

THE BIOGRAPHY OF GRAND AYATOLLAH SAANEI

In the Name of Allah
The Compassionate, the Merciful



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<http://www.saanei.org>

Answering the religious issues
Grand Ayatollah Saanei's Office

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Qom office:

Tel: (+98201) 7744767, 7744009, 7744010
Fax: (+98201) 7730080

Address:

No. 4, 4th lane, Mohammad Montazeri Ave, Qom-
Iran

Mashhad office:

Tel: 2222277-2201102
Fax: (+98011) 2210002

Shiraz office:

Tel: (+98711) 2243498, 2243334

≡

Website : www.saanei.org
Answering the : Istifta@saanei.org
Istiftaat
Contact us at : saanei@saanei.org

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**The Biography
of the
Grand Ayatollah
Haj Sheikh Yusef Saanei**



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**The Biography of the
Grand Ayatollah Haj Sheikh Yusef Saanei**

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Address: No. ۸, ۸th lane, Mohammad Montazeri
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P.O.Box: ۳۷۱۸۰-۰۰۷

Tel: (+۹۸)(۲۰۱) ۷۷۳۲۹۸۲ & ۷۷۴۴۰۰۹

Fax: (+۹۸)(۲۰۱) ۷۷۳۰۰۸۰

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Biographical Note:

His Eminence Grand Ayatollah Saanei was born to a clerical family in Neekabad, Isfahan Province in ١٣١٦ Hegira (١٩٣٧). His father, the late Hojat-ul-Islam Sheikh Mohammad Ali Saanei, acclaimed for his piety and quality of virtue, was a cleric.

His grandfather, Ayatollah Haj Mulla Yusef had been among the devout and highly respected clerics of his own time. Haj Mulla Yusef was tutored in divine philosophy by the well-known Iranian philosopher, Jahangir Khan, and in jurisprudence, he had been among the pupils of Grand Ayatollah Mirza Habibullah Rashti. Haj

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Mulla Yusef was a disciple and propagator of the great Mirza-ye-Shirazi, the man who led the “tobacco movement” in opposition to the monopolistic concession, which the government of his time had granted to a British firm. His grandfather, an ardent advocate of Shirazi’s views, was known for his love of freedom and objection to social injustice. He never hesitated to stand up against the way people were treated in the hands of some feudal landlords and other agents of oppression.

Encouraged by his father to devote his life to the pursuit of seminary studies, the young Saanei entered the Isfahan Seminary in the year ١٣٢٠ Hegira (١٩٤٦). While being in Isfahan, he attended the lectures and tutorial sessions held by seminarians there. And upon the completion of the preliminary studies in divinity, he entered the Qom Seminary in the year ١٣٣٠ Hegira (١٩٥١).

In Qom, his exceptional talent and exemplary diligence that earned him a place among the most successful students, helped to attract the views of the prominent seminarians who held him in high esteem. As a brilliant seminary student, he emerged with flying colors and ranked first in the advanced level examinations in the year ١٣٣٤

Hegira (۱۹۰۰). He was awarded the commendation of the famous Grand Ayatollah Boroujerdi (May God bless his soul) for his exceptional achievement.

This ingenuous seminary student, assessing the unique qualities of the late Imam Khomeini's teachings, joined the circle of the Imam's pupils in the same year. Backed by his own notable aptitude and great zeal, he continued to derive great benefit from the Imam's lessons on Islamic Principles and Jurisprudence and the canonical laws.

In the year ۱۳۴۲ Hegira (۱۹۶۳), he ranked as one of the outstanding graduates of these classes.

Sheikh Saanei as an industrious student of canonical principles (Kharij) and a keen learner of the intensive and conclusive research works of Imam Khomeini, actively and successively attended the seminary sessions held by His Eminence for several years, which according to Mr. Saanei himself "led to the perception of the principles rather than mere knowing and learning them."

Apart from Imam Khomeini's classes, Ayatollah Saanei also attended the courses given by such illustrious seminarians as Grand

Ayatollah Boroujerdi, Grand Ayatollah Mohaqeq Damad and Grand Ayatollah Araki (May God give rest to their souls).

The combination of his inborn God given gift and devotion to learning enabled Sheikh Saanei at the age of ۲۲ to reach to the rank of Ijtihad (the authority to deduce independently the religious laws) in the year ۱۳۳۸ (۱۹۵۹).

