Although the Qur'an does not explicitly discuss the oversight of political power, many verses establish foundations and arguments for controlling and restricting power, and for preventing corruption, tyranny, and abuse of authority.

#### 3.1.1. Verses That Prevent Despotism

Verses such as: "*O mankind! We created you from a single male and female, and made you into nations and tribes so that you may know one another. Verily, the most honored of you in the sight of God is the most righteous of you*" (Surah Al-Hujurat, 49:13). This verse explicitly denies all forms of discrimination and declares piety—not social or material privileges—as the criterion of honor in the eyes of God.

#### 3.1.2. Verses Interpreting Power and Governance as a Trust

According to prominent Shiite exegeses, power and governance are divine trusts bestowed by God upon worthy and qualified individuals. For example, in the exegesis of Ali ibn Ibrahim, it is stated: "Trust means imamate and the authority to command and forbid," supported by the verse: "*God commands you to render trusts to whom they are due*" (Surah An-Nisa, 4:58), which confirms that power is a divine trust to be entrusted only to those who are qualified.

#### 3.1.3. Verses That Emphasize Justice

Verses such as: "*Let not the hatred of a people prevent you from being just. Be just; that is nearer to piety*" (Surah Al-Ma'idah, 5:8), "*When you judge between people, judge with justice*" (Surah An-Nisa, 4:58), "*Be persistently standing firm in justice, witnesses for Allah*" (Surah An-Nisa, 4:135), and "*Indeed, Allah commands justice*" (Surah An-Nahl, 16:90), all demonstrate the obligation of justice. According to the principles of Islamic jurisprudence, imperative verbs in the Qur'an imply obligation, and thus, the above verses establish the universal obligation of justice. Oversight of the Islamic ruler serves as a path to achieving justice, aligning closely with Qur'anic teachings.

#### 3.1.4. Verses That Reject Human Domination Over Humans

Surah Al-Imran declares: "*Say: O People of the Book! Come to a word that is just between us and you: that we worship none but Allah and associate no partners with Him, and that none of us shall take others as lords beside Allah*" (Surah Al-Imran, 3:64). These verses prohibit human domination over others, affirming that Islamic politics centers on human dignity. No one has the right to exercise authority over another except by divine command.

The Qur'an supports the principle of public consent and cooperation with a religious political system. For instance: *"Indeed, Allah was pleased with the believers when they gave their pledge to you under the tree. He knew what was in their hearts, and He sent down tranquility upon them"* (Surah Al-Fath, 48:18). Similarly, Surah At-Tawbah (9:72) presents allegiance as a cause for divine satisfaction and a means of re-evaluating followers' readiness, commitment, and loyalty—a form of political obedience and public oversight of the government.

### 3.2. The Rationale for Oversight in the Prophetic Tradition

The Noble Prophet of Islam emphasized the importance of attending to the affairs of Muslims: "Whoever does not strive to improve the affairs of Muslims is not one of them. Whoever hears the voice of someone calling Muslims to help and does not respond is not a Muslim" (Kulayni, 1988). The affairs of Muslims are not limited to private and individual matters; rather, they encompass a wide range of personal and social domains, including the political and governmental issues of the Islamic nation. At the forefront of these are rulers and government officials. Attending to such matters necessitates constant oversight by Muslims over these individuals to prevent potential deviation or to rectify existing missteps.

As stated in *Nahj al-Balaghah*: "People will not be righteous unless their rulers are righteous" (Sermon 216). A poet expressed this truth by saying: "If the king eats a single apple from the garden of the poor, his servants will uproot the entire orchard." That is, corruption and dysfunction at the top of government will influence and contaminate the lower ranks and the general populace. If rulers, scholars, and jurists are virtuous, the nation will follow; if they are corrupt, the nation will follow in corruption.

People have the right to rise for justice, as they are the direct addressees of numerous Qur'anic verses: *"That the people may uphold justice"* (Al-Hadid, 57:25), *"Be persistently standing firm in justice"* (An-Nisa, 4:135), *"So make peace between them"* (Al-Hujurat, 49:9), *"Be just"* (Al-Ma'ida, 5:8), *"Cut off their hands"* (Al-Ma'ida, 5:38), *"Flog them"* (An-Nur, 24:2), *"Prepare against them whatever you are able"* (Al-Anfal, 8:60). These verses reflect Islam's elevated view of the expansion of justice in human society, where the foundation of movement toward justice is built by the people themselves, through a cultural and intellectual revolution. The Qur'an refers to this with terms such as *bayyinat* (clear signs), *mizan* (scale), and *kitab* (book). In a secondary step, it mentions *iron* or *severe force* as the enforcement mechanism of justice against oppressors, which implies that this enforcement depends on the people's support for God's religion and His messengers. In other words, even here, the central role belongs to the people.

