

Imam Khomeini's Intellectual Foundations and Indicators of Political Action in the Arena of Domestic Policy

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Abstract

Foundation and management of the newly established Islamic Republic of Iran system based on Imam Khomeini's intellectual bases, including God-centeredness, obligation-centeredness attitudes, and association of religiosity and politics, gave rise to the formation of a specific model on the lofty religion of Islam by him. In Imam's view, Islam does not ignore anything, and jurisprudence is the real and complete theory for the management of human and society from the cradle to the grave. On this basis, jurisprudence has useful and practical functions, which, due to its divine inspiration roots, holds power to detect the expedition and interest of the nation. In this way, in Imam's practical stances during and after the formation of the Islamic government, the creation of political structures proportional to the Islamic commandments to supply the interests of the society is observed. In this writing, the experience of the managerial first decade in the establishment of the Islamic Republic of Iran period. It is possible to pose four indicators for Imam Khomeini's political action including "giving shape to the political organization of the government," "compilation of the Constitution," "orientation and leadership of the holy defense" and "establishment of the Expediency Discernment Council" which shows the Islamic Republic Founder's politics in the domestic arena.

Keywords: The Late Imam Khomeini, Association of Politic and Religiosity, Political Action, Islamic Republic, Constitution.

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Introduction

Reviewing the Islamic Republic of Iran Founder's political idea and determining the indicators of his political activities in the arena of domestic politics during the first decade of the Islamic Revolution, is easy. Yet, difficult-to-imitate job, because the late Imam Khomeini, on the one hand, has not entered into the discussion in particular in written form independently and centrally on critical concepts of power, governance, state and as likes. On the other hand, posing some of the governance topics in the framework of religious discourse, he has nourished it in the bed ground of the Islamic Revolution. He has brought it fruitarian by establishing a religious government (Mansour Nejad, 1384: 537).

Though the late Imam Khomeini has a slight contemplation on the concept of politics independently after the victory of the Islamic Revolution, in his statements and practical actions, he has dealt with the politics in two internal and external dimensions and economic, cultural, social and military domains. It is such that it can be learned from his practical stances after the formation of the Islamic Republic of Iran that within the framework of Islamic teachings, he intensively denies the separation between religion and politics.

As for the significance of Islam school of thought, he believes, "school of thought of Islam is the greatest thing to us ... our goal is our school of thought" (Khomeini, 1387: 76). He also believes, "Islam is something that we should scarfy for it to make it fulfilled" (Khomeini, 1387: 315).

Imam Khomeini's political life can, in general, divided into two pre-revolution and post-revolution parts. It is such that the first part has a mostly theoretical dimension that has posed to deny the royal regime. Still, its second part has got a practical aspect with the victory of the Islamic Revolution and the establishment of the Islamic system. In the domestic arena, the new part, which is known as the period of establishment and management of Islamic Republic system is associated with the creation of revolutionary institutions, holding a referendum for determining the type of political system after the revolution, the election of Assembly of Experts for the Constitution, etc.

During the imposed war, commanding and directing the holy defense, elaboration of the Guardianship of the Islamic Jurist and after that the plan to revision of the Constitution (Mansour Nejad, 1384:540) and giving shape to the new institutions such as Expediency Discernment

Council, all indicate the preoccupation of correlation of religion and politics in the foundations of his thought.

From the perspective of the founder of the Islamic Republic of Iran, "Islam as the ideological motive of the Muslims has useful and practical functions including giving identity and integrity to the Muslims, giving intellectual re-development and functional organization to them and helping them with solving their problems" (Karimi Maleh and Babaei, 1392:124).

Despite posing the discussions related to the "Guardianship of the Islamic Jurist" in "Avayed al Ayyam" by the late Naraqí and observing the "people's rights" in "Tanbih Al-Ummah Va Tanzih Al-Millah" by the late Naini in the atmosphere of Constitution Movement, the late Imam establishes unity between these two issues (Mansour Nejad, 1384:580-581). On this basis, Imam Khomeini's final political framework for his concerned Islamic government is "Islamic Republic," and his politics is noticeable from this angle.

