



Maintaining the System" in the Discourse of Political and Jurisprudential Islam with an Emphasis on the Thought of Imam Khomeini^{RA}

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Abstract: One of the rules and principles that has long been considered a necessity of human society in the narrations of the Prophet of Islam (PBUH) and the Shiite Imams (AS) and consequently in jurisprudence, is maintaining the system. From the beginning of Islam until now, Muslim leaders and Islamic thinkers have ruled on the prohibition of what causes disruption of the system, and in return, they have considered maintaining the system obligatory, and consequently, have considered what is necessary for maintaining the system obligatory. This ruling has become so widespread among jurists and other Muslim thinkers that it has become a rule; Of course, it is clear that this issue is not one of the founding principles and rules of Islam, but since the most important document of it is reason, in every system and society everyone has been and is seeking to preserve the system of their society, and perhaps it can be said that this need has been felt since the very beginning of human society. In this case, according to the view presented by Imam Khomeini (RA), the obligation to preserve the Islamic system is one of the primary rules and has such a strong interest that it takes precedence over other religious rules. Therefore, if there is a conflict between the interests of the Islamic system and other interests - even if none of the secondary titles exist - the interests of the system take precedence and the other ruling is temporarily suspended. The ruling that the jurist issues in this case is a governmental ruling and is formed based on the interests of the Islamic society - the interests of Islam and Muslims.

Keywords: system, preservation of the system, political Islam, jurisprudence, discourse analysis.

Introduction

The use of the term "preserving the system" in various branches of jurisprudence is so widespread that some believe it can be considered a jurisprudential rule. The importance of this issue becomes clear when it is cited in many academic circles and political writings, and many political behaviors and decisions are justified on its basis. However, this issue is still shrouded in ambiguity in terms of explaining its content and implications, its foundations and evidence, and its precedence and tardiness in conflict with other rulings, and requires careful jurisprudential examination. In this article, political Islam is considered as a discourse or a semantic system that considers Islam to be a kind of ideology that is comprehensive and encompasses the world, the hereafter, and the entire existence of human life. Therefore, this article attempts to articulate the principle of "preserving the system" in political Islam and jurisprudence using the method of discourse analysis.

1. Research Method

Discourse analysis is the discovery of the apparent and hidden meanings of discourse flows that are revealed in various linguistic and meta-linguistic forms (Bashir, 2006: 14).

The word discourse, whose history, according to some sources, dates back to the 14th century, is derived from the French word discourse and the Latin discursus meaning conversation, conversation, speech, and from the word discursum/discurrere meaning to evade, to refuse, to procrastinate, etc. (Bashir, 2006: 9).

This word has been used over time and by researchers in different fields with different but close meanings; however, according to "Theon E. Van Dijk", its concept, like concepts such as language, communication, interaction, society, and culture, is a fundamentally ambiguous concept (Van Dijk, 2003: 15).

In explaining the conventional meaning of discourse, as used in everyday language and dictionaries, Van Dijk considers discourse to be a form of language use, for example, in a speech or even more generally, spoken language or a way of speaking (Van Dijk, 2003: 18). Discourse analysis is an interdisciplinary study trend that emerged

from the mid-1960s to the mid-1970s following extensive scientific-epistemological changes in disciplines such as anthropology, ethnography, sociology of reason, cognitive and social psychology, poetry, meanings and expression, linguistics, semiotics, and the course of social and human sciences interested in systematic studies of the structure, function, and process of speech and writing production. This tendency, which was soon welcomed as one of the qualitative methods in various fields of political, social, communication and critical linguistics due to its interdisciplinary nature, was first used in an article by the famous English linguist "Zelick Harris" in 1952. Of course, at the time when Harris spoke of discourse analysis and used this term, he paid attention to this category solely from a linguistic perspective. The entry of this discussion into other scientific fields such as political science, sociology and communication, and in fact its departure from the monopoly of linguistics, dates back to the modern era. During this era, discourse analysis was used as a critical analysis of discourse and removed it from being merely a scientific method for analyzing language and linked it with critical schools and theories such as Frankfurt, feminism and ...; to the extent that today discourse analysis has become synonymous with a critical perspective.

Among the thinkers in the West who introduced such studies from sociolinguistics and critical linguistics into cultural, social, and political studies and gave them a critical form are Michel Foucault, Jacques Derrida, and Michel Pechot. These thinkers, who further developed and expanded discourse analysis into the form of critical discourse analysis, were themselves indebted to the Frankfurt Critical School and its direct and indirect heirs (the new Marxists, especially Gramsci and his followers, structuralists such as Althusser, and researchers of the feminist school) in the 1960s. It should be noted that this approach to postmodern thinking, which in fact outlines an integrated method of the qualitative method, was proposed since the 1980s and especially in the final years of the twentieth century as the latest and most widespread method of analysis used in social sciences and communications and the latest achievement of human thought in explaining new concepts and meanings in the field of conversational language and written text (Van Dijk, 2003: 7-8). In this research, using

the ideas of Foucault as well as the theory of "Laclau" and "Mouffe" on discourse analysis, we will examine the concept of maintaining order in political and jurisprudential Islam. The concept of discourse is considered the most central concept in Foucault's ideas. Foucault means discourse as a formless mass of phrases and propositions in which the analyst discovers the order and rule of "dispersion" (Kadivar, 2000: 30). The unit or "atom of analysis" for Foucault is the proposition; A set of signs that have meaning within an utterance. The central issue in Foucault's analysis is to determine what constitutes the unity and coherence of a discursive formation. A proposition has a material form, like an object, but its identity derives from the situation within the action or social institutions. A proposition operates in a "discursive field" where there are relations and exchanges between them that allow them to follow each other, to regulate each other, to coexist with each other, and to play a role with each other (Kadivar, 1990: 30). According to Foucault, the nature of a proposition and a sentence is "relative" and fluctuates according to the use to which it is put and the way in which it is employed (Dreyfus and Rabineau, 1997: 120).