Imam Ali (peace be upon him), in a letter to the people of Kufa, requested that if they found him to be righteous, they should assist him (*Nahj al-Balaghah*, Letter 57). This statement reflects the principle that just as people have the right to exercise power in military matters, they certainly also have the right to supervise governmental affairs.

### 3.3. Oversight from Jurisprudential and Legal Perspectives

#### 3.3.1. Oversight from a Jurisprudential Perspective

Sheikh Mufid argued that: "In addition to the responsibility of the ruler and his representatives to monitor the ethics and behavior of society and protect its cultural health, the people themselves must supervise the conduct of government and must not refrain from offering well-meaning advice or constructive criticism".

Thus, although the Infallibles possess divine and innate knowledge of the unseen and know what is in the best interest of the public, their consultation is not meant to discover such interests. Instead, it serves as a managerial strategy to ensure public acceptance of decisions.

The public's role in overseeing government can also be derived from the obligation of *enjoining good and forbidding evil* (*amr bi al-ma'ruf wa nahi 'an al-munkar*), which, according to Sayyid Murtadha, is unanimously agreed upon within the Muslim community. Although the Imam, due to infallibility, is exempt from being subject to this principle, government officials and administrators—who do not possess infallibility—fall within its purview. Therefore, the people are obligated to monitor their actions and, on the basis of this principle, correct their errors and promote virtuous actions and effective governance practices.

During the Constitutional Movement in Iran, Allameh Na'ini held that supervision of monarchy is an undeniable right of the people.

Imam Khomeini (may his soul be sanctified) also explicitly affirmed the right of the people to oversee the Supreme Leader and the importance of this oversight: "If I take one wrong step, the people are obligated to say: You stepped wrong, fix yourself. This is a critical matter".

### 3.3.2. *The Argument of Non-Oversight of the Supreme Leader*

Mohsen Kadivar, a reformist Islamic thinker, in a sixty-page open letter to Akbar Hashemi Rafsanjani, then head of the Assembly of Experts, requested the impeachment and removal of Ayatollah Khamenei, the Supreme Leader of Iran.

He also wrote that when the Assembly of Experts began supervising some institutions appointed by the Supreme Leader and summoned their heads to report to the Assembly, this action faced opposition from the Leader's office, indicating that the Supreme Leader does not consider such oversight part of the Assembly's duties.

Kadivar argued that the Supreme Leader, by violating the Constitution, obstructs the Assembly's oversight of his performance and the institutions under his authority. Furthermore, since both the Assembly and the Guardian Council are aligned with and appointed by the Leader, genuine oversight does not occur.

### 3.3.3. *Critique of Mohsen Kadivar's Viewpoint*

Oversight of leadership and mechanisms of power control in the Islamic Republic are not limited to the selection and supervision of the Assembly of Experts. In addition to internal mechanisms such as piety and perpetual justice in leadership, other significant oversight bodies exist, including the Guardian Council's jurists, the Assembly of Experts itself—as one of the most reliable mechanisms—senior religious authorities (*marāji‘-i taqlīd*), seminaries, respected public figures, and fundamentally, the Islamic society itself.

If alignment with the leadership means that those appointed by the Leader act solely to serve his personal desires or quest for power, then this is clearly negative and an abuse of power—addressed through multiple established mechanisms. However, if alignment means appointing individuals who believe in Islamic and revolutionary values, and such consistency is necessary for the political system's efficiency and unity, then this is not blameworthy. On the contrary, it is logical, rational, and consistent with Islamic teachings and the conduct of the Infallibles (peace be upon them).

The Supreme Leader's conduct clearly demonstrates his attention to and emphasis on the role and position of the people. In response to attempts to impose Western models in the form of democracy and civil society on Iran, he introduced the term "religious democracy" as an alternative model rooted in Islamic principles.

Furthermore, in relation to oversight of the Leader's Office, the Supreme Leader told the representatives of the Assembly of Experts: "If there is to be investigation, questioning, or action, contact my office. Ask what I have done regarding this structure, how I have operated the institutions under my supervision. Ask about my actions; they will respond to you because I have instructed them to provide you with information on whatever you ask. Then, if you find that my actions compromise any of the necessary qualifications for leadership, that is when you should take action. Otherwise, it does not concern leadership" (Jannati, 2006).