In the year ۱۳۵۴ Hegira (۱۹۷۵), he began his formal career as a lecturer in divinity. He offered courses on the Book of Zakat at the Haghani (the Twain Martyrs) School of Divinity. His lectures, compiled by two of his pupils at the School, are extant as a proof of his command of the subject and the clarity of his teaching. When he began to teach the Kharij (an advance level at seminary school, equivalent to post graduate studies at any given university independent of any text or prescribed text) courses, a number of seminary students and lecturers attended his classes, among whom are a number of the most distinguished seminary researchers and Mujtahids (Islamic Jurisprudents) of our time who are active either at the seminaries or in governmental agencies having important roles in the affairs of the Islamic Republic.

Imam Khomeini's Standpoint of Ayatollah-ul-Uzma Saanei and His Administrative Responsibilities

Ayatollah Saanei's successive and successful attendance at the late Imam's classes, his zeal for learning and understanding the Principles of the Imam's doctrine and his research works, accompanied by years of correspondence with his teacher, enabled him to earn Ayatollah Khomeini's highest regard and special consideration. This fatherly attention was behind the Imam's decision to bestow on an outstanding student like Ayatollah Saanei an uncommon treasure of knowledge and a wealth of moral rectitude as well as an exceptional clairvoyance on social issues and trends.

It was such intimate acquaintance and deep bonds of respect that led to the announcement of the Imam's decision on the first of Esfand ۱۳۰۸ Hegira (February, ۱۹th, ۱۹۸۰). Just over a year after the victory of the glorious Islamic revolution, the Imam, noting the manifest qualities of his former student and paying intelligent attention to the needs of the post of the membership of the Guardian Council, named his

outstanding pupil and long-time friend and disciple, a member of this important state body. In the Imam's letter of appointment addressed to Ayatollah Sheikh Yusef Saanei, we read,

“As stipulated in Article Ninety One of the Constitution of the Islamic Republic intended to safeguard the rules of Islam and the decrees of the Constitution in regard to the legislation (to be passed at any future time) by the Islamic Consultative Assembly, the formation of the Council of the Guardians and the selection of the six members of the Council, experts in Islamic jurisprudence and recognized as just and well-versed in issues of the day, is made incumbent upon me. Therefore, I hereby appoint Your Excellency as one of the six jurisprudent members of the Council of the Guardians. I pray to Almighty God to grant you even more success.”

The decree to elevate Ayatollah Saanei to a position of state responsibility to function as a

member of the Council of Guardians was the first major step taken by His Late Eminence the Imam to engage the Ayatollah in the affairs of the Islamic sovereign state. As the wording of this letter of appointment indicates, even from the first months of the victory of the revolution, the captain of the great vessel of the revolution viewed Ayatollah Saanei as a competent, and just jurispudent acquainted with the demands of the time and every aspect of the revolution, a person qualified to judge the issues of the day and take care of the needs of the revolutionary society and the Muslim people of Iran.

Ayatollah-ul-Uzma Saanei applied his unfailing endeavor to this momentous task for three years before resigning the post on the nineteenth of Dei, ۱۳۶۱ Hegira (December, ۱۰th, ۱۹۸۲). However, the Imam's special regard for, and undiminished confidence in him was clearly expressed in a speech made at a meeting with the Chief of the High Court, the judges of the Supreme Judiciary Council and branches of the High Court on the same day. Referring to the services rendered by the judiciary officials, he said,

"I would like to thank the current Supreme Judiciary Council. These

gentlemen worked hard, bore a heavy burden and diligently served for three years. They had never coveted any office. They are the notables of the clergy. They abandoned their serene mode of life. They came to an environment where hard work was demanded undergoing suffering and shouldering immense responsibility before God. Now, it does not really matter to clerics with an Islamic outlook whether to occupy the position of a chief justice of the High Court or the Prosecutor General or to take on any other work... Now, I would like to put this heavy responsibility on the shoulders of Ayatollah Yusef Saanei and introduce him as the country's Prosecutor General. I have brought up Sheikh Saanei like a son, Sheikh Saanei used to actively attend my seminary sessions for long years .He specifically used to personally exchange views with me for which I derived much pleasure from his vast

knowledge. He is a prominent personality among the clerics and a man of learning.”