According to Foucault, the structure of any research is influenced by what concepts and propositions are mutually intelligible, how those propositions are thematically organized, which of those propositions are considered serious, who is given the authority to speak seriously, and what questions and procedures are considered appropriate for assessing the validity of propositions that are taken seriously. These historical domains of knowledge, which Foucault calls "discursive formations" in the archaeology of knowledge, also include the issues under discussion. What makes Foucault's research on the structure of these discursive formations interesting is the possibility of important variations in the organization of possible domains. Therefore, what is considered a serious and important claim at one time may not or cannot even be a candidate for presenting the truth at another time (Kadivar, 2000: 32).

Accordingly, in discourse analysis, attention should be paid to three characteristics of propositions:

1. Rarity: A limited group of propositions is always stated and the statement of other propositions is prevented. In this way, the relationship between discourse and power and political struggle becomes clear.

2. Exogeneity: Contrary to the belief in the internal unity of propositions, in rhetorical analysis, attention should be paid to the dispersion and exogeneity of propositions.

3. Accumulation: Propositions are preserved, revived, used, forgotten, transformed, or even destroyed in a single and fixed way, but in various ways, and one should not look for the origin of their emergence (Bozrogi, 1996: 81). The signifiers and signs absorbed in a discourse form an articulation. The concept of articulation plays an important role in discourse theory, especially in the ideas of Laclau and Mouffe. Different elements that may be meaningless separately acquire a new identity when they are brought together in the form of a discourse. Laclau and Mouffe use the concept of articulation to connect and weld these elements together. In other words, "articulation is related to the gathering of different elements and their combination in a new identity." They call articulation any act that leads to the establishment of a relationship between elements, in such a way that the identity of these elements is modified and defined as a result of the act of articulation (Behrouzlak, 2007: 420).

The fundamental and pivotal point in the articulation of a discourse is the central signifier. Every discourse carries out its ideas and concepts through the employment of signifiers and signs. These signs are fixed around a central point in a sectional manner. The central point is a prominent and distinguished sign under the shadow of which other signs find order and are articulated together. They adopt this concept from "Lacan". Lacan speaks of the superior signifier, which in discourse theory can be considered equivalent to the central point. Richard Rorty also uses the term final vocabulary in this sense. For Rorty, a final vocabulary is a set of words and phrases that people resort to when they are asked to explain their hopes, beliefs, and desires. These are the final vocabulary. We tell our story with these words. They are final because beyond them there is repetition, dogma, or silence (Behrouzlak, 2007: 425).

2. Maintaining the system: Lexicology

The word "نظام" (system) is derived from "نظم" (order). In its lexical sense, "نظم" means "compilation," "arranging," "organizing," "stringing together," and "composing poetry." (Ibn Faris, 1407: 5, 443 and Ibn Manzur, 1408: 14, 196).

Meanwhile, the word "system" means organizing, arranging, stringing pearls, procedure, habit, and method. (Amid, vol. 2: under the word system). Ibn Manzur has defined 'system' as meaning compilation, aggregation and matching something to another thing and the thread with which pearls or any other thing are arranged. He has also used system in the meaning of gift, habit and character (Ibn Manzur, 1408 AH, vol. 12: 579).

Attention to the literal meaning of system is also observed in the life of the Infallibles (AS). In Sermon 146 of Nahjul-Balagha, Imam Ali (AS) says: "He gathers it and joins it together. Whenever this string breaks, the grains of the ruler's position are like the position of a string of beads, the beads of which are scattered and scattered, then it is not possible to gather its sides and surroundings together" (Nahjul-Balagha, Sermon 146). Also, in a narration from the Prophet of Islam (PBUH), the Islamic ruler is referred to as the "system of Islam": "Listen to the speech of the one whom God has given authority and obey him, for he is the system of Islam" (Majlisi, 1404 AH, Vol. 23: 298).

Maintaining the System: Terminological Use

The terminological use of the concept of system does not have much precedent. This term found its own meaning in the years 1950-1956 AD with the introduction of the "General Systems Theory" by Bertalanffy, a German biologist. Later, with the application of this theory in various fields of science, terms such as: economic system, communication system and information system became common. (Madani, 1994: 221). The definition of a system is stated (Churchman, 1996: 26):

"In the general theory of systems, a system is referred to as a set of interdependent components that are coordinated in order to achieve certain goals."

Due to the difference in goals, components and relationships between them, systems become different and generative systems such as the system of creation, man-made systems such as the system

governing a car or airplane, and social systems come into being. The components of social systems are people, their behaviors and relationships that are organized for predetermined goals. Here, the meaning of social system is the system that governs human life in all its dimensions, which includes subsystems such as political, economic and cultural systems.

Since the components of the social system are humans and the behaviors and relationships between them, and on the other hand, behaviors and relationships in humans are formed based on insights and values, another category entitled: "belief and value foundations" is included in the definition of social system. In a social system with a macro vision, the behaviors and relationships of groups of people are institutionalized based on specific belief and value foundations towards certain goals.

Abdur Rahman Alam defines a system as "a set of elements with action and reaction", "a set of goals with relationships between goals and between their properties" and "any set of elements that can somehow interact with each other can be viewed as a system. Galaxies, football teams, legislatures, and political parties are each a system (system)" (Alam, 2004: 149)

3. Maintaining the system: Theoretical framework

One of the issues raised in jurisprudence in general and in political jurisprudence in particular is the discussion of "maintaining the system" and the rulings resulting from it. In general, it can be said that this term is used in jurisprudence in several meanings:

3.1. Maintaining the system means "organizing the lives and livelihoods of the people"

The purpose of maintaining the system of life and the internal order of society is to observe the matters on which the stability of society and the people depends, and if it is disrupted, the order of people's lives and livelihoods is jeopardized and chaos ensues. Therefore, maintaining the system in this sense is opposed to disintegration and chaos. Obviously, the perfection and happiness of humans, which is the same as closeness and status with God, has been considered as the highest and most important goal of human societies (Tabatabai, 1374,

Vol. 4: 154) and this will be achievable when people's lives are peaceful and orderly and everything is in its place (Tabatabai, 1374, Vol. 4: 154) because chaos and disruption of the system of life prevent individuals from paying attention to the origin and resurrection and force them to resolve the disruptions that have occurred. This is why jurists have considered what the livelihood system of society requires as a sufficient or objective obligation and have established an independent category of obligations under the title of "systemic obligations" and in some cases they have referred to it as "the obligation to maintain the system" and in other cases as "the prohibition of disrupting the system".

