

# The Impact of Religious Elements on the Formation and Functioning of the Executive in Iran and Malaysia

1. Mehdi Ganjali Bonjar : Department of Law, BA.C., Islamic Azad University, Bandar Abbas, Iran

2. Mostafa Seraji \*: Department of Law, BA.C., Islamic Azad University, Bandar Abbas, Iran

3. Ahmad Ranjbar : Department of Law, BA.C., Islamic Azad University, Bandar Abbas, Iran

\*Correspondence: mostafaseraji@iau.ac.ir

## Abstract

The concept of “religious governance” in contemporary political thought comprises two fundamental components: first, the presence of an Islamic ruler as the source of political legitimacy, and second, the existence of Islamic law as the binding framework governing the exercise of power. This article employs a comparative approach to examine the impact of religious elements on the formation and functioning of the executive branch in Iran and Malaysia. In Iran, the structure of the executive is shaped by the principle of Velayat-e Faqih, which, alongside the presidency, creates a unique dual configuration. The religious and jurisprudential qualifications required of presidential candidates, as well as the supervisory role of the Guardian Council, reflect the strong influence of Islamic law on the composition of the executive. By contrast, in Malaysia, the executive operates within a constitutional monarchy; the Yang di-Pertuan Agong serves as the symbolic Islamic ruler, while the Prime Minister—who must be a Muslim—holds executive authority. In terms of attributes and qualifications, adherence to Islam and loyalty to Velayat-e Faqih are essential criteria for executive officials in Iran, whereas in Malaysia, Islamic requirements are combined with ethnic and political considerations. Regarding duties and functions, the Iranian government is directly mandated to implement Islamic laws and safeguard religious values, while in Malaysia the executive plays a more cultural and symbolic role, such as promoting Islamic education and supporting Islamic banking. The findings indicate that both countries draw upon religion as a source of legitimacy; however, the depth and binding force of religious influence on the executive branch is significantly stronger in Iran than in Malaysia.

**Keywords:** Religious Governance; Executive Branch; Islamic Political Jurisprudence; Iranian Law; Malaysian Law

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## 1. Introduction

The question of the meaning of “religious sovereignty” is one of the fundamental issues in Islamic political philosophy and public law that has continually faced challenges in defining its scope and dimensions. At the theoretical level, religious

sovereignty can be understood as resting on two essential pillars: first, the presence of an Islamic ruler who derives legitimacy from religious teachings and exercises political power based on Islamic criteria; and second, the presence of Islamic laws that serve as a binding framework for the functioning of institutions and powers, while also delineating the role of Islamic authority in policy-making and implementation (al-Ahsan, 2017; Sadr, 2018). Attention to these two pillars enables an understanding of the relationship between religion and government, as well as the differences among Islamic political systems, clarifying that religious sovereignty is not limited to the mere presence of a religious figure but is intrinsically tied to the application of Islamic rules and principles in governing a state.

The need for a comparative study of this issue in Iran and Malaysia arises from the fact that both countries employ Islam as a source of legitimacy but have operationalized these elements differently in their executive structures. Iran, with its system based on the principle of Velayat-e Faqih and rooted in Shiite jurisprudence, represents a distinctive model in which the religious-political leader stands at the apex of power, and the presidency functions strictly within jurisprudential frameworks under the supervision of religious institutions (Amid Zanjani, 2013; Mesbah Yazdi, 2002). In contrast, Malaysia, with its constitutional monarchy and emphasis on official Islam and Shafi'i jurisprudence, offers a model that combines religious sovereignty with customary and democratic elements; the Yang di-Pertuan Agong serves as a symbolic and unifying figure for Islam, while the Muslim Prime Minister is responsible for the actual administration of the executive branch (Aljunied, 2019; Hooker, 2004).

These structural differences underscore the need for a comparative analysis of the executive branch in the two countries and the influence of religious elements on its structure, attributes, and functions. The main objective of this study is to examine how religious components—namely, the presence of an Islamic ruler and Islamic laws—affect the structure, characteristics, and functions of the executive branch in Iran and Malaysia. In line with this objective, the hypothesis is advanced that in Iran, both elements of religious governance are strongly binding, such that not only the composition and structure of the executive branch but also the personal attributes of its officials and policymakers are directly shaped by religion. In contrast, in Malaysia, the presence of religious elements is more limited and blended; Islam functions primarily as the official religion, while the Islamic ruler plays a symbolic role, and, alongside customary and democratic elements, contributes to shaping the policies and executive functions of the government (Funston, 2015; Peletz, 2002). Accordingly, this study, by focusing on these two countries, seeks to provide insight into the diversity of religious governance models and the extent of religious influence on the structure and functioning of government in Islamic societies.

## **2. Structure and Composition of the Executive Branch**

In this section, the structure and composition of the executive branch in Iran and Malaysia are examined separately.

### **2.1. Iran**

First, the structure and composition of the executive branch in Iran will be addressed.

#### **2.1.1. Velayat-e Faqih and Its Role at the Apex of the Executive Pyramid**

Velayat-e Faqih is one of the foundational principles of the Islamic Republic of Iran, encompassing both religious and political leadership within the governmental framework. From a jurisprudential perspective, it is defined as “the authority of a fully qualified jurist to administer the affairs of the Islamic society,” and according to Shiite jurisprudence, such a jurist possesses the capacity to both interpret Islamic laws and manage political and social affairs in accordance with religious standards (Khoei, 2016; Mesbah Yazdi, 2002). From a legal perspective, the Velayat-e Faqih, as an official institution enshrined in the Constitution, occupies the position of supreme executive and supervisory authority, and the head of the executive branch and other executive officials are obligated to act within the framework of the Leader's general policies and directives (Amid Zanjani, 2013; Hashemi, 2006).