Later, when His Eminence resigned the post of the Prosecutor General after a period of sincere and unfailing efforts, Imam Khomeini remarked in a speech on the sixteenth of Mordad, ۱۳۶۴ Hegira (July, ۴th, ۱۹۸۵),

“I feel sad and regret the departure of Sheikh Saanei. I hope he will prove effective wherever he may be in the future. I appreciate and thank him for his efforts and hard work. I have known him for many years. He is a learned man, devoted and diligent.”

And again, speaking at a gathering of the members of the High Court and the officials of the Judiciary Branch on the eighteenth of Mordad, ۱۳۶۴ Hegira (July, ۶th, ۱۹۸۵), the Imam commended Ayatollah Saanei in the following words.

“... The post of the Prosecutor General, as you all know, is among the difficult and sensitive areas [of responsibility] and Ayatollah Saanei,

who is an erudite man of learning, whom I have closely known for years and whom I have known to be a good and active person, has held the post until now and I thank him for his efforts.”

Apart from the membership of the Guardian Council and the position of the Prosecutor General, Ayatollah-ul-Uzma Saanei has held a number of other responsible posts including His Eminence Imam Khomeini's representative at the High Council of the Reconstruction of the War Zones and a member of the First Session of the Assembly of the Leadership Experts elected with over two million votes for the Tehran constituency in the elections held on the nineteenth of Azar, ١٣٦١ Hegira (November, ٢٩th, ١٩٨٢).

History of Political Activities and Struggles

Generally speaking, the major aspects of Ayatollah Saanei's political strife and activity, prior to the victory of the Islamic revolution fall into the cultural and propagation area. His

effective fights against injustice and oppression included promotional works, speeches and sermons, participation in mass demonstration and protest marches and publication of political manifestoes and statements.

As noted in the third volume of the Documents of the Islamic Revolution, the name and signature of Ayatollah-ul-Uzma Saanei are to be found at the foot of about thirty political and revolutionary announcements, the first of which was a letter addressed to the great leader of the revolution by the clerics of the Qom Seminary after the Imam was transferred from his place of exile in Turkey to the Holy City of Najaf in Iraq.

The letter bears the date of the month of Mehr, ۱۳۴۴ Hegira (September, ۱۹۶۵).

And the last revolutionary document bearing Ayatollah Saanei's signature next to those of other supporters of the revolution is the statement issued in opposition to Bakhtiar's administration on the seventeenth of Dei, ۱۳۰۷ Hegira (December, ۳th, ۱۹۷۸). Of course, what appear in the Documents of the Islamic Revolution by no means exhaust the list of the statements issued during those turbulent times.

The most important statement by the Qom Seminary clerics was a strongly worded declaration entitled "Depose the Shah from ruling Iran" which was endorsed by a group of the Qom Seminary lecturers and bore the Ayatollah's name and signature.

The subject of the declaration, like other political statements of the time, dealt with a highly sensitive and dangerous question to the extent that only the true revolutionaries and the brave disciples of Imam Khomeini had the courage to put their names to it because the Pahlavi government took a grave view of such statements and considered the action of those who endorsed them as an unpardonable offense, deserving of capital punishment.

Perhaps the consideration of the serious consequences of the declaration calling for the fall of the Shah was the reason why only very few clerics dared put their signatures to it.

The leaders of the Pahlavi regime, in an attempt to forestall the rising tide of the Islamic revolutionary movement, were hard at work to cast doubt on the question of the Imam Khomeini's position as a Marja' (a top religious authority) and in this way, undermine public faith

in his academic, political and religious competence.

In response, a group of the seminarians, including Ayatollah Saanei, put some of their political and academic weight behind efforts to counter this conspiracy in order to establish Imam Khomeini as a proven Marja'.

Unabated Activities at Seminaries

During all these years, while being engaged in a variety of activities, His Eminence Ayatollah-ul-Uzma Saanei reserved an earnest interest in, and devoted considerable time and effort to teaching at the Seminary.

In the course of eighteen years of regular preaching which took him from Qom to Tehran every week, he managed to hold three classes daily in Qom to teach the Book of Makasib at the Imam Hassan Askari (AS) Mosque, the Kifayet-ul-Ussul and the Kharij of jurisprudence at the Haghani School.

In his classes and lectures, Ayatollah Saanei gave instruction in most of the texts that constitute the preliminary and Sat'h (level of

teaching at Seminary School based on some prescribed texts) curricula.

Moreover, his own personal interest and proficiency in teaching on the one hand, and persistent requests by seminary students on the other, resulted in his offering several courses in some of these books.