One of the cases where the obligation to maintain order in the aforementioned sense has been invoked in jurisprudence is the discussion of the permissibility of receiving wages for obligatory duties. Most jurists believe that engaging in some jobs and professions on which the people's livelihood is based is obligatory, because if they are not addressed, people's lives will be disrupted. Sheikh Ansari says in this regard: "Jobs on which the system [of people's lives] depends are obligatory because establishing a social system is necessary." This group of obligations has been called "systemic obligations" because the system and organization of social life depend on them, and since Islam wants people's social life to have order and order, it has made those actions obligatory upon people (Naini, 1413 AH, vol. 1: 42).

Another case where jurists have explicitly stated that it is obligatory to engage in it is the office of judge, and they have stated the reason for this is the dependence of the social system on it. In the book Qada Jawaher, the obligation to appoint an Imam as a judge and the prohibition of the people opposing the appointed judge are also mentioned, and the reason for this is the disruption of the system (Najafi, 1981, vol. 40: 40).

In many other cases of jurisprudence, such as monopolization, violating the ruler's ruling, the illegitimacy of caution in all rulings, the authority of the Muslims, the sufficiency of the apparent justice of the witness, the necessity of observing the legitimate regulations of the Islamic state, etc., the rule of maintaining the system is invoked, indicating that this rule is not only a consensus but also a

jurisprudential certainty that no one doubts (Jafar Pisheh, 2010: 69). Therefore, one of the important obligations of Islam is to maintain the system of society, the life and livelihood of the people, and there is no doubt that what disrupts the system of life and livelihood of society is forbidden, and the actions necessary to maintain the system of society are obligatory.

If there is a conflict between maintaining the system and other personal or social rulings, maintaining the system takes precedence over them; Because preserving the system is one of the obligations that the Holy Lawgiver is not willing to abandon under any circumstances. Therefore, the ruler of the Islamic society is obliged to prioritize preserving the system when it comes to the conflict between preserving the people's livelihood system and other rulings.

3.2. Maintaining the system in the sense of "maintaining Islam"

Another meaning of the system is the insights, attitudes, values, and rituals that the Islamic religion has presented within the framework of the Quran and Sunnah in order to guide humans in general and Muslims in particular. Such a meaning is called "the system of Islam", "religion" or "school", which is also referred to as "the system of the nation". As in some narrations, "obedience to the Ahl al-Bayt (a.s.)" has been explicitly mentioned as a factor in maintaining the system of the nation (Malik Afzali 1391: 133).

Obviously, the word "nation" has been used in different meanings in the dictionary; but its usage in religious texts means "religion" and "law" (Ibn Manzur, 1408 AH, vol. 11: 632).

According to the opinion of the jurists, the Islamic system refers to what the Prophet of Islam brought to mankind, including beliefs, ethics, and practical rules (Muntaziri, 1408 AH: 25).

According to another jurist: The Islamic system refers to the organization of religion, its existence, and establishment. Which is usually interpreted as the essence of Islam, and in another interpretation, it includes the ideology and content of religion, the organizations responsible for it, the objective existence of religion in society, and the state of dominance, the ruling atmosphere, and the

spiritual and executive influence of Islam in the objectivity of society (Amid Zanjani, 1384: 35).

This definition is presented in a general and comprehensive way that includes all concepts of the system and types of sub-systems. The conclusion that emerges from this comprehensive view is that in the Islamic society, the ultimate goal of preserving the system is "preserving the Islamic system" or making the religion of Islam objectivized in society, in order to achieve its transcendent goals, namely the worldly and hereafter happiness of humans.

In this regard, Imam Khomeini (RA) says: Preserving the system is a divine duty, higher than all duties; that is, no duty in Islam is higher than preserving Islam itself. If preserving Islam is one of the great duties and the greatest duties, then preserving this Islamic Republic is one of the greatest duties for all of us, you, the entire nation, and all the clergy (Khomeini, 1378, Vol. 15: 329).

In fact, the Imam's words refer to the existence of a hierarchy between the different concepts of the existing system; with the explanation that in order to preserve the Islamic system, it is obligatory to preserve the government of the Islamic Republic. In other words, although preserving the Islamic Republic system is considered an independent duty and value in itself, here it has a prior aspect to preserving Islam, which is called an obligatory duty (Malek Afzali 1391: 134).

Therefore, whenever the enemies of Islam seek to destroy the principle of Islam, whether from inside or outside the Islamic countries, the flag of war is against the system, and another example is jihad against the infidels who intend to overthrow the basis of Islam by dominating the Islamic lands (Kashif al-Ghita, 2004, vol. 4: 288). By reflecting on the above words, it becomes clear that protecting the principle of Islam and the Islamic country, and the lives, property, and honor of Muslims, is an independent issue that has nothing to do with the establishment and preservation of the Islamic government. In Islam, defending the principle of Islam is obligatory and obligatory on all Muslims, whether the government ruling the society is an Islamic government or a non-Islamic government, and whether preserving

Islam and the Islamic country requires the preservation and survival of the Islamic government or not (Mehori, 2001: 112).