This structure indicates that the Velayat-e Faqih is not merely a religious role but also a legal and institutional position in the administration of state affairs, thereby establishing a dual system at the top of the executive branch in which the President,

as the highest executive authority, exercises power under the guidance of the religious Leader. This duality, as a distinctive feature of Iran's executive structure, reflects the direct fusion of religion and political authority. The Leader's role is connected to the executive through several formal mechanisms. First is the determination of national macro policies, which the executive branch is obligated to implement. Second is the authority to appoint and dismiss certain executive officials, such as the head of the Islamic Republic of Iran Broadcasting and the commanders of the armed forces, which directly shapes executive performance (Mesbah Yazdi, 2002; Rahimi, 2012). Third is the overall and strategic oversight of presidential and governmental decisions in economic, cultural, and political domains, ensuring that executive activities align with Islamic principles. From this perspective, the Velayat-e Faqih serves as the central axis of the executive structure, determining its composition and hierarchy and transforming it from a purely political system into a religious-political one. This configuration ensures that any policy-making, executive program, or major governmental decision must conform not only to public approval but also to Islamic standards and the Leader's directives.

### 2.1.2. *Presidency*

The President of Iran, as the highest executive authority, must meet specific Islamic and legal requirements. From a jurisprudential standpoint, the President must be both a religious and political figure; that is, in addition to demonstrating practical commitment to Islam, he must also possess the ability to govern and sufficient knowledge of state affairs (Asadi, 2014; Sadr, 2018). From a legal standpoint, Article 115 of the Constitution of the Islamic Republic of Iran stipulates that presidential candidates must demonstrate practical commitment to Islam and loyalty to the Velayat-e Faqih. These criteria not only define the personal and ethical characteristics required of the President but also ensure that executive officials can implement policies within the framework of Shiite jurisprudence. In other words, combining religious and political requirements in presidential eligibility criteria creates a direct linkage between religion and the executive structure, compelling the executive branch to operate in accordance with Islamic principles.

One of the most important mechanisms ensuring the presence of religious components in the executive branch is the supervisory role of the Guardian Council in vetting presidential candidates. The Guardian Council, composed of jurists and legal experts, reviews candidates' qualifications based on their commitment to Islam, political competence, and loyalty to the authority of the jurist (Guardian, 2019; Hashemi, 2006). Beyond legal validation, this supervisory mechanism plays a pivotal role in ensuring that the executive structure adheres to religious values and practically guarantees the presence of religious-political figures at the head of the executive branch. Through this oversight, the Iranian executive branch is not merely an administrative body but a mechanism for implementing religious-political policies, wherein the president's executive legitimacy depends on alignment with Islamic law and the Leader's directives. In this way, the Guardian Council acts as an intermediary between the leadership and the president, ensuring that executive authority remains consistent with the country's religious and jurisprudential foundations.

### 2.1.3. *The Status of Islamic Law*

The Constitution of the Islamic Republic of Iran is explicitly grounded in Islamic teachings and affirms both the principle of Velayat-e Faqih and the binding presence of Islamic law in the executive structure (Amid Zanjani, 2013; Hashemi, 2006). Several constitutional provisions define the duties of the President of Iran and the government within the framework of adherence to Sharia and the general policies set by the Leader, stipulating that executive decisions must align with Shiite jurisprudence. In other words, the Constitution not only provides the legal foundation for the executive structure but also creates a jurisprudential-legal framework through which the executive branch is obligated to uphold Islamic values and principles in planning and policymaking. This ensures that all major executive decisions, from economic to cultural policies, remain consistent with religious and Sharia-based requirements.

The linkage between Islamic law and the executive branch's function is especially evident in policy implementation. The government is required to formulate and enforce its programs in the economic, cultural, educational, and social sectors in a manner consistent with Shiite jurisprudence. Practical examples include the development of Islamic banking, social justice programs grounded in religious teachings, and cultural and educational policies informed by Islamic values (Mohammadi,

2011; Sedghi, 2016). This mechanism illustrates that the Iranian executive branch is not merely a political-administrative institution but also a religious-legal body whose performance is directly shaped by Shiite jurisprudence and Islamic law. Consequently, the institutionalized position of Islamic law within the executive branch ensures that the administration of national affairs fully aligns with religious values and the objectives of the Islamic state.

An analysis of the structure and composition of the Iranian executive branch reveals that it represents a fusion of religious and political elements, and its performance is directly shaped by both the guardianship of the jurist and Islamic laws. The Supreme Leader of Iran, as the apex of the executive pyramid, exercises both supervisory power and strategic influence in setting national macro-policies. The presidency is bound to operate in accordance with Islamic principles under religious conditions and the oversight of the Guardian Council. Ultimately, Islamic law and Shiite jurisprudence determine the direction of decision-making and policymaking in the executive branch. This distinctive integration makes Iran a unique model of an Islamic executive system in which religion and politics are interwoven into the structure, characteristics, and functioning of the executive branch (Firouzabadi, 2011; Sadr, 2018).

## 2.2. Malaysia

This section explains the structure and composition of the executive branch in Malaysia.

### 2.2.1. The King (*Yang di-Pertuan Agong*)

The Yang di-Pertuan Agong is a striking example of the fusion of religious and political symbolism within a federal system. As a federal monarch, the Yang di-Pertuan Agong primarily serves as a symbol of national unity and an Islamic ruler, rather than directly managing the country's executive affairs (Aljunied, 2019; Andaya & Andaya, 2017). This symbolic position illustrates that Malaysia's political and religious legitimacy rests on both Islamic tradition and federal constitutional principles. In practice, the king rarely intervenes in daily executive decision-making; his duties are largely ceremonial and symbolic, such as opening parliament, issuing royal decrees, and overseeing the conformity of legislation with Islamic principles.

