

Jurisprudential Bases of Foreign Policy in Islam

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Abstract: Islam, as a school which has specific plans for humans consistent with the Hereafter and achieving human perfection, has declared necessary and proper plans for peaceful relations and interaction and conveying the Divine message to other countries in the scope of foreign policy, and these plans have been implemented all over the world in the great Islamic civilization history from Prophet Mohammad (peace be upon him) time to the centuries of rise of Islamic political culture. Furthermore, addressing politics in Islam both bring about happiness in the Hereafter and fulfill God's satisfaction per se; because building the world and actualizing justice bring about God's satisfaction and religion and politics actualize justice in the human society and bring about real happiness. Foreign policy as the main tool for the interaction of governments with the world is among the most important macro policy-making arenas to fulfill national interests of all nations-governments. Not only this sensitive national arena has not lost its dignity and importance in the globalization era, but its necessity and complication have been also increased due to development of global trends and mutual dependencies. In these circumstances, every day newer matters are added to the agenda of the foreign policy systems of the countries and they convert design, formulation, and implementation of foreign policy into a complicated, difficult, accurate, multi-dimensional and highly specialized matter. In the recent three decades, Iranian foreign policy has experienced multiple turbulences and fluctuations due to encountering war and other crises. These turbulences have sometimes impeded creation and institutionalization of an integrated structure for foreign policy and evaluation of its success in realizing national goals and interests. This paper studies jurisprudential bases of foreign policy in Islam.

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Introduction

Policy can be regarded as a wide sea that only a few numbers of people can reach its depth and shores, and it is also one of the eldest activities of humans.

Different interpretations and definitions have been offered for policy in various periods of human life. Policy means achieving happiness in the Ancient Greece, human salvation in medieval times, and freedom and reaching power in the new era.

Foreign policy in Islam is based on attracting others. In Islam, policy is based on managing all material and spiritual affairs and complete commitment to below matters: justice and benevolence; humanity and good emotions and feelings; virtue; and accuracy of thoughts and beliefs at all ages and all levels. This combination of material and spirituality includes all dimensions, and this is regarded impossible in the logic of material policy. However not only Islam regards it possible, but also the Prophet Mohammad and Imam Ali have implemented it.

Foreign policy has always been one of the most controversial areas of policy-making, yet <http://www.americanscience.org>

unfortunately its real importance and role in determining destiny of the country and the nation and also its unconditional value as one of the greatest tools of ensuring the territorial integrity, international reputation, advancing national goals and plans in political, economic, and cultural areas have not been recognized in Iran properly and in a scientific way (Ramezani, 2001, p. 25). And even other Muslim countries of the Middle East like other developing governments have got familiar with the concept of "foreign policy" just recently (the same: 31); while Muslims have enjoyed such a great and precious heritage at the beginning of Islam. Background of Muslims foreign policy dates back to the beginning of Islam and Prophet times; when the Prophet Mohammad (peace be upon him) endeavored to attract the attention of non-Muslim societies and or at least decrease their enmity and remove their negative perception and has made the concept of Mo'alefat al-

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Qolub¹ into one of the main concepts of foreign policy of Islam at his time (Sajadi, 2004, pp. 46-47). In fact, he has targeted doing his mission and conveying the Divine message to the world (Haghighat, 2001, p. 202).

The foreign policy of the Islamic government has been based on free and mutual relation with other governments and nations; because Islam has a global mission and addresses all humans with any race and ethnic. However, Islam regards a kind of qualitative classification in these relations; that is, it plans level and quality of the relation based on nature and type of intellectual and practical beliefs of the addressee. Anyway, Islam does mainly seek to create and develop equal and mutual relations by conveying its message to the world people if the related governments refrain from enmity and illegitimate acts and do not impede development of legal and contractual relations (Esmaili, 2010, p. 5).

Part I: Foreign Policy of Islamic Government through the Lens of Holy Quran, Islam, Imams, and Jurisprudents

The Holy Quran has comprehensive commands for the person and society. In these commands, both personal rules regarding personal relation of human with God and humans relations with each other have been explained; sometimes relations of people with each other have been mentioned focusing on such topics as unity, and sometimes relations of groups, tribes and in a broader sense, relations of governments have been explained.