## 3.4. *Oversight from a Legal Perspective*

### A) **Oversight in Private Law**

In private law, oversight is referred to as *fiqh al-mu'amalat* and is classified as *informational* (*istilā‘ī*). In this type of supervision, the observer merely gathers information without the authority to intervene. In the Constitution of the Islamic Republic of Iran, the General Inspection Organization operates under this informational model, functioning under the supervision of the Judiciary, with its powers and responsibilities defined by law (Constitution, Article 174).

Another example of informational oversight includes the inspectors of the Ministry of Education, who monitor school affairs and prepare reports to submit to the relevant authorities. These inspectors are not authorized to issue binding orders, and their directives do not carry legal enforceability.

## B) Oversight in Public Law

In public law, oversight is termed *fiqh al-niżām* and is categorized as *approval-based* (*istiswābī*). Lexically, *istiswāb* refers to the notion of “sound judgment”.

Terminologically, *approval-based oversight* means that the supervisor has the authority to issue decisions and orders, which must be followed and are legally binding. Any exercise of rights or powers without the supervisor’s approval is considered invalid.

An example of approval-based oversight is the supervision exercised by the head of an office or factory over the performance of subordinates.

In the Islamic political system, oversight is tied to the highest level of public satisfaction, representing popular acceptance and a social foundation that the government must uphold. The government is required to view accountability as a public right and to respond to the people’s demands (Amini, 2006).

### 3.5. Foundations of Oversight in the Islamic Worldview

#### 3.5.1. Governance as Responsibility

In religious teachings, particularly the Qur'an, the accountability of rulers is one of the fundamental principles. The Qur'an states: “*He is not questioned about what He does, but they will be questioned*” (Al-Anbiya, 21:23). The Infallibles also declared: “*Each of you is a shepherd, and each of you is responsible for his flock.*” That is, anyone who assumes responsibility will be held accountable, and no excuse is acceptable. A ruler is accountable for the people under his governance.

#### 3.5.2. Power as a Trust

God honors human beings and regards them as His vicegerents, entrusting them with power as a sacred trust. The faithful individual is considered trustworthy in God’s eyes, and betrayal of this trust warrants accountability. Imam Ali (peace be upon him) stated: “*Governance should not be a source of food and drink for you; rather, it is a trust upon your shoulders... In your hands are the wealth and assets of God, and you are the treasurer until you deliver them.*” (*Nahj al-Balagha*, Letter 5). Although positions of power are divine trusts, since it is the people who entrust these positions to officials, their right to oversee remains intact.

#### 3.5.3. The Corrupting Nature of Power

Historical studies show that individuals in positions of power have often abused it, leading to corruption and tyranny. Consequently, the necessity of defining boundaries for power and governance, along with mechanisms for oversight, has become essential to prevent such outcomes (Qazi).

#### 3.5.4. Necessity of Preserving the Political System and Government

In Shi'ite thought, the political system is monotheistic, with the preservation of Islam being its foundation. There is no separation between Islam and the Islamic government; the latter is considered an inseparable part of the former. Adhering to divine commands strengthens and preserves the Islamic government, making it one of the fundamental duties of every Muslim. Safeguarding leadership and preserving the system are thus inseparable responsibilities (*Nahj al-Balagha*, Saying 252).

#### 3.5.5. The Duty of Enjoining Good and Forbidding Evil

One of the obligatory and essential principles in Islam is the duty of *enjoining good and forbidding evil*, a principle of great importance that addresses all Muslims. This principle plays a critical role in preserving societal health, particularly during the occultation era, where rulers are not infallible and prone to error. This duty serves as an effective preventive mechanism for monitoring both officials and citizens.

God describes the implementation of this duty as a distinguishing feature of the Muslim community: “*You are the best nation produced for mankind. You enjoin what is right and forbid what is wrong and believe in Allah*” (Al-Imran, 3:110).

This duty carries immense responsibility. Those who perform it are described as successors to the Prophet and the Book. Imam Ali (peace be upon him) declared: “*The foundation of the Sharia is based on enjoining good, forbidding evil, and upholding divine limits*” (*Ghurar al-Hikam*, Saying 6817). These narrations imply that if a society neglects this collective responsibility—especially concerning political and social corruption—the very foundation of religion will be harmed, leading to societal decay and deviation.

### 3.5.6. *The Necessity of Advising and Counseling Rulers*

In renowned Shi‘ite texts, especially *al-Kafi*—considered an encyclopedia of Shi‘ite hadith—the principle of *nasīha* (sincere advice) is emphasized. The Infallible Imams urged people to offer guidance and counsel to rulers. This form of advice is essentially a mode of oversight, which presumes familiarity with the ruler’s performance. In Islamic tradition, *nasīha* has a broad meaning that includes consultation, criticism, guidance, sincere counsel, the speaking of truth, and the prevention of both intentional and unintentional errors.