A distinctive feature of the Malaysian monarchy is that the king is selected from among the hereditary sultans of the constituent states. This selection is rotational rather than strictly hereditary, and the key criterion is that the individual chosen must be a Muslim (Hooker, 2004; Means, 1991). This mechanism ensures that the Islamic ruler embodies both religious legitimacy and the Malay-Islamic cultural heritage of the country. The Malaysian monarchy thus exemplifies a model of "symbolic religious sovereignty," where the ruler does not exercise direct executive authority but serves as a moral and religious authority at the national level. This symbolic status also acts as a safeguard, maintaining harmony between Islam and secular politics and ensuring the presence of religion in governance without granting it a binding role in the day-to-day decision-making of the cabinet and the Prime Minister of Malaysia.

### 2.2.2. Prime Minister and Cabinet

In Malaysia, the Prime Minister is the head of the executive branch and leads the cabinet, holding primary responsibility for national administration. Constitutionally, the Prime Minister must be a Muslim, as the leadership of the executive, given the Islamic nature of the state, is expected to adhere to religious principles. This requirement ensures that executive policies and national programs are formulated and implemented in alignment with Islamic values. In practice, beyond his political role, the Prime Minister is also expected to embody the religious and cultural identity of the state and align cabinet policies with the religious-national framework (Hadiz, 2013; Peletz, 2002).

The composition of the Malaysian cabinet is strongly shaped by both ethnic and religious criteria. It typically includes representatives from Malay, Chinese, Indian, and other minority groups, but the Prime Minister and most key ministers are usually Muslim (Cheu, 2020; Roff, 2000). This composition reflects efforts to balance the country's Islamic identity with its ethnic and religious diversity. As a result, executive policies address not only religious values but also ethnic and political considerations. Analytically, this hybrid model indicates that Malaysia strives to maintain equilibrium between the presence of religion and the preservation of multi-ethnic social cohesion. Unlike Iran, where religion and jurisprudence directly dominate

the structure and functions of the executive branch, in Malaysia religion plays a more identity-based and symbolic role, while executive performance is also shaped by ethnic and political factors (Funston, 2015; Gomez & Jomo, 1999).

### 2.2.3. *Islamic Law in the Structure*

One of the foundational provisions of the Constitution of Malaysia is the designation of Islam as the official religion of the state. Article 3 of the Constitution of Malaysia explicitly declares Islam as the religion of the Federation, and obliges the monarchy, government, and governmental institutions to uphold it (Hooker, 2004; Joseph, 2017). This establishes the religious legitimacy of government institutions, including the executive branch and the monarchy, and affirms the role of Islam in shaping national policies and programs.

However, the Malaysian Constitution also incorporates secular and customary elements; civil laws—especially in areas such as commerce, contracts, and administrative matters—are primarily based on customary and secular legal traditions. This demonstrates that while Islam provides an authoritative and identifying framework, the executive must balance religious values with the practical demands of modern governance. Malaysia operates under a dual legal system: Islamic law governs matters such as family law, endowments, and religious affairs (administered through Sharia Courts), while other domains are governed by civil and customary law (Olivier, 2019; Peletz, 2002).

This duality requires the executive branch to design policies that align with Islamic values while also satisfying democratic and secular legal standards. It also reflects both the limitations and the flexibility of the Malaysian executive system: the role of religion in policymaking is primarily cultural, symbolic, and identity-based rather than binding or directive. Unlike Iran, where jurisprudential law and religious leadership directly influence executive decision-making, in Malaysia religion functions as an identity marker and source of legitimacy, with policy outcomes shaped through interaction with customary and secular frameworks (Rabasa, 2014; Triandafyllidou, 2022).

An analysis of the structure and composition of the Malaysian executive branch indicates that, unlike Iran, this institution relies more on symbolism and a balancing of religion and politics. The king, as an Islamic ruler, plays a ceremonial and symbolic role, while the Muslim Prime Minister holds primary responsibility for governing. The cabinet, with its ethnically and religiously diverse composition, aims to embody both Islamic values and Malaysia's pluralistic identity. Islamic law, particularly in religious and family domains, provides an identity-based and legitimizing framework, but most policymaking and executive decisions are shaped by customary and secular laws. This structure makes Malaysia an example of "mixed religious–identity sovereignty," where religion legitimizes but does not dominate executive governance. In comparison, the intensity and scope of religious influence in the Iranian executive branch are far deeper and more binding, while in Malaysia religion functions more as a cultural and symbolic framework that supports national cohesion and Islamic identity (Ascher, 2013; Hadiz, 2013).

### 2.3. *Comparative Comparison*

A comparative analysis of the executive branch in Iran and Malaysia shows that although both countries recognize Islam as the axis of political and legal identity, meaningful differences persist in institutional structure, the role of the Islamic ruler, and the relationship between religion and politics. These differences are rooted in the distinctive religious, historical, and political traditions of each country and shape how religious and political elements are combined at the apex of the executive. In Iran, the executive is deeply influenced by the guardianship of the jurist and Shiite jurisprudence. The head of the executive branch comprises two principal offices: the Leader (Supreme Leader) and the President. As the central axis of power, Velayat-e Faqih sets major national policies, supervises their implementation, and holds authority over the appointment and dismissal of selected executive officials (Mesbah Yazdi, 2002). Although the President is the highest executive authority, he acts within the parameters defined by the Leader's guidance and jurisprudential norms, and his legitimacy derives from his commitment to Islam and loyalty to Velayat-e Faqih (Sadr, 2018). This dual configuration has transformed Iran's executive into a religious–political institution in which executive decision-making, policy formulation, and even office-holder qualities are directly shaped by Shiite jurisprudence and Islamic principles (Khoei, 2016). Consequently, the link between the Islamic ruler and Islamic law