The relations of governments have been explained sometimes based on common human and divine beliefs and sometimes based on only common human beliefs regardless of religion. It is clear that complete explanation of conditions and criteria of personal and group relations mentioned in the Holy Quran requires investigation of the related verses and narratives. In the following, some of these criteria explained in the Holy Quran are briefly presented. These criteria have clarified both the manner and conditions of the relation (Javadi Amoli, 2003, p. 28).

Chapter One: Foreign Policy of Islamic Government through the Lens of the Holy Quran

Studying foreign policy principles of Islam from the Holy Quran perspective is based on some

assumptions without which Islamic foreign policy issue seems incomplete. The most important assumptions can be summarized as below.

- 1) Raising Islam foreign policy principles from the Holy Quran perspective involves assuming the relation of religion and politics. In the framework of the idea of separation of religion and politics, no stage remains for raising this issue (Sajadi, 2001, p. 6).
- 2) Foreign policy is one of the main parts of politics in a broad sense. So when the religion has thought about political issues, it has naturally thought about foreign policy issues.
- 3) Foreign policy is a set of political issues related to the foreign sector and includes two relatively stable and variable parts. Its stable part indicates the general framework of foreign policy-making within which foreign policy strategies are formulated; this part is mainly based on theoretical teachings and the governing value system and ideology. Variable elements of foreign policy are focused on policies formulated according to circumstances.
- 4) Islam has two stable and variable parts: its stable part is focused on general principles of religious behavior and is eternal; yet its variable aspect is influenced by day custom and necessities. Variable part of foreign policy pertains to this aspect. So religious thought regarding political issues and social management is confined to the general principles.

Chapter Two: Foreign Policy of Islamic Government through the Lens of Islam

Foreign policy is one of the main parts of politics in a broad sense. So when the religion has thought about political issues, it has naturally thought about foreign policy issues. In the other words, foreign policy is a set of political issues pertaining to the foreign sector and includes two relatively stable and variable parts. Its stable parts indicate general framework of foreign policy-making within which foreign policy strategies are formulated; this part is mainly based on theoretical teachings and the governing value system and ideology. Variable elements of foreign policy are focused on policies that are formulated according to the circumstances.

Here, two wise and prudent policies of the Prophet and Imam Ali will suffice.

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¹ In a broad sense, it refers to the allocation of a part of Zakat to the infidels to make them interested in Islam or make them accompany the Muslims in Jihad or defense.

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Chapter Three: Foreign Policy through the Lens of Prophet Mohammad (PBUH)

The Prophet Mohammad was the greatest politician of the world; because he was pupil of the Sublime God and Gabriel and teacher of all humans. His policy was indeed wonderful. By this prudent policy, he could attract the maximum number of humans in a short period of time that made all people confused and made the wise bow. There is no one like him throughout the long history of the world, and this prudent policy stems from the Sublime God and it was assigned to Imams after the Prophet (Mohammadi, 2007, p. 50).

a. Foreign Policy Goals of the Prophet

1. Vital objectives: vital objectives are values pertaining to the prophetic mission principle like monotheism and seal of the prophecy.

Main goals of the Prophet foreign policy are confined to these two principles. In the light of these two principles, government establishment is meaningful. So the primary goal of the Prophet was not government establishment; rather it was establishment of an Islamic society to revive monotheism thought.

2. Medium-term objectives:

- 1) Defense of Muslims interests, 2) identification of Muslims, 3) support of allies, 4) security cooperation, and 5) social happiness.

3. Long-term objectives:

- 1) Establishment of monotheistic government, 2) enforcement of justice, 3) preserving territorial, economic, political, military and cultural integrity, 4) creating peace and security, 5) fighting oppression, and 6) invitation to Islam.