The question of this research arises in this way: Based on his political life, from 1343 to 1357 and then to the one- decade managerial experience in the period of establishment of the Islamic Republic of Iran, 'which indicators can consider for the Imam Khomeini's politics in the domestic political arena? In this regard some cases are essential: the referendum to determine the type of the system on 12 Farvardin, 1358, the Constitution and referendum compilation in Azar, 1358, the management of the event of the capture of the U.S. embassy, the orientation and leadership of the holy defense and the establishment of the Expediency Discernment Council.

1. Intellectual Foundations and Conceptual Framework

It is necessary to deal with the intellectual review in his leadership and governance period during the first decade of the Islamic Revolution. The founder of the Islamic Republic during the governance up to demise, was the formation and determination custodian in the Islamic government and correction of its components and elaboration in general lines of movement and its behavioral model" (Umah Talab, 1379:167).

However, without a doubt, his ideas cannot be studied independently from his jurisprudential views. In other words, the establishment and management of the Islamic system have taken roots from Imam Khomeini's political knowledge, and this issue, in turn, is the reflection of his jurisprudential thought. It is such that the pivotal interpretation in Imam's political knowledge is a jurisprudential interpretation rather than

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a philosophical one. For this purpose, to have access to the conceptual framework, in this writing, precisely, we will deal with his intellectual and jurisprudential system so that outlining his intellectual foundations; we will be able to achieve his behavioral model.

The schools of thoughts in the domain of Imamiyah (Twelver) jurisprudence (adherents to exact text and rationality) have jurisprudential and theological presumptions which, in their turn, have essential roles in the jurists' jurisprudential viewpoints. In this way, one of the trustful approaches to discover the bases of the presumptions mentioned above in Imam's political thought is referring to his jurisprudential and theological foundations. (Mahdavizadegan, 1379: 4).

1.1. God-Centeredness (God-Oriented Attitude)

One of the certain presumptions in the Islamic jurisprudence agrees with the Verse 57 of An'am Surah, which states "legislation of rules for the discipline of the human society in general" (in private, public and governmental domains) allocate to the holy legislator. The guide to humans in this framework is the holy prophet (p.b.u.h.) and the infallible Imams (a.s.). This idea that 'no one has the right to legislate and no law, but the decree of the holy legislator can implement takes roots in this very presumption.

Explaining the scope of people's authority in this relation, Imam says, "Islam holy legislator is the only legislative branch. No one has a right to legislate and no law, but the decree of the holy legislator can implement (Khomeini, 1376: 48). Therefore, following Imam's political viewpoint, it is stated that in the Islamic government, sovereignty is exclusive of God, and the law is God's commandment and decree" (Mahdavizadegan, 1379:15).

1.2. Task-Oriented Attitude

Despite many other jurists, the late Imam does not consider power as a condition for performing a task. In this respect, he states, "We all have a task (an obligation). We perform it. We do not rebel with the condition of dominancy. We want to perform an obligation" (Khomeini, 1387: 32). Thus, for the jurist who considers the Guardianship of Islamic Jurist as a part of the Primary "Decrees of Islam, then he is obliged to make efforts to fulfill it as much as possible. If, after consuming his power, he would not succeed in doing this task, he will be excused and exempted for that" (Mahdavizadegan, 1379:14).

1.3. Correlation Between Politics and Religiosity

As mentioned in the above lines, from the viewpoint of Shiite jurists, the legislation of the rules is exclusive of the holy legislator, which shifted to

the prophet and infallible Imams. But at the age of the infallible Imam (a.s.) occultation with the lack of the four representatives, this critical task has been assigned to the general appointment of jurists by the infallible Imam (a.s.).

In this regard, the late Imam, in the position of the pupil of the prophetic school of thought, while paying attention to all human existential dimensions and orientation tradition, has considered the politics exclusive of the divine prophets that are resorting to it. They will enable the correction of society and supply the individual's interest.

Taking into consideration this fact, he has added, "Whoever seeks the peoples' interests: That is Islam" (Khomeini, 1387: 429). Of course, they give priority to society's interest as compared with their benefit (Baratlou, 1379:269).

On this basis, he has enumerated the politics and religiosity as a united issue that he places the base of politics in religiosity. Thus, the correlation between religious and political leaders is observable in Imam's words. "If you can understand the concept of religion in our Islamic culture, you will see that there is not any conflict between religious and political leadership and orientation of the political struggles are a part of the duties and responsibilities of a religious leader" (Khomeini, 1387: 167).