For instance, he taught fifteen different courses to instruct the lofty and incisive book of the *Kifayat-ul-Ussual*.

In the year ۱۳۰۲ Hegira (۱۹۷۳), when he was still teaching some of the texts at the Sat'h courses, he began lecturing in the Kharij course in the Principles at the Haghani Seminary School which he concluded after twenty two years, i.e. in the year ۱۳۷۳ Hegira (۱۹۹۴).

An intimate familiarity and full command of His Eminence Imam Khomeini's principles of doctrine and views on jurisprudence - the result of years of regular and devotional participation in Imam's seminary sessions- gave a special touch to the courses offered by Ayatollah Saanei.

The core of the content of his Kharij level classes in jurisprudence, taught for almost twenty-five years, is Imam Khomeini's *Tahrir-ul-Wassilah*.

While describing and probing the depth of other principles of jurisprudence, he invariably paid a special attention to the ratiocination of the Imam's Principles, a feature which is of immense value to the Seminary.

For hundreds of seminary students and researchers who attend his classes, the lucidity of the argument and the critical and incisive view, deep reverence for his righteous predecessors, respect for the canonical method of the seminaries accompanied by an exceptional profundity of views and principles bestowed on lessons given by this illustrious teacher all of which characterize his teaching approach, mean that he imparts to his students a wealth of invaluable and potent methods to be used in solving contemporary social problems and brings a clarity of elucidation to the main topics in the canon.

Furthermore, Ayatollah Saanei's teaching sessions are characterized with his incisive, logical and applicable views on social questions and problems and awareness to social realities and norms.

It also encompasses his insight to an essential knowledge of the accepted doctrines in the canon,

concern over the methodology of transmitting and using the tradition and special care in appraising the correctness or otherwise of narration reference documents as well as the meticulous attention paid to the opinions of the canonists among the companions of the Holy Prophet and the twelve Imams (PBUT) all of which characterize his teaching performance.

Apart from giving regular general courses at the seminary, a group of the leading seminary scholars also benefit from the Ayatollah's presence there.

For the past few years, the focus of Ayatollah-ul-Uzma Saanei's teaching has been placed on issues in canonical jurisprudence.

So far, he has completed courses on the books of Zakat (Charity tax on property or alms), Khoms (Quint Tax), Hajj, canonical judgment, Hodud (religious bounds or sanctions), Diyat (compensation according to Islamic laws), Matrimony, Divorce, Inheritance and Qissass (just retaliation or vengeance) and at present, he holds classes on Kitab-ul-Shahadat (evidence and testimonials).

Besides, some sections of the books of Waqf (endowment), the Travelers' Salaat (prayers),

Concessions for the Sick, Taqiyah (dissimulation), La Zarar (the Islamic principle of no injury or malicious damage), Incompetence, the Question of Innovation and Accession and a number of other topics have also been included in his lecture courses, and parts of these are being compiled for publication at present.

This eminent teacher's special emphasis on the assumption of responsibility for the revolution and the affairs of the state by the seminary graduates and teachers, as well as his emphasis on the canonical, ethical and revolutionary qualities of the seminary have meant that, in different ways, his pupils are not only the recipients of the gift of knowledge in the fields of jurisprudence, fundamentals of religion and biographical studies, they also find themselves compelled to take on the heavy load of social and political responsibilities in the country.

The humility shown to the canon and the reverence reserved for former canonists in the course of his lessons on the one hand, and his scholarly appraisal of the decisive evidence specially from the Koranic verses and the traditions on the other, has intensified his students' faith in the unrivaled canon of Shi'ism

and its illustrious canonists just as it has instilled in them the courage to probe into the opinions of the past and the belief in the competence of the canon to offer contemporary solutions.

Familiarity with the ordinary people, close scrutiny of social relations and norms, awareness of the needs and realities of today's society, a deep understanding of the comprehensive and firm principles of the departed Imam as regards his emphasis on the preservation of the canonical standards and frameworks and reliance on sound religious reasoning, alongside his valuable achievements in issuing Fatwas (decrees), open up fresh horizons before his pupils and strengthen their understanding of how the upright cannon of Shi'ism is placed on clear and unshakeable foundations to retain its vivacity at all times and offer solutions for all problems while his continued support of talented seminary students encourages their potentials to flourish to the full.

