

## SHEIKH FAZLULLAH NOURI AND THE COMPONENTS OF CONSTITUTIONALISM

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### **Abstract**

One of the events in the contemporary history of Iran is the constitutional revolution, which has had many supporters and opponents, among which Sheikh Fazlullah Nouri is a person who was initially in the front of the supporters of the constitution and then he took a place in the opposition front. In the political thought of Sheikh Fazlullah Nouri, this article deals with each of the components of parliament, freedom, equality and majority vote that were proposed in the constitutional revolution. The findings of the research indicate that the main factor behind Sheikh Fazlullah's opposition to the constitution is his legalistic view of the constitution, and none of the other hypotheses in this field have a position as strong as this opinion. The method of the current research is descriptive-analytical, which has used first-hand historical sources.

**Keywords:** Sheikh Fazlullah Nouri, Constitutional Revolution, Parliament.

### **INTRODUCTION**

The contemporary history of Iran has been marked by numerous popular movements and movements in social, political, and economic dimensions and the different effects they have brought. One of the prominent movements in this historical period is the constitutional revolution, which began with the presence and involvement of Islamic scholars and their originality and role-playing in the social-political scene and the prominent and obvious role of the people in following the scholars. As stated in the historical sources of the constitution, Ayatollah Seyyed Abdullah Behbahani with Ayatollah Seyyed Mohammad Tabatabai and Sheikh Fazlullah Nouri for unity and coordinated uprising against the insulting actions of some foreign nationals employed by the government and oppressive actions and discriminatory behavior and attitudes and aggressions He invited the government to the life and property of the people, which had upset the public. (Kasravi, 1980: 1/48-49)

Sheikh Fazlullah Nouri rejected this invitation, and Mr. Sayyed Mohammad Tatabaei responded by stating the condition that if Mr. Sayyed Abdullah Maqsood does not convert and there is no personal motive, I will accompany him (Kermani, 1997: 272/1) did But after the work of the movement took off and the ranks of the fighters, including the scholars and the people, were clearly against the government and their supporters, and it led to a fight and a fight and one of the students was killed. (Martin, 2004: 70) In a meeting held between Behbahani and Tabatabaei and Sheikh Fazlullah Nouri, Sheikh Fazlullah Nouri announced his

agreement to support the constitution and after the meeting of the scholars in the Jama Mosque, he cut ties with the court. did (Salehi, 2009: 221) and he migrated to Qom with other scholars and during the stay of the scholars in Qom until the issuance of the constitutional decree by Muzaffar al-Din Shah and the return of the immigrants from Qom, he was in solidarity with them, but after returning from Qom and the convening of the parliament and the introduction of the constitution and the question of its review by scholars and amendments to the constitution, he gradually separated from the ranks of the leaders of the constitutional revolution and laid the foundations of opposition to the constitutional government, and expressed his position in speeches and announcements. He declared and then, in opposition to the constitutional government, he migrated to the shrine of Hazrat Abdulazim along with his like-minded people, and from there he led the struggle against constitutionalism. (Martin, 2004: 75)

What attracts attention is that while Sheikh Fazlullah Nouri accompanied the scholars and leaders of the revolution during the seriousness of the constitutional revolution and the fight against the authoritarian Qajar government, why and for what reason during the establishment of the constitutional government and the beginning Its formation, which needed greater and more necessary unity, separated from the ranks of the leaders and with dogmatic determination laid the foundations of opposition to it, which led to his murder? In order to answer this main question, we will first examine the components proposed by the Constitution in the thoughts of Sheikh Fazlullah Nouri, and then we will examine the hypotheses proposed about the reasons for Sheikh Fazlullah Nouri's opposition to the Constitution.

### **1. Sheikh Fazlullah Nouri and Parliament**

When we examine the thoughts of Sheikh Fazlullah in this context, we see that Sheikh Fazlullah Noori views the Parliament in such a way that he sees its importance as the preparation for moving from individual reason to collective reason and consultation in affairs. And at the same time, in the meantime, the issue of legislation by the parliament has no place in his eyes, and legislation is the sole duty and responsibility of the Prophet (PBUH), and during his absence, the duty of the general nawab and the arguments of Islam, based on the four Shariah reasons for inference, namely the Qur'an and He knows news, consensus, and reason, and he is inferential without the intervention of analogy and approval. (Salehi, 2009: 188-189) while the constitutionalists considered law-making by representatives as the people's lawyers. Therefore, Sheikh Fazlullah Nouri does not oppose the principle of the Parliament, as he says in his bills: "O people, I am not against the National Assembly in any way." (Nouri, 1984: 44)