2. Research Experimental Background

The first noticeable research in this connection is the book of "Expediency and Politics: An Islamic Approach" (1384). In this book, they are referring to the establishment of the Islamic Republic of Iran based on the "Guardianship of the Islamic Jurist" of Imam Khomeini – which entails the political efficiency of religion in managing the society and the theoretical and practical denial of "Detachment between World and Religion." The author believes that through legal Ijtihad, Imam has been able to lay down a model of governance in the twentieth century which is based on Shiite teachings.

This work is pursuing a feature of the religious government, which is related to the issue of suitability. Employing Wittgenstein's theory of area, the author of this book reviews the theory of expediency in two micro-discourses of Shia and Sunnis and three jurisprudential, theological, and philosophical tracts.

On this basis, in the first part, he presents the definitions of suitability, and in the second part, he studies the viewpoints of Sunnis on convenience. Then in the third part of the book, he deals with the study

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of the course of the Shiite political thought. In the fourth part, in completing the previous section, and in the region of the Islamic Republic of Iran periods, he deals with the theoretical bases of political expediency in Imam's viewpoint. He considers the establishment of the Expediency Discernment Council as the indicator of this period.

The other research is the book of "Political Islam in Iran" (1389). Posing political Islam as a discourse vis-à-vis the discourses of Modernism and Pahlavism, the author deals with the review of the process of emergence, quality of the establishment, and stability in Iran. In line with ideal, this researcher has tried to study the process of formation, authorization, hegemony, and political challenges in Iran by using the discourse theories and reference to its possibilities and limits.

The next work is a book entitled "Holy Defense in Imam Khomeini's thought" (Marandi & Soleimani, 1390). In this elaborative work, which allocates to speeches and stances of the founders of Islamic Republic of Iran towards Iraq aggression against Iran, the publisher believes that the beginning of the imposed war against Iran led by the USA, aimed at confronting with the newly established system in it. This collection, using the recommendations of the late Imam, believes that his words have always served as a torch in defending its identity and independence.

The next work is an article entitled, "Ijtihadi Vision in the Islamic Revolution of Iran" (1953- 1979). The author of this work intends to state that the most critical noticeable feature of the Islamic Revolution of Iran is its intellectual and cultural nature. On this basis, it considers intellectual foundations for the Islamic Revolution. It believes that to have access to the intellectual foundations of the Islamic Revolution; we will need to study the doctrine and thoughts of the leading intellectual streams during (1332-1357).

Focusing on the jurisprudential ideas of the founder of the Islamic Republic and theological ideas of Shahid Motahari, this researcher has dealt with the study of the impact of religious streams in the framework of the jurisprudential –guardianship streams of the mentioned time span up to the victory of the Islamic Revolution.

The research of "Theoretical Components of the National Authority in the Islamic Foreign Policy with and Emphasize on Imam Khomeini's Thoughts" (1389) is the title of an article which has been written by the author of these lines. The author has made attempts to deal with the theoretical components to create and maintain the National Authority in the arena of the foreign policy of the Islamic Republic of Iran based on Imam's jurisprudential ideas and doctrinal teachings. On this basis, he

has reached four theoretical components, including the lack of accepting the dominancy of infidels over believers, struggle against oppression, Islamic dignity and religious superiority and calling to the unity of the Muslims.

In search of finding an intellectual framework to fill the existing scientific gap on the political indicators of the politics of the founder of the Islamic Republic of Iran system in the domestic arena, the article ahead of you has developed.

3. Indicators of Imam Khomeini's Political Action in the Arena of Domestic Policy

Defining the concept of politics and the political, here, is necessary. At the same time, politics, on the one hand mainly deals with the politic, and on the other hand, politics deal with the power in its Hobbes specific sense, i.e., the ruling and governing authority.

In this viewpoint, response to the following three main questions forms the political philosophy: 'Who will control the power? How will he/she take power?' And 'how will he/she rule? Therefore, the politician is involved with the power as the ruling power (Farasatkah, 1394: 35).

Any kind of tendency to power and political issue is related to the attitude that the situations to be oriented in agreement with the favorable political strategies of the actor. Therefore, power is not an extraterrestrial issue and is considered a human ideal.