### 3.5.7. *Necessity of Cooperation in Righteousness and Avoidance of Cooperation in Sin*

God Almighty says in the Qur’ān: “*Cooperate with one another in righteousness and piety, but do not cooperate in sin and aggression*” (Al-Ma’ida, 5:2).

Accordingly, Muslims are obligated to cooperate in social, legal, moral, and political matters and to absolutely avoid wrongdoing. It is evident that oversight of rulers is a prime example of cooperation in righteousness and is thus clearly included under the ruling of the above verse.

## 4. Oversight of Leadership in the Constitutional Law of Iran

### 4.1. *Oversight of the Supreme Leader in the Constitution of the Islamic Republic of Iran*

The concept conveyed in Article 111 of the Constitution, which assigns responsibility to the Assembly of Experts, implies oversight, even though the term “oversight” itself is not explicitly used. This is because, without the processes of monitoring and assessing the circumstances, the removal of the Leader would not be possible—an outcome that inherently requires oversight. Furthermore, according to Article 142 of the Constitution, “*The assets of the Leader, the President, Vice Presidents, ministers, and others shall be reviewed before and after their terms of office by the head of the Judiciary to ensure that they have not increased in a manner contrary to law.*”

#### 4.1.1. *Public Oversight in the Constitution*

According to Article 8 of the Constitution of the Islamic Republic of Iran, “*Enjoining good and forbidding evil is a universal and reciprocal duty that applies to the people in relation to each other, the government in relation to the people, and the people in relation to the government. The conditions and scope of this duty shall be defined by ordinary law.*” The fact that the Constitution directly addresses this principle, while delegating the procedural details to statutory law, is a strong indication of the importance and institutional parameters of this religious and legal obligation. In reality, the most logical channel for implementing public oversight over the Leader is through the Assembly of Experts.

#### 4.1.2. *Oversight by the Assembly of Experts*

##### A) The Assembly of Experts and the Historical Background of Oversight of the Supreme Leader

During the drafting of the Constitution, some members of the Assembly proposed that a specialized committee be formed within the Assembly to “*monitor the proper execution of the Leader’s duties.*” However, the majority opposed this proposal, citing the high status of the Supreme Leader in Islamic teachings and the Constitution. They believed that ongoing scrutiny of the Leader’s duties would result in “*the inferior overseeing the superior*” and would cause disruption in leadership.

Consequently, Article 111 adopted a form of oversight limited to verifying the continued possession of the qualifications necessary for leadership.

In the 1989 constitutional revision, the issue of oversight of the Supreme Leader was raised again. The relevant commission assigned the task of “*oversight over the proper execution of leadership duties*” to the Assembly of Experts. Nonetheless, both the commission spokesperson and the Assembly agreed that such oversight should be limited to ensuring the Leader retains the necessary qualifications. Therefore, in the final vote, the Assembly overwhelmingly agreed to remove the phrase “*oversight of the proper execution of duties*,” and the revised Constitution retained a version of oversight limited to monitoring the Leader’s qualifications and enabling his dismissal if those qualifications are no longer met (Official Proceedings of the Constitutional Revision Council, pp. 1259 and 1264).

#### **B) Oversight Mechanism of the Assembly of Experts Regarding the Supreme Leader**

The primary mechanism for leadership oversight within the Assembly of Experts is detailed in the Assembly’s internal bylaws:

**a. Formation of the Investigation Committee:** Article 31 of the internal bylaws mandates the formation of a committee consisting of eleven permanent and four alternate members, elected for a two-year term, with re-election permitted. Article 43 specifies that in the event of the death, resignation, or disqualification of any permanent member, alternates will replace them based on order of precedence or, if tied, by random selection.

**b. Conditions for Committee Membership:** These conditions include (1) membership in the Assembly of Experts (Article 17), (2) no familial relation to the Leader (Clause 2, Article 31), and (3) having sufficient time availability (Clause 1, Article 31).

**c. Notification of Committee Members to the Leader:** Article 15(7) assigns the Assembly’s presidium the task of informing the Supreme Leader of the committee’s members, solely for identification purposes. While the names of members of other committees may be made public, those of the Investigation Committee are communicated privately to the Leader. According to Article 33, the committee may, if necessary, meet with the Leader to verify the accuracy of the information it has received.