He also did not see the Iranian society as ready to create a parliament due to its characteristics, and he believed that as long as these characteristics remain, the constitution will bring nothing but chaos. From his point of view, the first feature of Iranian society is the existence of different religions, and with the establishment of the basis of freedom and the expression of different opinions, different differences and their enmity, great chaos will be created in the cities, where no one will be the owner of his life and property, and no one will be in his own house. He will not be satisfied. (Karimi, 2007: 80)

From the Sheikh's point of view, the second feature of Iran's society was a small number of soldiers, and if the constitution was established, the roads would become unsafe, and Badi would be completely blocked and disturbed. They raise their heads in every corner and loot people's property, and murder and looting are everywhere. (Abadian, 2014: 41)

And the root of Sheikh Fazlullah Nouri's opposition to legislation by the Parliament lies precisely in the fact that, according to his jurisprudence, legislation is directed to the province, and he does not consider the authority to be the owner of it in any way, and he says: "What is the meaning of authority?" has it? Who is the client and what is the client? If it is about common affairs, these religious arrangements are not necessary (Malekzadeh, 2004: 4/871), and if it is about public Shariah matters, this matter is about guardianship, not guardianship and guardianship during the absence of Imam Zaman, may God bless him and grant him peace with jurists and mujtahids. No, so-and-so grocer and so-and-so bazaz, and crediting the majority of votes to the Imami religion is wrong, what is the meaning of law writing? The law of our Muslims is the same Islam, which, thank God Almighty, was preserved and arranged by the next class of narrators, muhaddiths and mujtahids. And now, thank God, there are many people who keep it." (Zargiri Nejad, 1998: 154)

Sheikh Fazlullah, with the belief that in public affairs, representation is not correct and that legislation in public affairs and the public interests of the people is the exclusive responsibility of the Imam or his Nawab, interfered in this matter in order to usurp the Prophet's authority.) and Imam (peace be upon him) considers it forbidden. (Ibid, 184) With such a view, Sheikh Fazlullah Nouri not only did not consider opposition to the Parliament, which according to him had deviated from the goal of reforming affairs and implementing the Sharia law, as irreligious, but he stepped on it and said: Let it be clear to the religious brothers that this assembly is not one of the principles of belief or one of the branches of religion, which is said to be a deviant from the religion or a transgressor... It is clear that this assembly is not one of obligatory affairs. Obedience to God, the Prophet, the Imams, and those who have the authority of the Imam is a fixed obligation, and it is clear that this assembly is not one of them, but a royal one, which follows the religion of Jafari, if the person in charge of it is someone other than It will not be wajib-ul-obey if there is God and three other clans." (Turkmen, 1984: 1/389-388)

## **2. Sheikh Fadlullah Nouri and Azadi**

Reflecting on the thoughts of Sheikh Fazlullah Nouri shows that he wanted freedom within the framework of Sharia and limited and bound by it in the form of his religious concern. Therefore, in his thought, absolute freedom has no place, and the sheikh considered absolute freedom and its unlimited form, which the majority of constitutionalists had in mind, as contrary to Islam and divine law, and it was because the unlimited scope of such freedom is within the domain of Sharia and He would take the nation's lap and say: "Dear brother, don't you know that the freedom of pen and language is against the divine law in many ways?" Don't you know that the benefit of it is that they can distinguish between blasphemy and blasphemy by publishing their blasphemous words in the pulpits and bad laws of India and the believers and slandering them and instilling doubts in the innocent hearts of the poor common people. O dear, if the basis of this mashum modi basis was not the delusion of granting absolute freedom, then why could not

the laws of blasphemy be prevented. Which newspaper was written that did not contain insulting Islam and Muslims. Which office was there whose journal was not free of blasphemy" (Zargari Nejad, 1998: 179-178)

And in another place, he analyzes and interprets absolute freedom, and with a jurisprudential point of view, explains the degrees of its contradiction with Islam as follows: "Another article mentioned in this misguided letter is the freedom of the press. After the changes and transformations, the same wording is: The general press, except for misleading books and materials harmful to religion, is free and audit is prohibited in them. According to this article, many essential taboos became lawful, because only two things were excluded, and one of the essential taboos is defamation. And one of the mahrams of a Muslim is the absence of a Muslim, as well as slandering a Muslim, insulting, cursing, insulting, intimidation, threats, and their manners, among the prohibitions of the Shari'ah and forbidden by God. In his opinion, the freedom of these matters other than our analysis is the sanctuary of God? And I am the solution of the haram, his condition is known and his ruling is clear. And the one who makes halal, forbidden by God, is a disbeliever, and his punishment is known and defined in the Shari'ah".