in Iran is both deep and binding, such that religion determines not only the identity but also the performance of the executive branch. In contrast, Malaysia's executive structure is organized around a duality of the king and the prime minister. The Yang di-Pertuan Agong plays a symbolic and unifying role that conveys the religious and identity legitimacy of the system, yet does not intervene directly in day-to-day executive administration (Olivier, 2019). The Prime Minister—who must be Muslim—directs the operation of the executive and implements cabinet policies. Cabinet composition reflects ethnic and religious considerations so as to represent both the country's Islamic identity and its plural society (Funston, 2015). In Malaysia, Islam is the official religion and Islamic law is applied primarily in religious and family matters, while most executive policies and decisions are governed by civil and customary law. Thus, the linkage of the Islamic ruler and Islamic law to the executive structure in Malaysia is limited and identity-based: religion functions more as a legitimizing and symbolic frame than as a direct, binding determinant of executive decision-making. Taken together, the similarities include reliance on Islam for legitimacy at the apex of power and formal guarantees of religious institutions within the executive system, alongside requirements that the highest executive leadership be Muslim and that Islamic law play a strategic role in domains tied to religious values and culture (Hadiz, 2013). The differences, however, are more decisive. In Iran, the presence of religion and jurisprudential law is mandatory and directive: the guardianship of the jurist is not simply emblematic of religious authority but a direct factor in executive decision-making, and the President must adhere to Shiite jurisprudential principles. In Malaysia, religion is primarily symbolic and identity-oriented: the king acts ceremonially, while the prime minister and cabinet govern within an interface between Islam and civil law. Moreover, Malaysian cabinet formation and policymaking are more strongly conditioned by ethnic and democratic balancing (Cheu, 2020), whereas in Iran the Leader's supervision and jurisprudential norms define the primary policy framework. Overall, the intensity and depth of connection among the Islamic ruler, Islamic law, and the executive in Iran are substantially stronger and more binding, while in Malaysia religion functions more as an identity-based legitimating reference concentrated in particular religious and cultural spheres. Iran thus exemplifies "binding religious sovereignty," whereas Malaysia represents "symbolic and hybrid religious sovereignty." The comparative perspective underscores that the integration of religion and politics in the executive is conditioned by religious, historical, and cultural traditions, and that the diversity of these models illuminates the varied modalities of religious governance across the Islamic world.

### 3. Characteristics of the Executive Branch

This section outlines the characteristics of the executive branch in Iran and Malaysia.

#### 3.1. *Iran*

In the first subsection, the characteristics of the executive branch in the Iranian legal order are addressed.

##### 3.1.1. *The Office of the President*

As the highest executive authority, the President of Iran must satisfy specific religious as well as political and managerial criteria. One of the fundamental constitutional principles (under Article 155) is belief in and practical commitment to Islam, which requires the President to affirm religious doctrines and align personal conduct with Islamic teachings. This religious obligation operates not only in the private sphere but also in macro-level executive decision-making, because government policies and programs must remain compatible with Shiite jurisprudence. Loyalty to the guardianship of the jurist is another essential condition underpinning presidential legitimacy; it entails accepting the Leader's guidance and implementing national macro-policies within the framework of Shiite jurisprudence (Amid Zanjani, 2013). The President cannot operate independently or outside the boundaries set by the Leader, and every executive decision must accord with religious and jurisprudential principles. In this way, the presidency's religious requirements ensure that the executive branch embodies a religious identity while operationalizing Islamic teachings in practice. In addition to religious obligations, the President's moral and political qualities shape executive performance. Trustworthiness is paramount, given responsibility for stewarding public resources, making macro-economic choices, and directing domestic and foreign policy. Trustworthiness functions not only as



a moral virtue but also as a guarantor of justice and governmental legitimacy (Sadr, 2018). Justice and fairness—especially in decision-making and distributing resources and opportunities—are equally vital; the President must respect citizens' rights and avoid unjust discrimination against any social group. This ethical orientation directly aligns with governmental religious aims, as Shiite jurisprudence emphasizes the protection of rights and the realization of social justice. Equally, efficiency and managerial capacity are indispensable political qualities: the President must effectively implement approved policies, coordinate across executive agencies, and respond to societal needs. Here, efficiency entails translating religious principles and adopted policies into practice without contravening Islamic teachings. Collectively, these characteristics help ensure that the President enjoys religious legitimacy and that executive functions remain consistent with the objectives of an Islamic government.