On Issuing Fatwas (Rules)

The master's exacting standards in research and study and his rigorous approach, specially to the

area of science of the tradition, have not led him to apply similarly a rigorous and strict method in issuing Fatwas, because in comprehension of the Koranic verses and traditions and the foundations of deduction, he pays special attention to the principle of facility and always holds to the advice given to sheikh Ansari by the author of the Jawahir who said, "Decrease your cautions, for the creed of Islam is the easy and convenient creed."

Not only does Ayatollah Saanei bring up various canonical issues for general discussion by large groups of seminary students and researchers who assemble in his house every day, he also tries to benefit from their exchange of opinions and cooperation by forming a group for the formulation of Fatwas.

A number of books by His Eminence have so far been published. They include the common book of Religious Laws (Towdhih-ul-Massael), Hajj Rites, Majma-ul-Masael (two volumes), Selected Rulings, Fatwas on Medical Issues, Misbah-ul-Moqaledin, the Rules of Hajj for Ladies, the Book of Qissass, the Book of Divorce, the Rules of the Lesser Pilgrimage (Omra Mufrada), and Religious Rules for Ladies.

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He has also published his annotations to the *Tahrir-ul-Wassilah* and *Orwat-ul-Wothqa* in Arabic.

His other works include notes of Imam Khomeini's Kharij course, pamphlet on the rule of relief and transgression, pamphlet on Taqiya, pamphlet on the principle of non-malice in canonical rules.

Another part of Ayatollah-ul-Uzma Saanei's time is allocated to replying to requests for Fatwas and so far, several thousands of such requests have been handled and returned.

What is striking in his book *Majma-ul-Massael* is that his method of replying is similar to that of the great Marja' and jurisprudent, the late Mirza-ye-Qomi.

In some instances, apart from stating the Fatwa in question, the evidence and supportive documents are also mentioned which can be an invaluable source of learning for seminary researchers and the students of the canon.

Despite the fact that Ayatollah Saanei always makes a point of respecting the ruling by prominent canonists and the views of the disciples, specially the well-known opinions, and while he always calls on all seminaries, and his own students in particular, to show proper respect

to the canonists of the disciples and refers to them with the greatest sign of respect and praise for their ideas, his open-mindedness in canonical matters and the special attention he pays to basing his interpretations on reliable references and solid decisive evidence have led him to issue a large number of innovative and novel Fatwas and opinions for his practicing followers.

These Fatwas which are invariably upheld within the framework of the principles and standards of the canon have, in many instances, solved the practical problems faced by his followers in the area of private and social action.

For those who are well acquainted with the principles and proofs, referring to the detailed discussion and the documented evidence underlying these Fatwas can prove a great asset in gaining a better and more precise insight in the interpretation of the evidence and in responding to the canonical needs of society.

The following are samples of his fatwas:

1- On Vilayat-ul-Faqih (Supreme Religious Jurisprudence): Any comprehensively qualified Mujtahid is competent to assume the position of Vilayat and as regards the people, and in serving the public interest in cases for which Islam has not decreed a specific ruling, the legitimacy for

action derives solely from the people and the view of the majority and mass of the people, where legitimacy depends on the endorsement by the public as a whole or a majority thereof and the duty to apply them rests directly or indirectly with the Valy-ul-Faqih (Supreme Religious Jurisprudent).

٢- On the age of puberty for girls, His Eminence states his preference for the evidence by Ammar Sabati who has specified the age of thirteen lunar years as a condition of religious puberty, and says, "In case other signs of puberty explained by textual support and Fatwas are not realized, they (girls) reach religious maturity at this age.

٣- On women's sitting in judgment, he has commented: The condition of masculinity has no particular bearing upon judgment and there is no religious reason to support this either, and whoever is vested with authority to appoint judges may appoint them (women) to sit as judges especially in cases relating to women and family rights.

٤- On the question of custody of the underage child and its property in the absence of the father, His Eminence's opinion is that the mother is the

inalienable guardian and the beneficiary of the proofs of benevolence and piety and interests and munificence, and custody of the underage is none but benevolence and munificence; and on the strength of the sacred verse “In custody over the kin some are preferred over some others”, the mother takes precedence over the grandfather, and in the absence of the mother, the grandfather has custody of the child.

°- As regards the difference in the Diya (blood money) for women and men, he has concluded, “Diya for infliction by mistake or quasi-deliberate infliction is the same for men and women and this ruling is based upon the application of the supportive argument for diya.”