But the pillars of the concept of politics from the viewpoint of the founder of the Islamic Republic could be elaborated in his framework of the intellectual model, i.e., God-centeredness, Task-centeredness, and correlation (association) of politics and religiosity with his approach of Imamiyah political jurisprudence.

The late Imam considers the jurisprudence as the real and complete theory for the administration of human and society from the cradle to the grave (Sahifeh-ye Imam, vol. 21:98). He believes that we take our practical decrees of life from religious laws and jurisprudence based on its sources, i.e., the book and Sunnah have roots in divine inspiration, have the power to respond to the human's dilemmas and issues in all times.

Thus, he takes a giant step in considering the nature of power as a belief-based issue. On this basis, the decrees of religious laws find the order, and this issue, in turn, encompasses the principle of the necessity of legal governance and administrates the infrastructure of the social order based on the religious rules and regulations (Namdar, 1379:97-98).

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On this basis, the formation of the government and the creation of political structure is proportional to the Islamic commandments in order to supply the interests of the society. Therefore he believed, "Islam is a politic. Islam is a regime. It is a political regime... Islam does not ignore anything" (Khomeini, 1387:200). Thus, the five indicators of Imam's politics in the arena of domestic politics can be posed as "giving shape to the political organization of government," "compilation of the Constitution," "orientation and leadership of the holy defense" and "establishment of the Expediency Discernment Council." In the following lines, these indicators will explain.

3.1. Giving Shape to the Political System of the Government

In the elaboration of this indicator, without a doubt, the Islamic nature of the system is the central pivot. He used to insist on this point that the necessity of the formation of the Islamic government is to discard the idea of separation of religion from politics.

Mentioning some pieces of evidence from the holy prophet's and infallible Imams' performances, he was pursuing to keep the Islamic nature of the revolution and the system. So for this reason, he stated, "In the early days of Islam, from the age of the Messenger of God until the time in which there was no deviation in the process, politics and religiosity were together" (Khomeini, 1387:134). Thus, emphasize the political dimension of Islam along with defending the Islamic nature of the revolution, paved the ground for the more definite victory of the Islamic government. This indicator encompasses two-time sections which the first one is the establishment of "The Islamic Revolution Council" and "Interim State" in a few months between the process of revolution and victory of the revolution and then from the victory of revolution to a formalization of the type of the government which occurred in the referendum of 12 Farvardin, 1358.

3.1.1. Establishment of the Council of Islamic Revolution and Interim State

The presence of the Council of Islamic Revolution in December 1978 by the late Imam, which was formed to manage the revolution inside Iran, has not been divulged before the victory of the Islamic Revolution due to security reasons. It used to work initially behind closed doors and secretly. The idea to form this institution was posed by Ayatollah Motahari on a trip to Paris and meeting with Imam Khomeini ®. Upon Imam's agreement and determining its primary core, including Messrs Motahari, Rafsanjani, Beheshti, Bahonar, and Mousavi Ardabili, it took place. After the revolution, other figures such as Ayatollah Khamenei,

Ayatollah Mahdavi Kani, Mehdi Bazargan, and Yadollah Sahabi became members of it (Souri and Beheshti Seresht, 1396:45). In addition to the restoration of order and arrangement for the administration of the country, the formation of this council was to secure other objectives such as the announcement of the illegitimacy of the royal system and the regency of the ruling council, the state of Bakhtiyar and creating coordination in the administrative affairs of revolution and finally shifting the power as well.

On 4 February 1979, Imam Khomeini appointed Mr. Bazargan as the interim prime minister through a communiqué. This institution under the name of Interim State, undertook four duties including administration of the country affairs, holding a referendum to change the political system of the country, establishing the Assembly of Experts to approve the Constitution and maintaining elections for the parliament of representatives of the nation and upon completion of these function, to shift the rest of the job to the formal state (Qazal Ayaq, 1391: 146). At the same time, the emergence of problems to administrate the country from the viewpoint of interference of duties of different forces made Mr. Bazargan complain, so in a meeting in the presence of the Leader of the Revolution, it was agreed for the sake of detachment of branches, Mr. Bazargan and some other members of the Council of Islamic Revolution such as Mr. Sahabi and Mr. Ebrahim Yazdi to take a post in the cabinet and leave the Council of Islamic Revolution to prevent any interference of branches (Souri and Beheshti Seresht, 1396: 45).