3.3. System means "the essence of the Islamic state and Muslims"

The obligation to protect the Islamic state and the lives, property and honor of Muslims from the threat of attack by the enemies of Islam and foreigners is one of the certain issues and is agreed upon by Shiite jurists, and indeed all Muslims. Shiite jurists consider defense against foreigners obligatory upon everyone without any conditions. Sheikh Tusi writes in his book *Nihayyah*: "Jihad without an Imam and a leader or with a tyrant leader is wrong and the one who does it is worthy of sin and if he kills someone, he has no reward for it and if he is killed, he is a sinner. Unless there is a danger from the enemy to Muslims that, based on Islam, either its destruction or a group of Muslims is feared, in which case defense and fighting them is obligatory" (Tusi, 1400 AH, 290). The author of *Jawaher* also writes: "When the infidels want to destroy Islam and destroy its rituals and there is no mention of Muhammad (PBUH) and his law, there is no problem in the obligation of jihad even against the oppressive leader" (Najafi, 1981, vol. 21: 47).

The researcher Naini also, citing the disapproval of the holy lawgiver for the disruption of the system and the departure of the Islamic faith, has considered the preservation and order of the Islamic state more important than all matters of *Hisbiyyah* and one of the clearest of certainties. He believes that "in the pure Sharia, the preservation of the integrity of Islam is one of the most important of all duties and the Islamic monarchy is one of the duties and affairs of the Imamate... And it is clear that all aspects related to the establishment of the world order on the principle of monarchy and the establishment of the preservation of the honor and nationality of each nation on the emirate of their own kind, end with two principles: First: preserving the internal systems of the kingdom and educating the type of people and conveying to each rightful person his right and preventing the encroachment and aggression of the members of the nation on each other are other specific duties related to the internal interests of the kingdom and nation. Second: protection from the intervention of foreigners and caution against the usual tricks in this

regard and the preparation of a defense force and military capabilities and so on. This meaning is called “preserving the integrity of Islam” in the language of the legal scholars, and other nations call it “preserving its homeland” (Naini, 1424: 40).

Therefore, one of the most important examples of preserving the integrity of Islam is jihad against the infidels and expelling them from Islamic lands and preventing their oppression and aggression against the blood and honor of Muslims.

Imam Khomeini (may Allah have mercy on him) also says in this regard: If the lands of Muslims or the borders of their country are attacked by the enemy in a way that creates a danger for the integrity of Islam and the community of Muslims, it is obligatory upon them to defend it by any means possible, including sacrificing their wealth and lives (Khomeini, 1403 AH, Vol. 1: 417).

3.4. Maintaining the system means "existing government or political regime"

In another meaning of maintaining the system that is seen in the language of jurists, it means maintaining the existing government, and this is possible assuming the legitimacy of the government. In previous views, the existing system and government were not considered, and the jurist sought to preserve the livelihood system, the Islamic system, the essence of the Islamic country, and the collective identity of Muslims. This goal is also possible through a non-jurisprudent government - although it is not legitimate from the jurists' point of view - but the latter meaning is consistent with the legitimacy of the government and the ruler from the jurists' point of view, because until a jurist legitimizes the existing government and ruler, he does not seek to preserve it; of course, he may legitimate the non-jurisprudent government and issue a fatwa to preserve it for external reasons such as warding off corruption and the corrupt, and ... - not internal reasons such as the jurisprudence and justice of the ruler - but this rarely happens (Shariati, 2008: 255).

In any case, after the Islamic Revolution in Iran and the rule of the jurist Jame' al-Shara'it, contemporary jurists have sometimes considered preserving the system to be equivalent to preserving the

existing government - not the existing ruler - and have issued fatwas on it, because the existing government is necessary for preserving the system in the past sense; that is, from the jurist's point of view, preserving the livelihood system and the integrity of Islam is not possible except by preserving the existing government, and for this reason it can be said that the use of the term "preserving the system" in the aforementioned sense has taken on a borrowed form, because on the surface it has a different meaning, but the first, second, and third meanings are intended, and in addition to that, it also carries another meaning with it (Shariati, 2008: 255).

4. Political-Jurisprudential Islam

Political-jurisprudential Islam emphasizes jurisprudence and the clergy as the main interpreters of Sharia (Hosseinzadeh, 2007: 226). Political-jurisprudential Islam emerged as the most powerful discourse after the Islamic Revolution with the support of Imam Khomeini and the clergy. This discourse gradually established its signs and concepts in a tough discursive debate and in confrontation with other discourses. Concepts such as the Islamic Republic, jurisprudence, Islamic rulings, the authority of the jurist, *ijtihad* and *taqlid*, supervision by scholars, clergy, hijab, commitment, Islamization of society and sciences and universities, restriction of freedom within the framework of Sharia, implementation of Islamic limits and punishments, nation-building against nationalism, support for liberation movements, issuing revolution and emphasis on hostility towards America and Israel as symbols of infidelity, gradually became prominent in this discourse and shaped its discursive manifestations (Hosseinzadeh, 2007: 273). The goal of this discourse was to reconstruct Iranian society based on Islamic jurisprudential rulings and condemned any imitation of the West. However, Islamic jurisprudence used modern concepts and institutions such as people, republic, democracy, law, freedom, equality and even human rights and tried to give them meaning within its own discursive framework. In the Imam's (may Allah have mercy on him) system of thought, an Islamic government is needed to implement the laws of Islam, and the belief in the necessity of forming a government and establishing an

executive and administrative apparatus and fighting for it is considered a part of the belief in guardianship. Therefore, not only is Islam a political religion and has a plan for government and law, but the struggle to form an Islamic government is also obligatory and is a religious duty of Muslims (Khomeini, 1979: 19).

He believes that the nature of the Islamic government is constitutional, constitutional in that the rulers are bound by a set of conditions in their implementation and administration that have been specified in the Holy Quran and the Sunnah of the Prophet (Khomeini, 1979: 45).

By arguing for the necessity of forming an Islamic government, Imam Khomeini also proved its preservation and continuity, and believes that reasons such as preserving Islam and defending the territorial integrity and independence of the Islamic nation, implementing Islamic laws, preserving the unity of Muslims, and preventing their division all indicate the necessity of forming a government and its continuity. In his book *Velayat al-Faqih*, he writes: "Without the formation of a government and without an executive and administrative system that brings all the activities and activities of individuals under a just system through the implementation of the rulings, chaos will arise and social, ideological and moral corruption will arise. Therefore, in order to prevent chaos and disintegration and prevent society from becoming corrupt, there is no other option but to form a government and regulate all the affairs that take place in the country" (Khomeini, 1376: 19-30). From his point of view, the implementation of divine rulings and the necessity of their continuation until the Day of Judgment is the main reason for the formation of an Islamic government, and this itself requires that the Islamic government be continuous and that disruption of it be abhorrent and undesirable (Khomeini, 1421 AH, Vol. 2: 619).