Foreign policy of the Prophet is based on some principles stemming from the Holy Quran.

b. The Major Principles of Foreign Policy of the Prophet

1. Monotheism Principle: it is the first principle on which the Prophet mission is based (Musavi Khomeini, 2008, p. 42). Only by relying upon this principle, geographical, lingual, cultural, political,

and social borders may be removed. The motto "There is no God but Allah" is the greatest motto of Islam. All principles of the Prophet foreign policy are based on this principle. This is regarded as the only criterion of foreign relations. So in many letters of the Prophet to the countries authorities, these sentences are seen:

Peace upon those who follow guidance and believe in Allah and His Messenger, and saw that there is no god but Allah who is alone and has no partner, He does not have parents and children.

2. Guardianship Principle: Islam is a religion that has always underscored Muslims independency and requested Muslims to not be under guardianship of a non-Muslim; because it makes Muslim human forces weak. So Islam has prohibited loving the infidels because friendship relations with infidels lead to disclosure of Muslims' secrets. However time and location conditions must be considered when creating the relations, because sometimes these relations may encourage someone to get Muslim.
3. Dominance Prohibition Principle: it is one of the jurisprudential principles. According to this principle, if a contract is concluded between Muslims and infidels which is against the Islamic society, it is voided automatically. The verse 141 of Surah Nesa provides that "And Allah will by no means give the unbelievers a way of dominance against the believers".
4. Justice Principle: it was one of the foreign policy principles of the Prophet. This embraces all Minutiae of Islam. Islam prohibits any kind of discrimination. So there are many verses in the Holy Quran in which justice has been mentioned like: "Certainly We sent Our apostles with clear arguments, and sent down with them the Book and the balance so that men may observe justice" (Surah Hadid, 25).

Chapter Four: Foreign Policy of Islamic Government through the Lens of Imam Ali

Conduct of the Prophet and Imam Ali (PBUH) is the best model for establishing Islamic government in the contemporary world and this requires thousands of books at different levels. A deep intellectual bond and contact between Seminaries and universities is one of the simplest and deepest ways to reach it. Through this cooperation, an accurate practical formula can be provided for a true government in the current era (Sajadi, 2007, p. 25).

Foreign policy of the Islamic government through the lens of Imam Ali is not incorporated into any part of international relations, because nature of foreign policy from Imam point of view is neither war-oriented nor peace-oriented; rather it carries both due to two-dimensionality of humans, though peace as a matter consistent with perfectionist nature of human is regarded as a principle. So war is an exception prescribed only after failure of peaceful efforts.

Bases of foreign policy are not traceable in Imam Words. However some bases can be inferred from among Imam Words and conduct.

1. The Most Important Bases of Imam Ali Foreign Policy

Invitation Principle: it is rooted in revelation and is regarded as the most important goal and mission of prophets particularly Prophet Mohammad. This invitation content is based on human religious and worldly happiness. So inviting to good acts and avoiding ugly acts are analyzed in line with human happiness. This principle reaches a particular definition of politics in the political area based on which politics is integrated with invitation and guidance, and the same point integrates policy with prophecy in the Shiite political thought; because a true leader cannot be unfamiliar with the content of invitation and the most familiar persons in this regard are the prophets and innocent leaders who perceive depth and real meaning of invitation content through direct or indirect relation with the revelation origin.

2. fighting with oppression and supporting the oppressed

According to Imam Ali, elimination of oppression and defense of the oppressed is one of the most important goals of the politics and government. From Imam point

of view, politics and government are valuable if they administer justice and prevent oppression. This approach raises fighting with oppression and defending the oppressed as a human and divine goal beyond geographical borders; it is exactly by the same attitude that Imam cannot even bear deprivations of the residents of other regions.

3. Unity of the Islamic nation

In the divine political thought of Imam Ali, the word nation was replaced with the deep concept of Ummah that indicated bond of Muslims with each other. In this interpretation, relatives may be alien and vice versa. Imam mentions this point when describing the community of prophecy time when he states, "We were present at wars with the Prophet and perhaps we killed our brothers and relatives and this added to our faith".