Two points should not be overlooked here, one is that the beliefs of Sheikh Fazlullah Nouri regarding the conflict between religion and absolute freedom confirmed the extreme actions of the constitutionalists both in action and in speech, and as a result of this, the presentation of this summary from the Sheikh's point of view Freedom is prohibited: "Freedom is contrary to Islam in many ways. Insulting Islam and Muslims in the newspapers, saying blasphemous words in the pulpits, gatherings and newspapers, denying the essentials of Islam, like saying that people should get their rights, no one will give coins on the Day of Judgment, the mullahs took an oath from themselves, go find your card. Writing that the principles of religion are two, monotheism means unity and agreement and justice means equality, saying that the law is like the Holy Quran, the spread of evil in the streets. (Salehi, 2009: 196)

And the other is that the excess and abuse of freedom, especially in terms of writing and expression, created conditions that even the future generations have condemned, as the author of the book "Iranian Constitution" writes after expressing the constitutionalist's view of freedom: It was based on these interpretations and perceptions of freedom that in the constitutional era, the press was sometimes freed to such an extent that in criticizing the government and the king, they resorted to obscenity and public threats and intimidation and did not spare any slander and defamation. A clear example of this type of freedom or unrestrainedness can be clearly seen in the pages of Roh al-Quds newspaper, its director, Sheikh Ahmed Roh Al-Quds Torbati, known as Sultan Ulama of Khorasani, became a victim of the same type of freedom and after closing the parliament with a ball Another constitutionalist was tortured and killed by the order of Mohammad Ali Shah. They have mentioned him a lot as a martyr of the path of freedom and one of the precious heroes of the constitutional revolution, and they forgot to write that he was one of the heroes of obscenity and abuse who had a very limited understanding of freedom".

### 3. Sheikh Fadlullah Noori and Equality

When we examine Sheikh Fazlullah Nouri's view on the issue of equality, we see that the main reason for Sheikh Fazlullah's opposition to this matter was the difference in his view from the constitutionalists and the legal foundations of constitutional government. This means that the sheikh considers legislation in Islam to be from the province of the province, not to usurp the authority and legislative authority of the constitutional assemblies, and finally, he introduces Islam as a religion that is the most complete of all religions, and it becomes clear in his view that Islam and the principles of that law is real And these principles have been designed and developed in a specific, precise way and based on divine origins. Therefore, any tampering with it or any attempt to re-interpret it is rejected from the point of view of the sheikh, and for this reason, the human mind and especially human beings, according to the interpretation of Sheikh Babi, have the right to present the new law in front of the divine law. They don't have any, and the sheikh actually considered the insistence of the constitutionalists to reinterpret the divine law as a trick calculated to infiltrate the religion and try to destroy it, and it was in the shadow of such a view that he said: "To approve this principle in about six months The beds were spread out in the hall of the parliament and the people stayed nearby, and finally they found a solution in the implementation of Hudud that the people of the country of Iran will have equal rights in front of the government law.

And on the other hand, the sheikh had the view of equality that if this principle is implemented, the Islamic rules regarding retribution will remain suspended, and the Muslim and the unbeliever will be equal, and for example, they can take each other's bad wives and this, of course, with the rules. Sharia is against it.

He also said that the implementation of the principle of equality means that there is no difference between Muslims and non-Muslims and that apostate rulings are not implemented as an example, and despite the fact that there are different rulings between Muslims and non-Muslims in crimes and religious matters, due to the egalitarianism of this ignore the distinctions. (Salehi, 2009: 198-198) All these conflicts expressed between the Sharia and equality taken from Europe were ignored by a certain group of constitutionalists and they did not want to understand that what Sheikh Fazlullah Nouri and the constitutional scholars meant was equality for all in front of the laws. It is Sharia, not its European form, which has no place for religion, and if European equality is implemented in Iran, it is against the foundations of Islam.