5. Maintaining the System in the Thought of Imam Khomeini (RA)

In Paris, Imam Khomeini proposed the Islamic Republic as his desired model of government (Khomeini, 1378: Vol. 6: 256). He believed that republicanism is in the same common sense, that is, the government being popular. And Islamism also means that Islam constitutes the

main content and nature of this system (Hosseinizadeh, 1386: 264). The Imam (RA) says about the necessity of maintaining such a system: "If - God forbid - a defeat occurs for the nation, it will end in the destruction of Islam" (Khomeini, 1378, Vol. 22: 211) and in another place, he says to the officials: "All those who are engaged in service in this country, they should pay attention to the fact that they must maintain the honor of Islam, whose great manifestation is now the Islamic Republic..." (Khomeini, 1378, Vol. 16: 414). In these sentences, preserving the Islamic Republic is the embodiment of preserving Islam and its equivalent.

In order to better understand the "preserving the system" in the discourse of political Islam and jurisprudence, we will elaborate on it. In this articulation, the central signifier can be considered pure Islam. The floating signs and signifiers are also wilaya, jurisprudence, Islamic entity, and democracy. In the following, we will explain the central signifier and floating signifiers:

5.1. Central Signifier: Pure Islam

Pure Islam, and in a sense, the value system of the religion of Islam, constitutes the main nature of the discourse of political Islam and jurisprudence, and Islamic rulings and regulations are considered the main basis of its law and policies. Islamism is the fundamental aspect of this system and the axis and focus of all theorizing in the form of government of Islamic jurisprudence; Therefore, it is considered part of its inherent and inviolable affairs and is considered a basis for all political interpretations (Mirahmadi, 2009: 69). Imam Khomeini, in explaining the roots and philosophy of government arising from Islam, says: "Islam is the founder of a government in which neither the tyrannical style prevails, which imposes the opinions and desires of one person on the entire society, nor the constitutional and republican style, which relies on laws that a group of individuals in the society establish for the whole of it. Rather, the Islamic government is a system inspired and born of divine revelation, which receives support from divine law in all fields, and none of the rulers and supervisors of society's affairs has the right to tyrannize over votes. All programs that are implemented in the field of governing society and its affairs and

necessities to meet the needs of the people must be based on divine laws. This general principle is also valid and current in the case of obedience to rulers and those in charge of government affairs (Imam Khomeini, 1378, Vol. 6: 270).

Islam has determined the rights, duties and mutual relations of the Islamic ruler, the subjects and the people, and according to this idea, the exclusion of Islam from governance and politics is a distortion of the truth of Islam. According to this idea, Islam has a political thought and dimension, in which Islamic views are included in the section of political jurisprudence, and Islamic rulings and regulations are considered the main basis of its law and policies. Also, the sign of Islamism is manifested in the guardianship of the jurist, and it was only Imam Khomeini who was able to present a reading of the guardianship of the jurist that was placed alongside the republic and the will of the people and itself became the beginning of a new era in Shiite political thought and practice (Khomeini, ? : 197). Now, if we interpret preserving the system as preserving the government, and the destruction of the existing government is equivalent to the destruction of Islam and the seed of Islam, it leads to the formation of the first jurisprudential rule and precedes religious branches. In this regard, Sheikh Ansari has considered preserving and establishing the system as an absolute obligation (Ansari, Makasib: 63-64) that no restriction can assign to it, and the owner of the jewel considers it one of the most important obligations (Najafi, vol. 21: 395). Religious leaders sacrificed their lives and hundreds of their sincere followers to preserve the value system of religion and gave up their indisputable right to prevent the collapse of the Islamic system. However, preserving the system means preserving the existing government, which is only an example of the rule in a case that is intertwined with the value system of the Islamic religion, because the ruler or the form of government may change, but the Islamic system remains. The Imam (may Allah have mercy on him) also proved the necessity of forming an Islamic government by arguing for its preservation and continuity, and he believes that reasons such as preserving Islam, defending the territorial integrity and independence of the Islamic nation, implementing Islamic rulings, preserving the unity of Muslims, and preventing their division all

indicate the necessity of forming a government and its continuation. Therefore, in the discourse of political and jurisprudential Islam, the government has the status of an instrument, and its preservation is important in achieving Islamic goals, through which people can be brought to perfection and educated (Khomeini, 1378, Vol. 19: 255). Imam Khomeini says in this regard: "Preserving Islam is a hypothesis above all obligations, there is no hypothesis higher than preserving Islam itself. If preserving Islam is one of the great obligations and the greatest obligation upon all of us and you, the entire nation and all clerics, then preserving this Islamic Republic is one of the greatest obligations" (Khomeini, 1378, Vol. 15: 203; Vol. 20: 167 and Vol. 21: 112).

5.2. Floating Signifiers

5.2.1. Imamate and Wilayat

From the perspective of political and jurisprudential Islam, the Prophet of Islam (PBUH) has three positions: 1. Receiving and communicating revelation; 2. Explaining revelation; 3. Presiding over the affairs of the world of people and managing the affairs of the Islamic society (government). And after his death, with the cessation of revelation, the person in charge of the other two positions is a person appointed by God. In Shiite culture, a person with these characteristics is called Imam. This "Imam" is a special term and refers to the person who has the position of explaining the Prophet and his word in explaining revelation is proof and must be obeyed. Also, in the social affairs of the people; including military, political, economic, foreign policy, etc. (Misbah Yazdi, 2005: 408-410).

Therefore, one of the basic components of Imamate for Shiites is its kindness, which must be taken in the definition to mean the complete and perfect succession of the Prophet. The Imam, like the Prophet, is the intermediary between the revelation and its audience.