Part II: Foreign Policy of Islamic Government through the Lens of Jurisprudents

Chapter One: Foreign Policy of the Islamic Government through the lens of Imam Khomeini

Studying political thoughts of the great men of the world is necessary. Some believe that the great men have made history. If their role is not so prominent, they have played at least an important key role in the history. The person who can move millions of people by a command deserves hundreds of studies to be carried out regarding his character, votes, beliefs, and behavior from different aspects. Among them, votes of Imam Khomeini were further more important. He was a character who could recall people that were target of cultural and political invasion of the West to the fighting scene. He actualized this not by weapon and armed movement but by faith in God.

One of the features of foreign policy of Islamic government is reliance upon intellectual and narrative references. Since Imam Khomeini is an ideological leader with Islamic political thoughts, he has stated principles with respect to the particular bases of Islamic including the Holy Quran and tradition. In fact, foreign policy structure is based on commitment to the religious commands. So, ethical and intellectual values constitute his principles regarding foreign policy. Underscoring ethical aspect of the Islamic Revolution, he states that the content of this Revolution has been Islam, Islamic ethics, human

ethics and educating humans based on principles of humanity (Khomeini, 2009, v. 14: 41-45).

Principles of foreign policy designed by Imam Khomeini can be regarded as one of the formal references for decision-making in the Islamic Republic of Iran. Even new leader of the Islamic Revolution has repeatedly stated that the general policy of the Islamic Republic of Iran is the same policy formulated by Imam Khomeini (Izadi, 1992: 111-112).

a. Principles of Foreign Policy from Imam Khomeini Viewpoint

1) Revolution export principle: revolution export is among issues considered by Imam which means exporting experiences of the Islamic revolution to other countries. From Imam Khomeini point of view, revolution export means Islam extension (Sotudeh, 2009, p. 273).

Imam believes that by exporting our Revolution that is in fact export of true Islam, we will end dominance of oppression in the world (Khomeini, 1983, p. 435).

2) Dominance prohibition principle: among other foreign policy principles of Imam Khomeini is prohibition of dominance and submissiveness. He does not value living under dominance of another person and regards life valuable with freedom and independency. With respect to the verse 141 of Surah Nesa, he acknowledges that, "our logic is an Islamic logic that indicates no one must dominate you. You must not be under dominance of anyone else. We do not want to be under dominance (Khomeini, 2009, v. 2: 139).

3) Defense of Islam and Muslims: he mentions Iran foreign policy according to Islam policy and states, "we are ready for defending Islam and Islamic countries and independency of the Islamic Countries in any conditions. Our plan is Islam plan, unity of Muslims, unity of Islamic nations..." (Sahifeh Noor, v. 18: 221).

4) Mutual respect principle and Non-interference in each other's affairs:

Imam believes that Islam is compassionate for humans, and we all follow Islam and are compassionate for humans. "We are not enemy of any nation; Islam belongs to all nations, all people".

5) Oppression prohibition and supporting the oppressed principle: by virtue of prophets conduct, Imam Khomeini regards Islam complying with a school that is summarized in two words "neither oppress nor be oppressed" (Khomeini, 1995: 390-395).

6) Neither East nor West principle: this principle that is in fact one of the main slogans of people in the midst of the Revolution is derived from Imam Khomeini speeches. He has repeatedly mentioned that, Iranian nation want to be independent without relying upon West and East and wants to rely upon its religious and national capitals (Sahifeh Noor, v. 4: 195).

b. Foreign Policy Goals from Imam Khomeini Viewpoint

1) Independency: despite international pressures and internal crises, it does not refer to Iran isolation; rather Imam Khomeini has underscored real privacy of the Iranian nation and their violated rights. In fact, political independency is among principles that bring about respect for the Islamic society. Imam Khomeini believes that damages to the independency are rooted in the intellectual and cultural conditions and the greatest dependency of the poor nations upon superpowers and oppressors is intellectual dependency from which other dependencies originate.

2) Unity of the Islamic nation: he regards unity of Muslims as a remedy for adversities and requested authorities of the Islamic countries must be united against foreign enemy: O Muslims, and the oppressed who are under dominance of the tyrants, be united and defend Islam and do not fear of commotion of powerful countries (the same).