### 3.1.2. *Ministers and Executive Officials*

Ministers and executive officials are likewise expected to meet a baseline standard of commitment to Islam—typically meaning adherence to core religious principles and observance of religious norms to the extent compatible with administrative duties and public policy implementation (Mesbah Yazdi, 2002). Unlike the President—whose practical commitment to Islam and loyalty to the guardianship of the jurist are mandatory elements of legitimacy—ministers are generally evaluated against a somewhat lower threshold, namely steadfast observance of ethical and religious standards in the performance of their duties. This minimum religious commitment helps align executive decisions, including at intermediate administrative levels, with Islamic values. For instance, a minister responsible for education or culture must design and implement programs within the contours of religious values and Shiite jurisprudence, avoiding conflict with religious principles. This expectation strengthens coherence across the executive system with respect to religious teachings. The moral and personal qualities of ministers and senior officials also bear directly on the government's religious function. Trustworthiness, honesty, prudent decisiveness, and an aptitude for inter-institutional coordination are among the qualities that sustain the religious character of governance (Khoei, 2016). Absent these traits, even a religious leadership at the summit of the executive cannot guarantee the effective implementation of religious policies. Managerial competence and administrative capacity likewise matter: ministers must be able to execute programs and policies in harmony with Islamic values and refrain from choices that contravene jurisprudential standards. The interplay of personal character and religious commitment is crucial for preserving executive coherence and maintaining religious legitimacy. These qualities also affect service quality and public trust: adherence to Islamic ethics, fairness in decision-making, and fidelity to religious values bolster government legitimacy in citizens' eyes and enhance social trust—benefits that, in turn, facilitate the implementation of religiously informed policies. An assessment of the Iranian executive branch's characteristics thus shows a system that integrates religious, ethical, and political obligations. The President, as the highest executive authority, is bound to observe religious principles, remain loyal to the guardianship of the jurist, and exhibit moral and political virtues such as trustworthiness, justice, and efficiency. Ministers and executive officials must also demonstrate at least a baseline of religious commitment, and their personal and ethical qualities have direct implications for the government's religious function. This blend of religious and moral characteristics undergirds the executive branch's legitimacy and effectiveness and helps ensure that executive decisions align not only with legal norms but also with religious values and goals. Consequently, the Iranian executive—understood as a religious-political institution—does more than implement policy and manage state affairs; it also plays a central role in reinforcing the religious legitimacy and identity of the Islamic Republic.

## 3.2. *Malaysia*

In this section, the characteristics of the executive branch in the Malaysian legal system are discussed.

### 3.2.1. *Prime Minister*

The Prime Minister of Malaysia, as the highest executive authority in the country, must be a Muslim, because under Article 43(2) of the Constitution of Malaysia, only a Muslim may hold this position. This condition is not only a legal requirement but also symbolizes the connection between religion and political power within the framework of Malaysia's federal monarchy.

According to this provision, the Prime Minister is not merely the head of government and executor of national policies but is also obligated to operate within the framework of Islamic identity and Malay tradition, and his executive decisions must preserve religious values. This requirement ensures both the religious legitimacy of government and the safeguarding of Malay national and cultural identity in politics. The Prime Minister's role thus represents a synthesis of executive responsibility and adherence to religious-identity values, directly linking religion with politics. In addition to political and managerial competence, the Prime Minister must demonstrate practical commitment to Islamic teachings to maintain harmony between executive policies and the country's religious framework (Aljunied, 2019).

The identity of the Prime Minister and his position within the executive structure are deeply connected to Malay and Islamic identity. Malay identity entails affiliation with the culture, traditions, and historical values of the society, while Islam, as the official religion, plays a strategic role in shaping political conduct and decision-making (Ascher, 2013). The Prime Minister must guide policies and programs to achieve both the developmental and modernization goals of the country and the preservation of Islamic and Malay values. This balance ensures that the Malaysian executive branch possesses internal legitimacy rooted in identity while also strengthening social cohesion.

### 3.2.2. *Cabinet*

The Cabinet of Malaysia, especially at the ministerial level, is formed according to ethnic and religious criteria. These criteria reflect the country's diverse population and the need to maintain equilibrium among Malay, Chinese, and Indian groups, while also ensuring the presence of Muslims in key executive positions (Means, 1991). The aim is to safeguard Islamic identity while guaranteeing representation for different ethnic communities in decision-making. Within this framework, cabinet ministers must possess a baseline commitment to Islamic values and implement their policies and programs in alignment with the nation's religious teachings and cultural identity.

This mechanism ensures harmony between the executive structure, policymaking, and Islamic values, and prevents conflict between religious and executive identities. Islamic political parties in Malaysia play a crucial role in reinforcing Islamic standards in the executive branch. Through political pressure and participation in government coalitions, these parties influence policies and the appointment of ministers to ensure that Islamic values and religious identity remain embedded in decision-making (Rabasa, 2014). Particularly in education, Sharia Courts affairs, and cultural policy, their influence ensures that executive decisions are shaped not only by political or economic considerations but also by Islamic principles. This interaction between Islamic parties and the executive exemplifies an indirect yet effective model of religious influence on governance, ensuring that cabinet ministers—even when implementing secular or modern policies—respect the Islamic identity of the state and maintain the religious legitimacy of the executive branch.

### 3.2.3. *King*

The Yang di-Pertuan Agong serves a symbolic and unifying role at the apex of the executive branch. Although the king does not intervene in daily government administration, his Islamic and traditional attributes provide legitimacy and identity coherence to the system. The king is selected from among the hereditary sultans of the constituent states, and being Muslim is a prerequisite for this position (Hooker, 2004).

The king's Islamic attributes—including adherence to Sharia in official ceremonies, oversight of religious affairs, and endorsement of Islamic policies—symbolically affirm the religious identity of the government. His traditional role in balancing ethnic and religious groups also reinforces political and social stability. This blend of religious and traditional characteristics makes the monarchy a symbolic-executive institution whose legitimacy derives from both religion and tradition. As an Islamic-traditional symbol, the king reinforces the maintenance of religious values in cabinet conduct and executive practices, representing the link between religion, national identity, and executive power. Although primarily ceremonial, the king's role significantly enhances the religious legitimacy and identity cohesion of the executive branch.

An analysis of the characteristics of the Malaysian executive branch shows that this structure blends religious obligations, ethnic identity, and cultural traditions. The Prime Minister is bound to observe Islam and uphold Malay identity, while the cabinet is appointed according to ethnic and religious criteria to ensure representation of Malaysia's diverse society. Islamic



parties reinforce Islamic values in ministerial policy and practice, and the king, through his Islamic and traditional attributes, consolidates the system's religious and identity legitimacy. Overall, the Malaysian executive reflects a hybrid model combining religion and cultural identity with political and administrative functions. In this model, religion serves primarily an identity-based and symbolic role aligned with executive policy, without requiring the direct and binding application of religious teachings in daily decision-making. This approach lends flexibility to the executive and sustains social stability in an ethnically and religiously plural state.