**d. Operational Regulations of the Committee:** The committee is required to draft and approve its own internal rules, based on Article 44, which govern meeting frequency, quorum, the election of chair and vice-chair, and other procedural matters. According to Article 33, the committee is authorized to collect all relevant information related to Article 111, provided it complies with legal and Islamic standards. Article 32 obligates all other Assembly members to submit any related information they possess to the committee. Thus, the committee is explicitly limited to (1) collecting information strictly within the scope of Article 111 and (2) doing so through legal and Sharia-compliant means.

##### *4.1.3. Indirect Oversight by the Expediency Discernment Council*

According to Article 110 of the Constitution, “*resolving system-level issues and determining general policies*” is a responsibility of the Supreme Leader, which he undertakes after consultation with the Expediency Discernment Council. Though it does not have legislative authority, the Council functions as a consultative body and thereby exercises a form of indirect oversight over the Leader’s decisions and performance.

## **5. Conclusion**

A close examination of Qur’anic verses and the hadiths of the Prophet (PBUH) and the Infallible Imams—especially Imam Ali (AS)—reveals that oversight of rulers is a matter of great significance in religious, political, and social dimensions. Based on the practical conduct (*sīrah*) of the Infallibles, the rights of giving counsel, offering sincere advice, and enjoining good and forbidding evil toward the government and its rulers are considered among the political rights of individuals in the Islamic political tradition. These reflect various forms of public participation in shaping political destiny and are deemed religious obligations.

Given that the political system of the Islamic Republic of Iran is based on *Velayat-e Faqih*, and that Islamic principles and the Constitution grant extensive authority and responsibilities to the Islamic ruler, mechanisms have been devised to prevent mistakes by the Leader and monitor his conduct. These include:

1. **Internal Oversight:** This refers to the Leader's own self-monitoring, stemming from his piety and justice, which act as internal restraints on his thoughts, ethics, and behavior.
2. **External Oversight:** Since internal oversight alone is insufficient, external oversight is also mandated by both Sharia and constitutional law. This includes public supervision through enjoining good and forbidding evil, the oversight of jurists and scholars from seminaries, indirect consultation through advisory councils, and direct supervision by the Assembly of Experts. Based on Articles 108 and 111 of the Constitution and its internal bylaws, the Assembly of Experts exercises systematic oversight through the Investigation Committee.

This committee is tasked with identifying cases of the Leader's incapacity to perform his duties or loss of necessary qualifications, offering advice, and evaluating the performance of the Leader and institutions under his authority. Notably, this type of oversight is primarily preventive and does not conflict with the absolutist nature of *Velayat-e Faqih*. Rather than weakening the position of the Supreme Leader, it strengthens it by dispelling accusations of dictatorship and contributes to the overall health of the government.

### Authors' Contributions

Authors contributed equally to this article.

### Declaration

In order to correct and improve the academic writing of our paper, we have used the language model ChatGPT.

### Ethical Considerations

All procedures performed in this study were under the ethical standards.

### Acknowledgments

Authors thank all individuals who helped us do this study.

### Conflict of Interest

The authors report no conflict of interest.

### Funding/Financial Support

According to the authors, this article has no financial support.

### References

Amini, E. (2006). Regulations and performance of the Assembly of Experts: An interview with Islamic Government Quarterly. *Islamic Government Quarterly*(8).

Dehkhoda, A. A. (1967). *Dictionary* (Vol. 48). University of Tehran Press.

Hashemi, S. M. (2010). *Constitutional Law of the Islamic Republic of Iran* (Vol. 1). Mizan Publications.

Jannati, A. (2006). Conditions, duties, and powers of the Assembly of Experts. *Islamic Government Quarterly*(41).

Jawadi Amoli, A. (1989). *Velayat-e Faqih: The Guardianship of Justice and Jurisprudence*. Raja Publishers.

Kulayni, M. Y. (1988). *Al-Usul min al-Kafi* (Vol. 1). Dar al-Kutub al-Islamiyyah.

Makarem Shirazi, N. (1992). *Tafsir Nemouneh*. Dar al-Kutub al-Islamiyyah.

Malek Afzali Ardakani, M. (2003). *Supervision and Supervisory Institutions*. Research Institute of Culture and Islamic Thought.

Moein, M. (2007). *Moein Dictionary* (Vol. 1). Edna Publications.

Mousavi Khomeini, S. R. (1999). *Sahifeh Imam*. Institute for the Compilation and Publication of Imam Khomeini's Works.

Qazi, A. *Constitutional Law and Political Institutions*.

Saadat, E. (1994). *Dictionary* (Vol. 12). University of Tehran.