3.1.2. Formation of the Islamic Revolutionary Guard Corps (IRGC).

[Sepâh-e Pâsdârân-e Enghelâb-e Eslâmi]

In order to fight against the political actions of the political groups, advocates of ethnic issues, separatists, and finally, the troublemakers from here and there, the managers of the revolution were forced to take measures to confront them.

For this very reason, on the 21 February 1979, the then Deputy Prime Minister announced that according to the decision of the cabinet ministers, IRGC is formed. In the second half of May 1970, the Council of Islamic Revolution, through a notice, announced the formation of the IRGC and its organizational structure as being legal. On the bases of that announcement notice, "Upon the commandment of Imam Khomeini, the great Supreme Leader of Islamic Revolution, the IRGC is formed under the supervision of the Council of the Islamic Revolution, and its commanding council has been confirmed and approved by this Council".

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Finally, Imam Khomeini ® issued the order to form the IRGC definitely and openly on 17 May 1978 to have this institution to be a source of valuable services to the revolution and country shortly. The crisis of Kurdistan, Gonbad, etc., and following that, the Iran-Iraq imposed war was the arena of eager activities of the IRGC, which restored security and tranquility to the revolution and country at the price of bravery, sacrifices, and martyrdoms (<http://www.imam-khomeini.ir/fa/n25323>).

3.1.3. Management for Holding Referendum on the Nature of the System with an Emphasize on the Islamic Model

It is possible to find out the emphasis of the late Imam Khomeini for the type of government through his speeches and messages. It is such that up to the polling day, in most of his statements, he was emphasizing on Islamic Republic (Khomeini, 1387:269) and used to remember the opponents to it as "traitor to the nation and Islam" (Khomeini, 1387:360).

"He was opposing the "Democratic Republic" or "Republic" without the limit of Islamic, as an intellectual product of west-stricken figures". (Khomeini, 1387: 467).

In this connection, he stated, "what our nation wants is Islamic Republic, not the Republic, not the Democratic Republic, not the Islamic Democratic Republic, The Islamic Republic". He adds, "What I want from the Iranian nation is to be aware, Do not afraid of the word democratic, of its deletion, this is a western form" (Khomeini, 1387: 200).

The Founder of the Islamic Republic used to consider the vote yes to the Islamic Republic as equal to Islam, independency, and salvation and the vote opposite to it as something in disagreement with Islam and redemption" (Khomeini, 1387: 432).

"The broad participation of people in referendum and confirmation of the Islamic Republic with a vote over 98 percent, while backing the Imam and his idea on the correlation of politics and religion in the side of people, shows the inability of other intellectual and discourse rivals in absorbing the mass public" (Hosseini Zadeh, 1389: 258).

But emphasize the Islamic Republic was not sufficient to stabilize the Islamic objectives of the system and macro framework of its political organization for the revolutionaries. So, they searched for a more precise form. On this basis, posing the idea of "Guardianship of the Islamic Jurist" and inclusion in the Constitution, they pursue to remove the primary concern of the revolutionaries.

Finally, later on within the framework of task-oriented attitudes, he made a great attempt to keep the system of the Islamic Republic. He considered the maintenance of the system as the enormous obligations (Khomeini, 1387:329).

He used to say, “It is not an obligation for one or two peoples. All stratum of people have responsibilities to maintain the Islamic Republic. It is an enforced obligation, it is more important than prayers” (Khomeini, 1387: 486).

3.2. Compilation of the Constitution

The practical experience of most of the world revolutions indicates that the revolutionary leaders after the victory do not tend so much to legislate a legal written framework for the revolutionaries’ behaviors and are mostly pursuing the concentration of power and postponing the time for the compilation of the Constitution.

Whereas the political policy of the founder of the Islamic Republic was different on this subject. Regarding the public interests, he considered the writing and approving the constitution as the priority. At the same time, a compilation of the constitution as compared with the subject of the referendum had its specific features, because concerning the principles mentioned in that, different groups and parties tried to make a type of influence in it (Eftekhari, 1384: 442-443).

Thus, the development of the constitution became the most crucial hub of conflict of different discourses in the spring of 1979, because the winner of the battle over the quality of adjustment and development of the constitution was considered the real winner of discourse conflicts in Iran.