٦- On the question of the curtailed rituals for the oft-traveler, his ruling is, “Persons who travel a distance of four furlongs (farsangs) within a period of ten days (be it on business or otherwise) and do not abide in one place for more than ten days, are oft-travelers and if individuals travel on pilgrimage, too, their prayers are said in full and their fasting is unbroken.”

٧- About the question of music, His Eminence holds that the prohibition of music and lyrics is based on the content and thus, any voice, lyric or

music which does not promote laxity and immorality and does not misguide human beings or blemish the visage of Islam, is not forbidden.

٨- On the question of the infidels, he pronounces, “Most apparently, their purity is like the purity of Muslims. Yet, the antagonists among them who fight Muslims because of their adherence to Islam or their belief in Islam (and not for any other reason) are deemed adversaries in religion who, like a few of the infidels, having gained certainty of the validity of Islam continue to deny it, are bound to be unclean.

٩- On Riba (usury), he has ruled, “The forbidding decree on usury as it appears in the Koranic verses and traditions which have been referred to, concerns interest payable on depreciation and not interest resulting from gainful employment of the principal.

١٠- On Qissass: Grand Ayatollah Saanei believes in the generality in the all round application of Qissass for the murder of any individual whose life is protected under the Islamic rule, irrespective of the murderer or the victim being Muslim or non-Muslim.

Qissass is life giving in the eye of those who can think: “And for you, there is life in Qissass,

you, possessors of reason” (the Cow, ١٧٩). And this ruling is based on the absoluteness and generality of the traditions and Koranic verses related to retaliation (Qissass) and certain traditions on the issue, which provide the necessary conclusive legal proofs.

١١- As regards the status of Vilayat and sovereignty and position of the Marja' and other prerogatives of the Faqih, he does not uphold the condition of masculinity and rules that the criteria is competence in the canon and piety.

He concludes that just as the Islamic law does not allow any discrimination on the basis of race, nor does it condone discrimination on the grounds of sex and ethnicity.

His Eminence also holds other views which are representative of his opposition to discrimination and the details of this discussion are presented in his different practical treatises, especially the “Selected rulings.”

Some of His Personal and Social Virtues

Ayatollah Saanei’s deep, heartfelt and, at the same time, manifest affection for the Immaculate Family of the Prophet, specially, Hazrat Fatimah

(Allah's Blessings upon them all) has always been noticeable to the lecturers, researchers, students and the members of the public who are received by His Eminence.

Amenable treatment of the people, which verges on meekness specially when meeting the esteemed members of the clergy and the Islamic thinkers, respect for the seminary students, praise lavished on seminary teachers and researchers and the esteem in which the seminary elders are held all among Ayatollah-ul-Uzma Saanei's personal marks.

His behavior is graced with a sincere interest in the lives of the people, affection and care for the underprivileged and those in trouble, humility before the former prisoners of war, the families of war martyrs and the disabled victims of the war, and deep concern for the deprived sections of society whose suffering he feels to the bone, the plainness of his residence and the simple way of his life and vigilance in dispensation of religious funds have combined to create an environment around him in which every seminary student and researcher and any member of the general public finds him directly accessible to answer their questions and solve their problems.

Yet, his vigilant devotion to religious and academic affairs has not meant the neglect of His Eminence's responsibilities toward the revolution and the system of the Islamic Republic and the need to emphasize the duty to preserve and promote it, nor has it prevented him from assuming what he considers to be the right stance regarding the state of the Muslim world.

Indeed, it has helped underline the need to participate in social and political activities and bolster the highest interests of Islam, the revolution and the system alongside cooperating to overcome the difficulties relating to these issues.

Ayatollah Saanei's close involvement in canonical, political and social efforts is a reminder of Imam Khomeini's pronouncement, "The profession of the prophets is politics and religion, the politics which arouses people from this position and leads them to what is in the interest of the nation and the public."

To Ayatollah Saanei, the link between the position of a marja' and political involvement emanates from the spirit of the culture and the teachings of the religion and its doctrine.

We pray to God, the Almighty, the Exalted, to grant health and grace to this venerable canonist.

We pray that under the auspices of the system of the Islamic Republic and blessed with the sacred soul of our departed Imam, the Islamic seminaries and our Islamic community will continue to be endowed with such eminent canonists and religious scholars.

**Wassalamu Alaikum Wa
Rahmatullahi Wa
Barakatuh**