### 4. Sheikh Fadlullah Nouri and the majority vote

When we scrutinize Sheikh Fazlullah Nouri's view of the author of the majority vote, it becomes clear that the reason behind the Sheikh's opposition to the majority vote put forth by the constitutionalists is the same as his reasons for rejecting the Parliament and equality and freedom in the shadow of his Shariat-based ideology. He has made the constitution the subject of his discussion in a situation where he considers it to be the preference of people's minds over divine laws and Islamic principles and rules, and because he considers legislation to be exclusive to the Holy Sharia, the majority vote for some laws is In order to occur during divine



laws, if it is clear where it is usurped, it is declared rejected. Therefore, as the legislative power with the duty of legislation in Islam is ruled out, it also rejects the implementation of the majority vote from the same point of view and says: "The constitutional truth is that the elected from the cities... according to the requirements They should make an result and write a law independently in accordance with the majority of opinions, according to the requirements of the result according to their own imperfect minds, without noticing its agreement and opposition with the Athar Sharia, but whatever they think is good and desirable, they should make it the law of the country". (Ayadian, 2014: 46)

Sheikh Fazlullah did not accept this law established by the majority vote and considered it illegal and contrary to the confession of prophethood, finality, and perfection of religion, and he did not even accept the approval of laws in accordance with Sharia by the representatives, and this is within the scope of duty.(Zargarinejad, 1998: 182) and that these people should be famous for fatwa or hadith. (Abadian, 2014: 43)

And he called the actions of the representatives as intellectually acceptable and considered them forbidden. An interesting point in this regard is that even in the case of permissible matters and what is basically considered permissible in Islamic Sharia, because it is aimed at obeying the law, this is so. He reacted: "The principle of this arrangement and the constitution and the validity of the majority of votes, even though it is permissible in matters of principle, because it is committed to the face of the law, it is forbidden in the law and a heresy in religion, and the whole heresy is false. Government matters and its orders have been there all the time, but they were Muslim, these rules are outside religion" (Ansari, 1990: 147).

Also, Sheikh Fazlullah Nouri, as a high-ranking mujtahid, had the right to call the votes of the Majlis Shura, which approved laws based on the majority of votes approved or rejected by a minority of votes, as incorrect, because Islamic Sharia is for the majority because it is the majority. And nothing is valued anymore, and at the stage of asking for opinions and thinking well for the nation, any of the two groups who spoke logically has the right of priority, even if they are in the minority. (Zargarinejad, 1998: 158)

## **5. Examining the hypotheses of the causes of Sheikh Fazlullah Nouri's opposition to constitutionalism**

In this regard, several hypotheses have been proposed, and we will divide them into two general hypotheses and examine them until, according to the statements regarding Sheikh Fazlullah Nouri's view on the components of on the constitutional side of these hypotheses, let's get to why this honorable person opposes constitutionalism.

A) A group considers the reason for Sheikh Fazlullah Nouri's opposition to constitutionalism to be his desire for autocracy. Before providing the interpretation in this regard, it is necessary to provide an introduction in this regard. Kasravi, who is one of the hard-headed opponents of Sheikh Fazlullah Nouri and seeking legitimacy unintentionally or intentionally (with the aim of exaggerating the importance of the movement of constitutionalists), has spoken about the power of influence of Sheikh Fazlullah Nouri in a part of his writings. Who writes somewhere: "I say again, if it were not for the support of Akhund Khorasani and Haji Sheikh Mazandarani

from Najaf, they [legitimacy seekers] would have overthrown the constitution, especially since so much sedition, corruption, and turmoil had occurred in the lands. (Ansari, 1990: 144-145)

Kasravi's reference to this confusion between lands and worshipers speaks of the wandering of the Iranian nation between the two ideas of constitutionalism and legitimization, and his emphasis on the influence of legitimists strengthens the suspicion that in the competitive atmosphere between constitutionalists and legitimists, the plan and emphasis The cooperation of Sheikh Fazlullah Nouri and the legitimate petitioners with their tyranny and support of Muhammad Ali Shah has been considered as an effective tool to win the hearts of the people who have suffered from insecurity and lack of moderation and political instability and to win their opinion.

The interesting point in discussing the issue of cooperation between Sheikh Fazlullah Nouri and tyranny is that it is in the shadow of ignoring his previous cooperation with constitutionalist scholars in the denial and rejection of tyranny and focused on the end of his life and the rule of Muhammad Ali Shah. This is while Sheikh Fazlullah Nouri accepted Tabatabai and Behbahani's invitation when they invited him to accompany him to establish the Justice House, and despite the fact that he had the grace and love of the ruler of the time, according to his previous words, He ignored the matter.