With the publication of constitution draft in June of the same year – which had written based on a presidential system inspired by the Constitution Movement and with the inclination of liberal jurists, discussion and critiques over it reached its climax. In this draft, the role of clerics had been limited to the presence in a 12-member council comprised of five jurisprudents and seven lawyers.

After the formation of the Assembly of Experts, Imam had talked frequently on the necessity of Islamic nature of the constitution and its agreement with religious laws and emphasized, “If one article to be in contradiction with the Islam decrees, it is a violation to the Islamic Republic and votes of the majority of the nation” (Khomeini, 1387: 308).

Posing the issue of Guardianship of the Islamic Jurist in the course of review of the Constitution in the spring of 1979 was converted into one of the most controversial political signs in Iran little by little.

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Putting forth and including this subject in the constitution was supported by two groups. The first group included the clergies and jurists such as the Grand Ayatollah Golpayegani, Marashi Najafi, and Montazeri, and the second group included non-clergy figures such as Dr. Hassan Ayat who used to defend this theory.

Ayatollah Golpayegani believes that if the issue of government by the system of Imamate and Guardianship of the Islamic Jurist is not clarified, the government will be based on Taghut and will be a brutal one.

Finally, upon the majority decision for representatives of Experts Assembly, the Guardianship principle for the Islamic Jurist was included in the draft of the Constitution (Hosseini Zadeh, 1389:298).

After this time, disagreement with the constitution increased. As the opponents could not counter with the approval of this principle, so they intended to dissolve the Assembly of Experts under the pretext of prolongation of the time determined for it, which was one month.

In this connection, some personalities in cooperation with the Interim State posed the idea of dissolving the Assembly of Experts. They prepared a plan that, before being directed at the public interest, encompassed the party interests of its planners (Eftekhari, 1384:443).

Imam Khomeini ®, as the primary supporter of the Assembly of Experts and idea of the development of the Constitution stated, "Assembly of Experts functions by the votes of the majority of the nation Why Assembly of Experts should be dissolved The Council will not be suspended, and no one has the right to dissolve it" (Khomeini, 1387: 312).

Imam stated, considering the significance of the Experts Assembly and its critical role to protect the system integrity and keeping the independence of the country, "Assembly of Experts is an assembly which you and the nation should know that this Council is a backup to the state for keeping the security of the country, independency, and freedom for the country. If any negligence takes place on this issue, it is a fault which might not compensate later" (Khomeini, 1387:113).

After approving the principles related to Guardianship of the Islamic Jurist in the Assembly of Experts, Imam Khomeini also supported it firmly and added, "I assure all the nation and all the Disciplinary Forces that if the issues of the state of Islam to be performed under the jurisdiction of the jurisprudent and Guardianship of the Islamic Jurist, no harm will be imposed on the country" (Khomeini, 1387:58).

Thus, one of the most critical steps to stabilize the political organization of the Islamic government takes, and in November 1979,

when the society was experiencing excitement with the subject of capturing the Den of Espionage and fighting against America, it was left to a referendum and was approved.

It stabilized the executive and monitoring power of the jurists in the structure of the new system. With the development of the Constitution and formation of the "formal structure of the power," subjects such as leadership, people, civil institutions, elections, and other institutions of power found their positions in it, which means another time to be discussed.

3.3. Orientation and Leadership of the Holy Defense

From the first months after the victory of the Islamic Revolution, the relations between Iran and Iraq darkened, and little by little, sporadic skirmishes extended between the two countries. In late March of 1980, the late Imam through a message addressed to military forces of Iraq, while giving an alert mentioned: "If Iraqi army attacks Iran, it will be an attack on the Messenger of Allah and war against the Quran" (Khomeini, 1387:246). Despite this alert, finally, on 22 September 1980, Iraq started its all-around attack on Iran. In the same way that the Islamic Revolution achieved victory under the leadership of Imam Khomeini, in the holy defense also his recommendations and orientations continued. On the occasion of the beginning of the imposed war, Imam issued a message and considered the war as a source of blessing and a cause for the discredit of the group lets and gave alert to them that "if they make any turbulence, it will be known that they are American agents and accomplice to the malicious Saddam" (Khomeini, 1387: 208-209). At the same time, he used to emphasize, "We do not intend to fight against any Islamic or non-Islamic country.... And so far we have stood to defend which that is a divine obligation and a human right" (Khomeini, 1387:158). For this very reason, the founder of the Islamic Republic believed that defense is our legitimate right. "We are defending the right of Islam. We are defending the Muslim's rights. We do not intend to fight. We did not want to have a war from the beginning" (Khomeini, 1387: 229). Imam considered this performance as the God's commandment. In this respect, he states, "If we are defending in a war which has been imposed on us, and defended and moved the corrupted fighters out, it is for this reason that God has ordered that we should defend" (Khomeini, 1387: 204). Confirming the slogan of "war, war until victory," by people, he termed the war as a defensive war and added, "People do not want war, but they do defend. This slogan, which says

