

## OFFICIAL STATEMENT • 22



Subject: Divine government, non-divine or human governments, and due process of law  
The official: Chief Justice of the Court of Cassation, Head of Supreme Judicial Council, and the Acting Friday Prayer Leader, Ayatollah Abdolkarim Musavi Ardebili  
The occasion: Tehran Friday Prayer  
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In the first sermon of this week's Friday Prayer, in Tehran, Ayatollah Musavi Ardebili compared divine government with non-divine or human governments and referred to the great advantage of Islamic government, which is the Guardianship of the Supreme Jurist [Velayat-e Faqih]. He said, "In human governments, where all laws and regulations are drafted and established by individuals, many an impasse occurs in practice, which leads those in power to resort to authoritarian rule. In Divine government, however, the main framework of the legal system and major laws are established by God, and when a problem arises, the Guardian Jurist [Vali-e Faqih] can, by relying on his guardianship, his intelligence, and divine law, promptly resolve the issue." Regarding this subject, the provisional Friday Imam of Tehran said, "In the last ten years, the Islamic government of Iran has been confronted with numerous difficulties created by domestic and foreign enemies and has had to deal with many conspiracies. In all these matters, his holiness, the Imam [Khomeini] has used his Guardianship prerogatives in a very appropriate

manner to resolve obstacles." In another part of his sermon, he highlighted the problems caused by the cumbersome rules and regulations of the judiciary. "While the infallible imams [the twelve Shi'a imams after Prophet Muhammad] deemed even a one-hour delay in the enforcement of 'Hadd,' the punishment of a *mohareb* [one who wages war against God] as a crime, many of our criminal cases take years to be decided." Tehran's Acting Friday Prayer Leader gave examples of such cases and said, "Seditious elements conspired in Sabzevar [the northeastern region of Iran] and brought their associates from Tehran and other cities in order to ignite unrest in the region. They armed them with handguns, hand grenades, and other weapons, and in one night they caused about 400 to 500 residents to fight each other, and as a result some were killed and some were wounded." He added, "If we investigate this case within the framework of current judicial rules and regulations, it might take us five years before we are able to reach a conclusion. By then many people would have forgotten this case and they might feel pity for those seditious



elements and their families.” Mr. Musavi Ardebili said, “When the Imam [Khomeini] was informed that carrying out God’s sentences takes such a long time, he lectured judiciary officials and scolded them in a fatherly way. Within seven or eight days, the Imam’s admonition produced the desired result and cleared the way for concluding criminal cases.” He said, “More than a year had passed since two blacksmiths in the provincial city of Doroud, assisted by other thugs, attacked the home of one of their colleagues. They killed him, raped his wife, and stole his belongings. Yet [because of] due process these criminals could not be punished anytime

soon.” The head of the Court of Cassation added, “Thanks to the Imam’s fatwa, in two days, four people were executed, two hands were amputated, and three people were sentenced to prison terms. Regarding the Sabzevar incident, I was informed today that the commission that was sent to Sabzevar from Mashhad to investigate this incident has found the offenders guilty of corruption on earth and enmity against God. I instructed them to issue two death sentences for these individuals, so that, in case they obtain the next of kin’s forgiveness to prevent *Qesas* (retribution) they can still be executed for *Moharebeh* (enmity with God). . . .”