In the Shiite concept, the Imamate is the continuation of the prophethood of the last Prophet (PBUH), and divine guidance and social justice are among his main duties. On this basis, the Shiites believe that the Imams (PBUH) must be infallible and their words and

behavior are the same as the religion; like the words and behavior of the Holy Prophet (PBUH), which can be the source of inferring jurisprudential rulings and theological beliefs.

The Imamate and, following it, Shiism, is a matter of degrees; a) Public leadership and community leadership; the first degree of Imamate is public leadership. When the Prophet passes away, one of his duties that remains unfulfilled is community leadership. This degree of Imamate is agreed upon by Sunnis and Shiites, and the difference in this regard is only empirical and historical (Qaramaleki, 1381: 129).

"If the issue of Imamate were limited to this level and level, meaning that it was only about the political leader of Muslims after the Prophet, then honestly, we, who are Shiites, would consider Imamate as one of the branches of religion and not the principles of religion, such as prayer" (Motahhari 1378, Vol. 4: 848 - 850).

b) Imamate means religious authority; Imamate at this level is a kind of expertise in Islam, but expertise much higher than that of a mujtahid. An expert from God; that is, people who are scholars of Islam; of course, not scholars of Islam who have known Islam through their own intellect and thought, who are necessarily allowed to make mistakes, but people who have received Islamic knowledge from the Prophet through a mysterious and unseen way that is unknown to us. Infallible knowledge is free from error and does not make any mistakes.

Sunnis do not consider anyone to have such a position, so at this level of Imamate, they do not believe in the existence of an Imam at all, nor do they believe in Imamate; Not that they believe in Imamate and only have a difference of opinion with Shia.

c) The third level of Imamate, which is the peak of its concept, Imamate means guardianship; in every era, there is a perfect human being who is the result of the general spirituality of humanity. According to Shia, Imam is a perfect human being who is given many positions and degrees, and all of them are mentioned in Shia pilgrimages and supplications. Sunnis and even some Shias do not believe in Imamate at this level.

Professor Motahari believes that Shia also has levels, considering the two levels of Imamate. Some Shias believe in Imamate in the same sense as social leadership, and some others also believe in the second level, but do not reach the third level, but the majority of Shia and their scholars believe in the third level as well (Motahari 1378, Vol. 4: 848-850).

5.2.2. Jurisprudence

Political jurisprudence is a part of general civil science that was established and known in the medieval period as civil jurisprudence. Abu Nasr al-Farabi, like philosophy, divides jurisprudence into two categories: theoretical and practical, or greater and lesser jurisprudence (al-Farabi, 1931: 13). Then, he introduces political jurisprudence, in the set of practical jurisprudence, as a science that evaluates the political action of Muslims with regard to the cultural-linguistic characteristics of the Islamic society, and interprets Islamic texts with the help of linguistics - Arabic linguistics (al-Farabi, 1968: 46-52). In his opinion, political jurisprudence is specific to rationality and political life in religious and civilized societies in the absence of the Prophet (PBUH) and other infallible leaders (AS). In his book *Al-Mulla*, Al-Farabi writes about this: "Whenever one of these righteous Imams, who are true kings, passes away from the people and no one who is like him in all respects succeeds him,... in such circumstances, the need for the art of jurisprudence is inevitable" (Al-Farabi, 1968: 5).

This analysis of the conditions for the emergence of civil jurisprudence can be considered an important reason for jurisprudence to be included in the category of practical and civil sciences; on this basis, it seems that Islam without a text is meaningless. The text, consisting of the book and the Sunnah, has made Islam a universal religion; the greater part of the Sunnah is a practical application or oral explanation of the Quran. Without a doubt, the main philosophy of the text is its application in social life: "The emergence of jurisprudence is the result of the collision of the text with practice in the social arena" (Yasin, 1998: 35).

In the discourse of political Islam and jurisprudence, the science of jurisprudence enjoys a high position due to its role in

understanding religious laws, and jurists also enjoy a high position as authoritative religious experts. In this discourse, the clergy are considered the only credible interpreters of the Sharia, and Islam minus the clergy is considered to be Islam without content, deviant, and treacherous (Khomeini, 1378, Vol. 6: 270; Vol. 7: 38).

The aforementioned discourse also assumes that jurisprudence specifies the necessary laws for government and society, and that Islamic government is nothing more than the sphere of implementation of jurisprudential rulings. "Government, in the eyes of the true mujtahid, is the practical philosophy of all jurisprudence in all aspects of human life. Government represents the practical aspect of jurisprudence in dealing with all social, political, military, and cultural difficulties. Jurisprudence is the true and complete theory of governing man and society from the cradle to the grave" (Khomeini, 1378, Vol. 21: 98).

For this reason, the scope of legislation in this discourse is limited, and in any case, any legislation must be carried out under the supervision of jurists and Sharia experts, and any concept outside this scope is considered to lack validity and legitimacy, and in a sense, jurists are considered to be the guardians of the Islamic value system.

There is no doubt that man is civil by nature and must inevitably interact and communicate with others to meet his needs; "Therefore, maintaining the system of the species and protecting society from chaos depends on legislating the exchange of property between people. Otherwise, people would resort to violence and domination over each other to meet their needs, like other animals. Therefore, there is no other option to maintain the system than legislating transactions" (Khoi, Bita: 2/5). It is clear that "transactions" here are general and include all matters related to human interaction with others, and jurisprudence, as "the true and complete theory of governing man and society from the cradle to the grave," is responsible for such a heavy task.