### 3.3. Comparative Comparison

A comparative examination of the characteristics of the executive branch in Iran and Malaysia shows that religion plays a foundational role in both countries, but differs greatly in scope and intensity. In Iran, religious and jurisprudential criteria are explicitly defined and strictly binding at the apex of the executive, whereas in Malaysia, religion operates alongside ethnic and customary criteria with a more identity-based and relative function. In Iran, the President of Iran and ministers are required to observe jurisprudential and Sharia criteria as well as legal ones. The President must profess belief in and demonstrate practical commitment to Islam and loyalty to the Velayat-e Faqih (Amid Zanjani, 2013). These religious conditions govern not only personal behavior but also major executive decisions, shaping the framework of presidential actions and governmental policies. Ethical and political traits—such as trustworthiness, justice, fairness, and efficiency—are likewise directly tied to governmental religious goals and reinforce jurisprudential obligations, ensuring that executive officials have legitimacy both legally and religiously (Sadr, 2018). At the ministerial level, a minimum commitment to Islam is required, and qualities such as honesty and managerial competence directly influence the religious functionality of government (Mesbah Yazdi, 2002). In short, religion and Sharia jurisprudence play a determining and binding role at every level of the Iranian executive.

By contrast, in Malaysia, while the Prime Minister must be Muslim and the cabinet is selected on ethnic and religious grounds, religion is not applied fully or bindingly in all executive decisions. The presence of Islam is more symbolic and identity-oriented, intertwined with ethnic considerations, Malay traditions, and political interests (Aljunied, 2019). The moral and religious characteristics of ministers are shaped partly by Malay identity and the influence of Islamic parties, yet the degree of binding force is far weaker than in Iran (Rabasa, 2014). Ministers may make decisions in economic, social, and cultural fields without strict adherence to Islamic teachings, provided that the overarching framework of religious legitimacy is respected. The king also plays a symbolic and unifying role, and his traditional Islamic traits reinforce the legitimacy of the executive while not involving direct intervention in decision-making (Hooker, 2004).

Overall, the key difference lies in the binding force of religious criteria. In Iran, religion and Sharia law function as foundational and obligatory criteria across all levels of the executive, and officials cannot hold legal or religious legitimacy without adhering to them. In Malaysia, religion plays an identity-based and relative role, operating alongside ethnic and customary criteria. Executive officials may make diverse decisions as long as they respect the general framework of Islamic and Malay identity. These differences reflect the political and historical structures of the two states: Iran, grounded in the authority of the jurist and Shiite jurisprudence, positions religion as a decisive and binding element at the apex of the executive; Malaysia, with its constitutional monarchy and Malay traditions, applies Islam in a more symbolic and relative manner alongside ethnic identity and political requirements.

Consequently, the alignment between executive attributes and religious values is far stronger and more binding in Iran, whereas Malaysia shows greater flexibility and frames religion more as a legitimizing and identity-giving force. In sum, the comparison shows that Islamic governance can manifest in different intensities and forms, and that the combination of religion, ethnic identity, and political imperatives shapes executive structure and performance. This insight highlights the fundamental contrasts among Islamic governments regarding religious imperatives and executive characteristics and offers significant implications for legal and political scholarship.

## 4. Duties and Functions of the Executive Branch

In this section, the duties and functions of the executive branch will be explained separately.

#### 4.1. Iran

In this section, the duties and functions of the executive branch in Iranian law will be first mentioned.

##### 4.1.1. Implementation of Islamic Laws

One of the fundamental duties of the executive branch in Iran is to implement Islamic laws and safeguard Sharia. According to the Constitution of the Islamic Republic of Iran, the President and the government are required to design and implement all executive policies and decisions in accordance with jurisprudential and Sharia principles (Firouzabadi, 2011). This duty includes ensuring that statutes approved by the legislature comply with religious standards and supervising their proper implementation across administrative levels. Implementation of Islamic laws has not only a legal dimension but also an educational and identity-building function. The executive must act so that religious values and principles are institutionalized in social behavior and public institutions, allowing citizens to directly experience the presence of religion in politics and administration (Hashemi, 2006). This, in turn, enhances governmental legitimacy, strengthens public trust in the Islamic system, and anchors decision-making and policy trajectories in jurisprudential principles.

Institutionalizing religious values within the executive is another key responsibility. The President and ministers are expected to formulate policies that reflect religious teachings in administrative, educational, and cultural activities. For example, ministries and state organizations are required to organize processes and services in ways consistent with ethical and religious standards (Mozaffari, 2013). This process promotes social cohesion and public alignment with religious values and underscores the government's role in reinforcing Islamic identity.

##### 4.1.2. Cultural and Social Policymaking

The executive branch is responsible for educational policymaking and must ensure that the national education system aligns with Islamic values and teachings. This includes curriculum development, teacher preparation grounded in Islamic ethics, and the cultivation of students' religious competencies (Hashemi, 2006). By implementing such policies, schooling becomes a vehicle for institutionalizing Islamic culture and transmitting religious values to future generations. The executive also guides and supports the media environment and must manage it so that messages and programming conform to Islamic principles. The national broadcaster and other state media are obligated to produce content that promulgates religious teachings, Islamic ethics, and Islamic culture (Rahimi, 2012). This approach strengthens society's religious identity and increases public acceptance of governmental policies.