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- 3) Defense of the poor and helping liberal movements: from Imam Khomeini viewpoint, the poor must be united and confine power of the oppressors to be released from corruption and enjoy an honorable life and Iran policy supports them: Islamic Republic of Iran stands by you and all Muslims and also all poor people of the world (Sahifeh Noor, v. 20: 184).
- 4) Peaceful amity: Imam states, "We treat all countries with tolerance and we never wish to behave violently..." (Sahifeh Noor, v. 18: 56) and he continues, "we want peace. We want to be in peace with the world people. We want to live among people of the world" (Sahifeh Noor, v. 19: 274).
- 5) Relations based on Islamic and human principles: Imam states in this regard that, "relations of nations must be based on spiritual matter and distance has no effect and there may be some neighboring countries that do not have any spiritual relation. So other relations cannot be useful, our relations with the countries are based on Islamic principles (Sahifeh Noor, v. 7: 164).

Part III: Foreign Policy Principles and Goals of the Islamic Republic of Iran

The Holy Quran does only mention general and macro frameworks of foreign policy in the political area. These are called principles of foreign policy and will be discussed under four titles namely, "dominance prohibition principle", "invitation or Jihad principle", "religious dignity principle", and "commitment to the international treaties principle". As mentioned, these principles organize macro framework of foreign policy-making and the Islamic government cannot ignore them in its policies.

Studying principles of Islam foreign policy through the lens of the Holy Quran is based on several assumptions without which discussion of Islamic foreign policy seems incomplete.

Chapter One: Endeavor to Establish Islamic Global Government

Any government tries to organize activities of its foreign policy system in a direction that finally fulfill different demands and needs of the country in security, economic, political, and cultural sectors. It

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must be noted that foreign policy goals of a country are not summarized in issues mentioned earlier; rather besides short-term and immediate goals, transnational goals are also followed that are long-term and considered by the policy-makers within the framework of strategic plans (Ghavam, 1991, pp. 92-93).

a. Religious Bases of Islamic Global Government Idea

A little attention to the luminous verses of the Holy Quran reveals the sublime goal of Islamic global government.

Pondering about luminous revelation words reflects that Islam has had a global perspective since its advent:

"And We have not sent you but to all the men as a bearer of good news and as a warner, but most men do not know." (Surah Saba, 28)

b. Legal Bases of Islamic Global Government Idea

Constitutional Law of Islamic Republic of Iran – that is called the greatest achievement of the Islamic Republic by Imam Khomeini – has been inspired by Islam and has paid particular attention to the global mission of Islam and tried to actualize goal of a single global government. It is stated in the introduction of the Constitutional Law:

The mission of the Constitutional Law is to actualize the religious areas of the movement and create conditions in which human is grown by Islamic global values.

c. Historical Bases of Islamic Global Government Idea

Besides the Holy Quran luminous verses and Constitutional Law, history of Islam and life of the Prophet Mohammad indicate his endeavors to implement Islamic global government.

Chapter Two: Sovereignty of Islamic Criteria

One of the harmful and dangerous consequences of colonization dominance over Islamic lands is gradual elimination of Islamic criteria from political and social life of the Muslims and substitution of rules and regulations of the western countries. The first Iranian Constitutional Law formulated after the Constitutional Revolution was an example of intrusion of the alien thoughts into the Iranian political and social life; because this law was clumsily derived from the Constitutional Laws of the

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European countries such as France, Bulgaria, and Belgium and members of Freemasonry loges like Seyed Nasrolah Taghavi and Zoka'olmolk Foroughi translated it from foreign languages into Persian Language. The result of their work was a ridiculous integration of western rules with some Islamic provisions under the title of Iranian Constitutional Law (Madani, 1991, p. 59).