Sheikh Fazlullah Nouri expressed this issue in the meeting of the two Sayyid like this: "I heard and was informed about your statements and orders, but you know how much love and affection the chancellor has for me, despite this arrogance and impermissible arrogance. I don't drink water, but I won't leave you alone, and I don't want my kind to be wasted and defamed, and I don't like insulting Sharia. Whenever you take any action, I will immediately cut off the relationship and I will be with you wherever you ask. Your good and bad are mine. I will never leave you alone, but I am telling you not to take it too hard. That the reasons for insulting the Sharia and embarrassing the type of scholars will be provided. (Kasravi, 1991: 430-431)

Kasravi also reported the continuation of the developments after this meeting as follows: "The bodyguards of Behbahani, Tabatabaei, Sadr al-Ulama and others left the city and moved towards Ibn Babuyeh [near Abd al-Azeem], and the survivors joined them, all the Malaysians." And the students and others who were in the mosque with the two Sayyid also accompanied them on this trip and joined them sitting on a horse or a cart. It has been written that some people went on foot, spent that day in Ibn Babouyeh and walked at night. Haji Sheikh Fazlullah, who was late, also traveled, left with his relatives two days later and joined them in Kahrizak. Ain al-Dawlah wanted not to let this happen, but he couldn't." (Turkman, 1984: 167/2)

Sheikh Fazlullah Nouri, since he accompanied Tabatabai and Behbahani, cut off all his communications with the chancellery of the time, and therefore did not respond positively to any of his messages. Fazlullah Nouri, since yesterday, when the scholars were visiting the mosque, he also stopped communicating with the chancellery, as much as the prince sent a message to the sheikh that the sheikh would give a harsh answer until he came here.

Also, the constitutionalists who introduced the sheikh as a dictator and a supporter of tyranny, this is despite the fact that in their political life, they have enjoyed the support of tyranny in many cases, or at least they have prescribed an alliance with the tyranny, which is an example of gaining support from Muhammad Ali Mirza's side is at the beginning of constitutionalism, while Muhammad Ali Mirza supported constitutionalism not because of constitutionalism, but because of his grudge against Ain al-Dawlah, because Ain al-Dawlah did not support his provincial governorship. (Turkman, 1984: 168/2)

With regard to what happened and in addition to the studies we had in the thought of Sheikh Fazlullah, this issue can be interpreted as such that at this time he used his utmost efforts to prevent the establishment of a constitution contrary to Sharia and finally He interpreted his task as trying to prevent the occurrence of a situation that would have placed the fate and future of Islam and the Islamic community in an aura of uncertainty. Therefore, it can be concluded that the support of the sheikh and the legitimate claimant to the Shah is instrumental. and because they have seen him in their direction and front in confronting the constitution, they have sought the realization of a single slogan with him, and the witness of this claim is that when they felt that he was afraid of the situation (after the Garden meeting) The Shah and his insistence on fighting and suppressing the constitution) has again wanted to establish a constitution.

b) Another group put forward the reason for Sheikh Fazlullah Nouri's opposition to constitutionalism in the hypothesis that he had worldliness, which are divided into two groups: the first group is self-seeking and bribery (Zargarinejad, 1998: 41). And they bring up the deception of Sheikh Fazlullah Nouri in front of the plan of financial aid (Brown, 1997: 151) from those around him. People from this group, such as Kasravi, under this hypothesis, interpret the reason behind Sheikh Fazlullah Nouri's opposition to the constitution as follows: "Haji Sheikh Fazlullah's desire for sharia and his enmity with constitutionalism bring him close to the court, and after it was the rise of Tehran that increased anger and nostalgia connected with the court. It was said that he took seven thousand tomans of money from the court, which he used in that way, and what makes this statement true is that one day he invited eighty people, more than students, to his house and spread a table for them. Then you slandered the constitution and sent them two Qurans to each of them". (Bastani Parizi, 1977)

And this is despite the fact that he has previously spoken about Sheikh Fazlullah Nouri's wealth and his use of the phrase is said to be a good indication of his undocumented influence of the poisoned atmosphere against Sheikh Fazlullah and his efforts to destroy his image. . And in another place to confirm his claim, he refers to the telegram of the parliamentarians all over the country, in which Sheikh Fazlullah's opposition to the parliament and the constitution is introduced due to his personal interests and the opposition of the parliament to this self-interest:

"... the fact that some time ago [the sheikh], by taking the money of Mantabhi, made a bold attempt to establish the rule of Sistan and Qain in the right of Heshmat al-Mulk, because the Majlis did not approve the rule of Mashar Aliya due to many considerations. He made it public that the people of Dar al-Khilafah were upset by his opposition, and he was forced to leave the capital city, and in the sacred corner of Hazrat Abd al-Azeem, he gathered several corrupt people and opponents... around him. (Kasravi, 1991: 358)



In response to the claims of this group, it can be argued that as all the constitutional scholars have emphasized on the financial resources of Sheikh Fazlullah, without a doubt worldliness and utilitarianism cannot be so important in the eyes of a personality like Sheikh Fazlullah Nouri. accompany him to the end and finally lead to his execution, and no sane mind will prescribe and approve even at the lowest levels of worldly dealings and material benefits with a sweet soul, and Sheikh Fazlullah was a man who did not need to take anything to do the work. He didn't have money from others to be cheated by this aid plan because he had a real estate relationship and regular income in Mazandaran. (Ibid, 379)

But the second group has attributed Sheikh Fazlullah Nouri's secularism in the form of personal power-seeking, and they argue that Sheikh Fazlullah's opposition is the result of limiting the scope of his power. Because in their eyes, after the return of scholars from Hazrat Abd al-Azeem, he had lost his power and Behbahani had become the first person of scholars and was jealous of him (Salehi, 2008: 228). "Shaykh Fazlullah's opposition to constitutionalism, which in the past was more than a completely religious and ideological matter, this time was also contaminated with personal issues and selfishness. He was without a doubt one of Iran's first-class mujtahids, and if his proposed bill and the second amendment were approved as he had written, his presence in the Ulama Majlis, which should supervise the enacted laws, would have been certain, but the trick that the Majlis In correcting and approving the revised bill, it could have easily blocked the entry of mujtahids such as Sheikh Fazlullah or any other opposing mujtahid. Precisely for this reason, Sheikh Fazlullah Nouri's subsequent objections to the approved principle and the National Assembly took on a more personal aspect". (Algar, 1990: 365)

But regarding Sheikh Fazlullah's desire for power, despite the fact that the aforementioned argument is relevant for the first group, if Sheikh Fazlullah was seeking full power among the scholars, why did he accompany Behbahani and Tabatabai, while with the connections he had with the court and with us Qadim could have provoked the government officials against them, but he did not do so, and when he was in the front of the constitutional opponents, he never sought to destroy Behbahani's face, and he even said it in sentences after expressing the aggressions and violations of the press. And it should not be forgotten that the constitutionalists presented themselves in various magazines and opportunities as ready to serve in order to gain the Sheikh's approval and opinion in agreeing to the constitution, but it was the Sheikh who did not stop short of his legalistic view and said, Undoubtedly, if the sheikh's fight with the constitutionalists was a fight over a carpet, such a self-interested person could easily retreat in a critical situation and, like many autocrats, change his color and soften the heart of the constitutionalists by using his clerical position. (Turkman, 1984: 1/246-265; Zargarinejad, 1998: 78)

Of course, he didn't do that and he remained firm on his Islamic beliefs, and when he was in a very critical situation, he was given suggestions such as staying in the house of one of his supporters, going to the shrines of the Supremes, and becoming a refugee in one of the Russian and British embassies. It could have been said: After 70 years of whitewashing my virtues for Islam, now I come and go under the banner of disbelief. (Turkman, 1984: 2/277-278)

## CONCLUSION

As a high-ranking authority, Sheikh Fazlullah Nouri sought to implement Sharia laws and looked at the elements proposed by constitutionalism from beyond his Sharia-based perspective and expressed the contradictions of the European definitions of these elements with Islamic Sharia. And he wanted to limit and adjust them by Sharia law, and despite his opposition to the European constitutional elements, he was not in any way with the supporters of the tyranny of the sultan's court, and he was not looking for secularism of any kind, which is why he fought against the constitution. . The communication he had with the court was of a tactical nature, and the summary of his desire is manifested in the slogan of legitimate constitutionalism, that is, a form of constitutionalism that is compatible with Sharia and pays attention to the implementation of justice contained in the laws of Sharia, but it must also be said that he His tactics were wrong and he should not have acted in such a way that his opponents pretended that he was a supporter of tyranny, and this negative atmosphere against him made them eliminate him easily.

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