##### 4.1.3. Economic Policymaking

A central axis of executive action in the economic sphere is the implementation and oversight of Islamic banking. Iran's banking system is required to operate in accordance with Islamic law, with financial activities conducted without usury and in line with jurisprudential principles (Mohammadi, 2011). The government performs a directive and supervisory role, formulating executive policies and banking regulations to ensure that transactions, investments, and financial services comply with fiqh-based requirements. The executive is also obligated to pursue economic policies that realize social and economic justice, including equitable resource distribution, protection of vulnerable groups, and prevention of monopoly and corruption. Such policies must remain consistent with jurisprudential principles so that economic development goals are achieved while religious values are upheld (Asadi, 2014). Accordingly, economic justice in Iran has both social and religious dimensions, and the executive plays a foundational role in guaranteeing it.

An analysis of the duties and functions of the Iranian executive shows that it plays a pivotal role in implementing Islamic law, shaping cultural and social policy, and directing economic policy. Implementing Islamic law and safeguarding Sharia consolidates the religious identity of the state and institutionalizes religious values in society. Cultural and social policymaking—especially in education and media—reinforces the religious and moral identity of future generations. In the economic arena, enforcing Islamic banking and pursuing justice from a jurisprudential perspective ensures alignment between development and religious values. In sum, the Iranian executive is not only responsible for national administration but also

functions as the principal instrument for institutionalizing religion in politics, culture, and the economy; its functions are thus aligned with religious, ethical, and social objectives (Asadi, 2014; Firouzabadi, 2011; Hashemi, 2006; Mohammadi, 2011; Mozaffari, 2013).

#### 4.2. Malaysia

This section will address the duties and functions of the executive branch in Malaysian law.

##### 4.2.1. *Safeguarding Islam as the Official Religion*

In Malaysia, under Article 3 of the Constitution, Islam is the official religion of the Federation, and the executive is responsible for safeguarding its status within the constitutional framework. The King (Yang di-Pertuan Agong), as the symbol of Islamic-traditional unity, oversees the maintenance of this status and ensures that government policies and decisions remain within an Islamic frame. This duty includes protecting religious education, upholding Sharia regulations in social and financial matters, and coordinating governmental structures with religious institutions (al-Ahsan, 2017). The executive, through the Prime Minister and Cabinet, operationalizes this safeguarding function; laws and policies must preserve the government's religious and identity legitimacy while maintaining social stability in a multiethnic and multireligious society (Gomez & Jomo, 1999).

##### 4.2.2. *Islamic Policies in Executive Areas*

A principal axis of executive responsibility is education policy. Islamic schools and religious education programs play a vital role in transmitting Islamic teachings to younger generations. The Ministry of Education is charged with program design and oversight to ensure that students are acquainted with Islamic values and principles (Joseph, 2017). These policies not only expand religious education but also consolidate Islamic identity and Malay culture, positioning schools as centers for institutionalizing ethics, social conduct, and belief. The executive also plays a guiding role in the development of Islamic banking and the Islamic financial system: it establishes programs to align financial institutions with Sharia principles so that banking activities proceed without usury and in accordance with Islamic jurisprudence (Adil, 2013). These policies encompass financing facilities, investment, and supervisory mechanisms to ensure that economic progress occurs within an Islamic value framework.

##### 4.2.3. *Cultural-Identity Function*

Another important duty of the executive is to strengthen Islamic-Malay identity at the national level. This includes emphasizing the Malay language, culture, and traditions alongside religious teachings. Executive policies should be crafted to preserve cultural and identity cohesion and to enhance citizens' sense of belonging to the Malay community and to Islam (Triandafyllidou, 2022). Implementing such cultural-identity policies not only consolidates national identity but also increases governmental legitimacy. The executive is required to promote Islamic-Malay culture while fostering interaction and acceptance among other ethnic and religious groups. Given Malaysia's plural composition, a key challenge for the executive is managing diversity: policies must simultaneously affirm Islam's official status and respect minority rights (Cheu, 2020). This governance includes coordination among state and religious institutions, addressing cultural differences, and creating spaces for intergroup engagement. By adopting this approach, the executive can pursue two goals at once: preserving Islamic values and managing social diversity to sustain stability and national cohesion—allowing Islam to remain central to politics, culture, and identity while maintaining a pluralistic environment for other groups.

Analysis of the Malaysian executive's functions shows that religion plays a central role that is integrated with identity, cultural, and social imperatives. Upholding Islam as the official religion, advancing Islamic policies in education and banking, and performing cultural-identity functions constitute the core executive axes. Unlike the Iranian model, religion in Malaysia is more identity-oriented and symbolic; its binding force in everyday decision-making is more limited, yet it still significantly

shapes identity cohesion, political legitimacy, and cultural harmony (Adil, 2013; al-Ahsan, 2017; Cheu, 2020; Gomez & Jomo, 1999; Joseph, 2017; Triandafyllidou, 2022). Overall, by leveraging religious and cultural policies, the Malaysian executive strengthens Islamic–Malay identity, manages religious and ethnic diversity, and supports economic and social development within an Islamic value framework—illustrating a combined model of religious governance in which religion and national identity operate in concert with state administration.

#### 4.3. *Comparative Comparison*

A comparative study of the duties and functions of the executive in Iran and Malaysia shows that religion is central in both, but differs in modality and intensity. In Iran, religion and Sharia jurisprudence form the primary framework for policymaking and law enforcement, whereas in Malaysia Islam functions as the official religion alongside identity, ethnic, and cultural criteria and thus assumes a more identity-based, relative role. In Iran, implementing Islamic law is a fundamental executive duty: the President and government must design and execute policies in accordance with jurisprudential and religious principles, overseeing compliance across administrative levels (Firouzabadi, 2011). Moreover, institutionalizing religious values in social behavior and state activity enhances governmental legitimacy and social cohesion (Hashemi, 2006). In Malaysia, safeguarding Islam’s official status is a shared responsibility of the monarch and the state: the King’s role is symbolic, while the Prime Minister and Cabinet ensure that policies are consistent with Islamic principles (al-Ahsan, 2017). Nevertheless, religion’s role is more identity-symbolic and less binding in daily executive decisions.