5.2.3. Democracy In the Islamic government plan

Imam Khomeini considers the best way to make decisions to solve the problems of society in both internal and external dimensions to be

accepting the sovereignty of the people over their own destiny and believes that after this, the Islamic government must always maintain its special position alongside the legislative sovereignty of God and accept the permanent participation of the people (Mirahmadi, 2009: 71). He believes that the realization of divine sovereignty is not possible except through the realization of a popular government, that is, a government that is formed by the people and through their expressions of opinion, and the acceptance of the people gives the government the ability to implement and realize the law. In fact, the people play a vital role in the realization of the Islamic political system, in discovering and choosing a case, in giving effect to the sovereignty of Islam, and in criticizing, advising, and supervising for the continuity of the government (Jahan Bozorgi, 2006: 86). The Imam considers the position of the people in the government to be much higher than consultation and advice, and says: "This is the Islamic Republic, all of whose affairs at all stages, even its leadership, are based on the people's votes. This role for the people is higher than consultation; because consultation does not contradict the independence of the leader and the Imam, but in this theory, the people are instead the leader and his partner, whose permission and consent are naturally valid" (Khomeini, 1378, Vol. 4: 190).

Therefore, those who are elected by the people as representatives of the legislature, executive managers, and judges and arbitrators are responsible for their actions before the people and must make decisions according to the people's wishes (Jahan Bozorgi, 1385: 87).

Therefore, maintaining the indicators of democracy has a special place in maintaining the system. The three indicators of democracy in the aforementioned discourse are:

1. Equal political participation;
2. Equal political choice;
3. Political security.

5.2.3.1. Equal political participation

The first indicator of democracy is equal political participation. Among the political freedoms are: equal political participation; freedom of

criticism and supervision. If we consider political participation in the general sense of involving individuals at different levels of activity in the political system, the right to choose, criticize and supervise the people and the accountability of officials and the freedom of parties can be raised in this topic. In fact, the right to choose the people is realized in various ways, including participating in organizations and parties, which is in order to pursue their desires so that they can put the person they want in a position of power (Mirahmadi, 2009: 79).

But how participation in elections and referendums is considered one of the ways to maintain the system is a question that must be answered now. In order to measure the acceptability and credibility of any government and political system, there are mechanisms, the most important of which in today's world is holding various elections in countries. The more these elections are held and the more participants there are, the greater the acceptability and credibility of that system among the people, and as a result, that system will have greater strength and power among other governments, especially those that have hostile relations with that country. Otherwise; that is, if the number of elections is very limited or if people do not turn out to vote in large numbers in every election, it will be a sign of disapproval and, as a result, cause disruptions in the ruling political system by hostile foreign governments and their internal elements.

A. Right to Choose: Imam Khomeini, as the founder of a political system based on the guardianship of the jurist, believes that the guardianship of Muslim affairs and the establishment of a religious government, although mixed with divine legitimacy and righteousness, emerges with the approval and acceptance of the majority of society. In this way, people are considered entitled to make choices (Lakzai, 2006: 141).

B. The right to criticize and supervise: Another political right and freedom of the people in the field of political participation is the right to criticize and supervise. This principle has been given much attention in Islamic jurisprudence. Considering that the ruler and religious political agents in the era of occultation are not infallible and there is a possibility of mistakes and errors regarding them, the

discussion of criticism and supervision of the people and the necessity of holding officials accountable (impeachment) is raised. This type of supervision is actually considered a factor for preventing disruption in the system. In Islamic teachings, the people's supervision of rulers is considered both a right and a duty of the people. The right is because the people accept and support the government, and the duty is because everyone has a duty to preserve the Islamic system. Therefore, if it is necessary to preserve the system by enjoining what is good and forbidding what is bad by the rulers, everyone has a duty to fulfill this duty. Imam Ali (AS) emphasized the mutual rights of the people and the state, and among the rights that the people have over the state is their right to supervise the state (Nahj al-Balagha, Sermon 34). This supervision prevents the ruling group from being crooked and unfair, and thus prevents disruptions in the system. Imam Khomeini, in some of his speeches, believes that in the system of guardianship of the jurist, everyone is accountable for their actions and citizens supervise all matters, even the guardian of the jurist, and if the officials deviate from Islamic standards and violate them, the people can protest, warn, and prevent mistakes (Lakzai, 2006: 163). He also says about criticism: "In the Islamic Republic, everyone must pave the way for the prosperity of society by criticizing and raising objections" (Imam Khomeini, 2009, Vol. 21: 78). Imam Khomeini believes that criticism of the government or the leader has no specific limits as long as the subject of criticism is preserved. The only limitation of criticism is when it turns into a conspiracy and there is an intention to overthrow the government. Regarding supervision, it should also be limited to matters related to the power and sovereignty of individuals, and personal matters are outside the scope of supervision.

c. Freedom of parties: Freedom of parties is another political freedom of the people. In fact, the realization of citizens' participation in politics and affairs of the country and the selection of officials is almost impossible without cooperation with each other. Thus, in defining a party, we can say: "A gathering of individuals who have common views on some issues and want to work together to achieve common goals" (Alam, 1373: 343). Imam Khomeini also considers the activities of political parties within the framework of national interests:

Parties, groups, political and religious communities are free; As long as their actions are not against the Islamic Republic and do not violate the sovereignty of the nation and the country (Imam Khomeini, 1378, Vol. 10: 248).

In his opinion, parties must have certain characteristics in order to be able to operate in the political system, some of these characteristics include: not engaging in armed confrontation with the Islamic political system, expressing criticism and avoiding conspiracy, not being dependent on foreign powers, enjoying the acceptance and support of the people, and being compatible with national and social cohesion and solidarity (Ahmadi, 1378: 8-12).

5.2.3.2. Equal political choice

The second indicator is equal political choice; Equal political choice refers to the equal right of citizens to access political positions and opportunities, which is actually called the right to be elected.

Being elected, unlike being elected, is the highest level of political participation. Being elected requires the greatest commitment and begins after the election stage; hence, the level of participation is always limited and is accompanied by countless obstacles and restrictions.