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war, war until victory by people, it is a defensive war” (Khomeini, 1387: 287).

Amid these, the 5th of March riot in the University of Tehran between advocates of Banisadr and Hezbollah supporting forces directed the course of events to another direction. Despite the formation of the dispute settlement board, finally, it led to the deposal of Banisadr from the position of general commander of forces on the 10th of June of the same year by order of the late Imam. Finally, on the 20 June, with the vote of the inadequacy of the Consultative Assembly (Parliament), he was deposed of the administrative position and eventually, on the 28th of July, left Iran anonymously.

Thus, with the election of Mohammad Ali Rajaei as the President, the discourse disputes finished. In the fall of 1981, the discourse of the jurisprudential political Islam dominated the society of Iran by discarding the opponents. Since that time, victory in the war fronts started, and after a short period, Iranians could recapture a large part of their occupied lands (Hosseinzadeh, 1389:337-349). In this condition, with the successive victory in the war, the social favorability of the jurisprudential Islam increased too, and the domestic situation found further stability.

During a lecture in the presence of the commanders and administrators of the ideological-political departments of the army, "Imam stated that he terms this war as the holy defense due to defending the reputation of Islam and further said" Our issue is a spiritual issue. It is not that we only want to fight, or we want to defend. "We want to make a holy defense. That is to say. We want to support the honor of Islam. We want to protect the reputation of an Islamic country. It's a case that intellect and Islam both agree upon it. All say that it is necessary to defend" (Khomeini, 1387:457).

In protection of Islam and Islamic country of Iran, through a lecture in the presence of commanders of Islamic Revolution Guards Corps (IRGC), teachers and other layers of the society, Imam stated, "You should notice, either the IRGC or other military and civil forces and either other parts of the nation, all should note that we are dutiful to keep this Islam which has been given to us. Defending Islam and reputations [honors] of the Muslims is obligatory to all of us" (Khomeini, 1387:112-113).

All mentioned items are understandable within the framework of his intellectual foundations. That is to say, as he sees defense against the infidelity, so it is a holy obligation and a task to fulfill the religious

legislator, and it is a divine duty that is compulsory for the protection of Islam and the reputation of the Muslims.

3.4. Establishment of the Expediency Discernment Council

In the early years of Revolution, after the formation of Islamic Consultative Assembly (Majlis) as the legislating institution and institution of Council of Guardian-which undertook the duty of supervision over the approved laws by Majlis and preventing from their contradiction with the religious laws and the Constitution, in many cases there happened disagreement between these two formal institutions.

One of the factors for this dispute was that Majlis, based on inevitable interests, which was the time necessitated it, used to approve specific laws. The members of the Council of Guardian also used to consider them in conflict with the religious law by ignoring the temporary interests concerning the first decrees of religious doctrines. The late Imam expected the Guardian of Council to prevent the shaping of a new institution in the organ of the system concerning the significance of the suitability and confirmation of the Majlis approvals.

In Imam Khomeini's view, Islam, as the ideological motive of the Muslims, has many useful and practical functions, and due to its divine inspirational root, it has the power to detect the suitability of the Ummah and the interests of the nation too. With such a viewpoint resulting from God-centeredness attitude in his intellectual bases, he pointed out, "What desires the interests of the people is Islam" (Khomeini, 1387: 29).

For this very reason, within the framework of task-oriented attitude, he believed, "We must protect Islam and keep Islam" (Khomeini, 1387:251). Rather the insistence of the Council of Guardian to reject some of the regulations practically gave rise to the formation of the Expediency Discernment Council.