In Iran, the executive is responsible for educational policy consistent with fiqh-based standards and for harnessing religious media to institutionalize values and strengthen social religious identity (Hashemi, 2006; Rahimi, 2012). In Malaysia, cultural and educational policies aim to reinforce Islamic–Malay identity; Islamic schools and religious education familiarize younger generations with Islamic values, while policy design attends to pluralism and identity fairness across groups (Cheu, 2020; Joseph, 2017).

In economic policy, Iran emphasizes Islamic banking and economic justice, guiding the financial system in accordance with jurisprudential principles and embedding economic justice within religious values (Asadi, 2014; Mohammadi, 2011). Malaysia likewise advances Islamic banking and finance, requiring compliance with Sharia principles and establishing executive programs to guide these activities, though implementation proceeds alongside secular frameworks and development needs and is therefore less binding than in Iran (Adil, 2013).

Overall, both countries place religion at the center of executive functions, but intensity and scope vary. In Iran, religion and Sharia jurisprudence are mandatory and decisive at all levels, and executive policies lack legitimacy without them. In Malaysia, Islam functions more as an identity and legitimizing force, operating alongside ethnic, customary, and secular criteria. Consequently, Iranian executive duties are associated with high religious intensity and binding force, while Malaysia exhibits greater flexibility, integrating religion with politics, national identity, and the management of societal diversity. This comparison illuminates distinct models of religious governance and the varied combinations of religion and politics, offering insights into how religion shapes the structure, characteristics, and functions of executive authority in the two systems (Adil, 2013; al-Ahsan, 2017; Asadi, 2014; Cheu, 2020; Gomez & Jomo, 1999; Hashemi, 2006; Joseph, 2017; Mohammadi, 2011).

## 5. Conclusion

A comparative study of the structure, characteristics, and functions of the executive branch in Iran and Malaysia shows that religion plays a central role in both countries, but the way it is applied, the intensity of its binding force, and its impact on the structure and performance of the executive branch create fundamental differences. In terms of structure, Iran has organized its executive system around the axis of Velayat al-Faqih and jurisprudential laws; this means that the top of the executive pyramid, namely the president and the cabinet, are directly under the supervision and guidance of the leader, and all decisions and policies must be in line with the frameworks of Shiite jurisprudence. This dual leadership-presidential structure allows for the direct integration of religion and executive power and establishes the legitimacy of the government from a religious perspective. In

contrast, in Malaysia, the executive structure is organized around the symbolic king and official Islam. The prime minister and cabinet are formed with limited religious requirements and a combination of identity, ethnic, and political criteria, while the king plays his main role as a symbol of Islamic and traditional unity and does not directly interfere in executive policies. This structural difference shows that the presence of religion in politics can be realized both directly and bindingly, as well as in an identity and symbolic way.

In the area of executive qualifications, differences remain prominent. In Iran, the qualifications of executive officials are strongly influenced by jurisprudential and religious criteria; a practical belief in Islam, loyalty to the authority of the jurist, and moral and political qualities such as justice, honesty, and efficiency are mandatory and decisive for holding executive positions. These strict and rigorous requirements allow for the alignment of religious values and executive performance, ensuring that executive decisions are fully consistent with jurisprudence and Sharia. In Malaysia, while executive officials must be Muslim, religious criteria are combined with identity and ethnic criteria, and there is greater flexibility in their application. This combination allows for interaction with the country's religious and ethnic diversity and makes the role of religion simultaneously identity-based, symbolic, and relative.

The functioning of the executive branch also shows profound differences. In Iran, the executive function is tied to the direct implementation of Islamic jurisprudence and law; cultural, educational, and economic policymaking is designed to institutionalize religious teachings at all levels of society and ensure religious justice and legitimacy. Islamic banking, religious education, and religious media are prominent examples of this direct jurisprudential function. In Malaysia, the executive function has a more cultural and symbolic role; the executive branch attempts to strengthen Islamic-Malay identity, guide the religious education system, and develop Islamic banking, but its binding nature is less than in Iran, and policies are simultaneously adapted to ethnic and traditional criteria.

Analysis of these findings shows that the concept of religious sovereignty in both countries is based on two main pillars: the existence of an Islamic ruler and Islamic law. However, the intensity of the presence and the type of application of these two pillars differ significantly. In Iran, both pillars are strongly and bindingly present at the head and body of the executive branch, and religion guides almost all executive decisions. In Malaysia, religious governance is more identity-based and symbolic, and Islamic law is implemented alongside secular frameworks and identity criteria, so its scope and intensity of application are more limited and integrated.

Given this analysis, several suggestions for future research are made. First, developing comparative studies among other Islamic countries can help to better understand the variety of religious governance models and their interaction with executive structures, and provide a broader framework for analyses of politics and governance. Second, future exploration of the role of religious components in contemporary governance, especially in the face of the pressures of modernization, globalization, and social diversity, can provide new perspectives for the integration of religion and politics in executive systems. These studies can help policymakers, researchers, and academics find optimal solutions for integrating religion, identity, and executive performance in diverse and multifaceted systems.

Finally, the comparative study of Iran and Malaysia shows that religion can play a fundamental role in the structure, characteristics, and functions of the executive branch, but the manner and intensity of its application depends on the governance model, political history, and social identity of the country. This conclusion not only sheds light on the differences and similarities, but also highlights the importance of comparative research for understanding religious governance in the contemporary world.

### **Ethical Considerations**

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

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## Conflict of Interest

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