In the discourse of political and jurisprudential Islam, many social positions, in addition to being considered the right of individuals, are actually a duty and responsibility for them. Accordingly, this heavy duty can also reduce the desire of individuals to participate in the political arena. In addition, this discourse does not consider the right to political choice for all individuals, and this discussion has been raised at the level of the guardianship of the jurist and the leadership institution. This system considers the position of leader to require conditions and qualifications that make it impossible for most people to attain that position. These characteristics have been mentioned in the discussions of jurists, especially Imam Khomeini. By examining the written and oral works of Imam Khomeini, it can be seen that the conditions for appointment for rulers and guardians include, for example: knowledge, *ijtihad*, justice, piety, humanity, courage, bravery, prudence, awareness of current issues and the

requirements of the time, expediency, open attitude, religiosity, a sense of responsibility, lack of greed and interest in the world and its manifestations such as position, power, money, position, etc., fear of God, observance of the law, academic excellence, trustworthiness, etc. (Lakzai, 2006: 148). Therefore, with the condition of "jurisprudence", almost all citizens are excluded, and with the condition of "justice", jurists who lack the attribute of justice are excluded, and with the condition of "management and management", those who do not have the power of management are eliminated.

5.2.3.3. Political security

The third indicator is political security for all. Providing political security, in a just society, is through rules and standards under which citizens can effectively benefit from the freedoms and opportunities that have arisen to achieve their goals. And if these conditions are violated, individuals will rise up to oppose the law with the aim of changing it. In other words, political security for all is under the shadow of equality before the law; both in terms of lawmaking and law enforcement.

Political security means that citizens are confident that the government will uphold their rights. When individuals in society are assured of their personal, public and social security by the government, they have achieved political security. The government's duty in this case is to maintain its impartiality towards citizens in the various stages of legislation, judgment and law enforcement, and citizens are also assured of this impartiality.

Respect for the privacy of individuals is one of the important indicators of the political security of citizens. In Islamic texts, privacy is of particular importance. This practice is explicitly prohibited in the Holy Quran and there are many narrations that prohibit interference and investigation in the private affairs of others or allow the owners of privacy to fight the aggressors and if the owner of privacy is killed in this way, he is considered a martyr (Malek Afzali Ardakani, 2010: 21). In political Islam, jurisprudence also allows the owners of privacy to fight and defend themselves against aggressors (Tusi, 1378 AH, Vol. 7: 279); even if they do not intend to violate or violate the sanctity of in-

laws or other persons, and if the aggressor is killed, his blood is wasted (Khomeini, 1403 AH, Vol. 1: 487). The Constitution of the Islamic Republic of Iran, in accordance with the provisions of the holy Islamic law, specifically addresses people's privacy and the necessity of protecting its sanctity in three principles. In addition, Imam Khomeini (RA) emphasized this issue as a government decree in a decree that became known as the "Eight-Article Decree" and pointed out certain issues to the security and judicial apparatus (Khomeini, 1378 AH, Vol. 17: 140). Of course, such an emphasis is in compliance with the issue of the obligation to protect the government. The Imam explains that, in the capacity of protecting the government, emphasizes the severity of action against hostile groups and, at the same time, rules on the non-disclosure and the necessity of pursuing the case of those who accidentally entered their homes and found toys there. Unless such a person is recognized as a corrupter on earth due to such actions (Khomeini, 1378, Vol. 15: 99). Therefore, in Imam Khomeini's views, the state is at the service of the people and there will be no talk of tyranny and tyranny, which are the main sources of insecurity and general fear and terror in a society (Khomeini, 1378, Vol. 6: 256).

5.2.4 Independence and preservation of the Islamic entity

Independence and Preservation of the Islamic Entity Independence is having the power to make decisions and policies along with implementing these decisions and policies within the scope of [the right of] sovereignty (Mansouri, 1374: 55). This concept in Imam Khomeini's thought is derived from the principle of the rule of negation of the path. The negation of the path of the infidels over Muslims means that the way for foreigners to dominate over Muslims is closed. Any relationship and actions that lead to the domination and superiority of foreigners over Islamic land, Muslims, and their property and values are forbidden (Ghafouri, 1386: 77). The Holy Quran clarifies this principle: And Allah will not make a way for the disbelievers over the believers. This rule will prevent the domination and superiority of non-Muslims over the Islamic nation under any circumstances. Since human happiness in Islam is the implementation of divine laws; Therefore, all the ways that provide the possibility of

depriving the honor and dignity of Muslims, the rule of negation of the path blocks these ways by guaranteeing independence, freedom and self-sufficiency for the Islamic society (Ghafouri, 2007: 77). Therefore, the necessity of "preserving sovereignty" at the internal and internal levels; which is called "autonomy" (Hashemi, 2003, Vol. 2: 1), and external and external; which is called "independence" (Hashemi, 2003, Vol. 2: 1), is one of the results of preserving the system. If a disruption occurs in the internal system of a country, not only will there be no autonomous and powerful government, but the country's independence in the international arena will also be impaired. This is why in political and jurisprudential Islam, they also emphasize preserving the country's independence and cutting off the hands of foreigners from the country; so that the slogan of the Islamic Revolution of Iran in its foreign policy became neither Eastern nor Western, the Islamic Republic. Imam Khomeini said about Iranian society after the revolution:

"We must create an Iranian that can take control of its political, military, cultural and economic independence and stand on its own feet without relying on America, the Soviet Union and England - these international globalists" (Khomeini, 1378, Vol. 9: 25).

Conclusion

In the discourse of political Islam, the preservation of the system is accepted as a jurisprudential rule. In the discursive analysis of the aforementioned rule, as mentioned, all aspects of preserving the system, including preserving the livelihood of the society, Islamic values, the Islamic entity and the government, were considered, and preserving the government is conditional on preserving the value system of the Islamic religion. Therefore, in the event of a conflict between preserving the system and other rulings, the most important one is given priority, and in this case, according to the view presented by Imam Khomeini (RA), the obligation to preserve the Islamic system is one of the primary rulings and has such a strong expediency that it precedes other religious rulings. Therefore, if there is a conflict between the interests of the Islamic system and other interests - even if none of the secondary titles exist - the interests of the system take

precedence and the other ruling is temporarily suspended. The ruling that the jurist issues in this case is a governmental ruling and is formed based on the interests of the Islamic society - the interests of Islam and Muslims.

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