- a. Religious Bases
 1. Monotheism

According to this principle, it is only the Sacred Essence of the Sublime God that creates and owns everything. So human must be submissive only before the Sacred Essence and must one obey any human unless obedience to him is obedience to God.
 2. Guardianship Principle

It is one of the religious criteria that guide us towards understanding the concept of neither East nor West principle. Some of the verses of the Holy Quran reject the negative form of guardianship. Negative guardianship refers to dominance of the foreigners which has harmful effects and consequences. Unilateral friendship with infidels (Al Emran, 118 and 119), obedience to the foreigners (the same, 149), confidence in the foreigners (Hud, 113), self-estrangement (Al Emran, 196-197), and accepting infidels guardianship (Nesa, 144) are among these kind of relations.
 3. Dominance Prohibition Principle

This jurisprudential principle that ends any kind of dominance of foreigners over the Muslims is among religious bases of neither East nor West principle. By virtue of this principle, any relation or act that causes dominance of infidels over the Muslims is prohibited.

Part IV: Structure of Decision-making in Foreign Policy of Islamic Republic of Iran

One of the main issues in the foreign policy is the structure of decision-making. This is among effective factors on enforcing foreign policy successfully in any country. The structure of decision-making in the foreign policy determines elements of decision-maker and hierarchy of decision-making in any conditions, <http://www.americanscience.org>

ranging from normal to critical conditions, and it has been specified officially within the framework of Constitutional Law.

Chapter One: Decision-making Structures in the Countries Foreign Policy

Most countries have two decision-making structures in the foreign policy: official structure and non-official structure. Type of structure depends highly upon the system governing the countries.

In general, in the countries which have political, economic and social complicated systems and social groups, political parties and public thoughts are effective on decision-making, both official and non-official structures of decision-making are seen. These structures are defined as below.

Official structures of decision-making in the foreign policy of the Islamic Republic of Iran that are legally competent to decide in the foreign policy are as following.

- 1) Leader
- 2) The Executive
- 3) The Legislation
- 4) Supreme National Security Council

Here, this paper studies official structures of decision-making in the foreign policy of Islamic Republic of Iran.

1. Leader

Leader is the highest authority for taking macro decisions in the foreign policy of Islamic Republic of Iran and is on the top of government pyramid. Our country Constitutional Law has accepted division of powers principle. The Executive, Judiciary, and Legislation are independent from each other, because extension of government affairs requires division. The Constitutional Law has assigned particular authorities to the Leader some of which pertains to the decision-making in the foreign policy (Mohammadi, 1987, p. 121).
2. The Executive

The president is the second element of official elements of decision-making in the foreign policy. The Constitutional Law (Principle 113) recognizes the president as the highest official authority after the Leader and assigns the responsibility of enforcing Constitutional Law and the Assembly enacted rules to him (Madani, 1991, p. 28).
3. The Legislation

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The parliament is the highest entity in most democratic countries. This concept is not adaptable to the government system of the Islamic Republic of Iran, because the Leader supervises and guides any government entity. However, the nation and its representatives have a high position in the Islamic Republic of Iran (Izadi, 1992, p. 127).

Conclusions

A revolutionary system that seeks to export the revolution and its principles and values to the world has a global claim and this is possible when the ideology, based on political and social philosophy – this philosophy is accepted generally and absolutely – is regarded as a prescription for other time and location capacities. After victory of Islamic Revolution and establishment of Islamic government, promotion and development of the revolutionary Islam was the first agenda in the Iranian foreign policy. In fact, this goal is rooted in a task determined by the Holy Quran for the Muslims in order to actualize and advertise the Divine message all over the world. So, in the foreign policy of the Islamic government, Islam plays a key role. As cultural and ideological features may influence foreign policy of any country, religious values of the Islamic government governs the framework and goals of the foreign policy.

Besides religious bases, foreign policy of the Islamic government relies upon scientific principles. Scientific principles are professional issues and are based on the wise method. The professional issues are common to high extent between foreign policy of the Islamic government and foreign policy of non-Islamic government.

When there are many professional issues in the foreign policy of the Islamic government, the role of religious bases is undermined. If we assume foreign policy of the Islamic government exactly the same as foreign policy of secular governments and that God has assigned these issues to the wisdom, then religious bases play no role in designing foreign policy of the Islamic government. According to the hypothesis of this paper, both religious bases and scientific issues play a role in designing foreign policy of the Islamic government.

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