The lack of convincing of the Guardian Council has roots in specific factors that refer to the function method inside that Council in agreement with Principle 96 of the Constitution. "So inconsistency detection in the approvals of the Islamic Consultative Assembly with the Islam decrees is undertaken by the majority of the jurists of the Guardian Council. And the detection of their inconsistency with the constitution is undertaken by the majority of all members of the Council of Guardian".

Therefore, competency to confirm the approvals of the Majlis from the viewpoint of agreement with the religious decrees has been limited only in the six clergymen practicing religious jurisprudence at Council of Guardian.

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Following the emergence of a dispute between Majlis and Council of Guardian for the approving the approvals of Majlis and the necessity of their agreement with the Islamic religious laws, the then Speaker of Majlis, on September 27, 1981, through a letter to Imam Khomeini requested him to give a solution. Imam through a letter to Majlis permitted to have the expediency cases approved by the majority members of the representatives and with mentioning the limit of interim. But with the occurrence of further disputes on this area and remaining the problems, finally, after some correspondences between high ranking concerned authorities, a request was sent to the founder of the Islamic Republic with the signature of some of the statesmen in January 1984 to find a solution about it. On 6 February 1988, in response to the request related to three days before by the heads of the three branches and prime minister, with reference to this point that "expediency of the system, is a significant issue which sometimes ignoring it will cause the defeat of beloved Islam" (Khomeini, 1387:176), he gave an order to establish the "Expediency Discernment Council" to deal with such kind of affairs, a Council comprised of the jurists of the Council of Guardian, heads of the three branches, Prime Minister and the related minister.

At the beginning of establishment, this Council merely was established to detect the suitability in the disputable cases between Majlis and Council of Guardian but at the end of the war, paved the ground to enter into a new chapter of the periods of Islamic Revolution to have the manifestation of the issue of "Expediency and Governance" in the thoughts of the founder of Islamic Republic and political organization of the government. For this reason, in May 1989, the late Imam appointed a group of the personalities of the system to revise the Constitution. Consequently, an institution under the name of "Expediency Discernment Council" as the observing institution towards the "Public Interest" inside the Shiite model of an Islamic government was stabilized in agreement with Imam's viewpoint and based on the teaching of Guardianship of Islamic Jurist (Eftekhari, 1384:455). Thus, when in 1989, the Constitution of the Islamic Republic of Iran underwent revision. After detailed discussions on the position of "Expediency Discernment Council," the eleven-fold duties, regarding the Principles 110, 111, 112, and 117 were undertaken by it, to play a role in different conditions as a supplementary circle in the governance of Islamic Republic system. In such a manner, it also found a legal feature from the viewpoint of Guardianship of Islamic Jurist and was included formally as one of the

legislative institutions in the length of other institutions and within the framework of the Principle 112.

Conclusion

After the victory of the Islamic Revolution led by the late Imam Khomeini and establishment of the Islamic Republic of Iran, one of the important questions which were posed in the minds of the researchers of the Iranian politics and in its domestic scene was to study the founder of Islamic Republic's political action during the first decade of the Islamic Revolution that how he established a unity between two issues of "Guardianship of Islamic Jurist" and "People's Rights." To study the Imam's political action, and measuring its indicators, it was found necessary to design a conceptual framework based on his jurisprudential attitude as a framework for the intellectual model. In this relation and parallel with responding to the threefold basic questions of the political philosophy, i.e. 'who will undertake the power?' 'How will the power be acquired?' And 'how will the governance be made?' referring his jurisprudential and philosophical bases and concentrating on the focal point of Islam, it became possible to put forth three basic components of "God-Centeredness," "Task-oriented," attitudes and "Correlation of Religiosity and Politics."

In this way, concerning the fact that the late Imam was a political jurist, it was learned that in his view, jurisprudence has the ability and power to respond to human dilemmas and problems at all times. On this basis, concerning the indicators related to his politics in the scene of domestic politics, four subjects were outlined, i.e., "Giving Shape to the Political Organization of the Government," "Compilation of the Constitution," "Orientation and Leadership of the Holy Defense" and "Establishment of the Expediency Discernment Council." These cases were pivots which in stabilization, establishment and continuation of his ideal political system had a greater weight and other events were centered round them.

The social, economic, and cultural sectors in the study of his political action have specific positions that go beyond the scope of this research and require another opportunity.

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