

Jurisprudential principles of Imam Khamenei's view on the conditions of the prohibition of negotiation

*Mohammadreza Erfannejad**

PhD student in jurisprudence and basics of Islamic law, Qom University, Qom, Iran

Corresponding Author Email: mohammadreza.erfannejad@chmail.ir

Sayyed Mohammad Javad Vazirifard

Associate Professor, Faculty of Theology, Qom University, Qom, Iran

Mohammad Nozari Ferdosie

Associate Professor, Faculty of Theology, Qom University, Qom, Iran

ABSTRACT

Iran's foreign policy changed in general after the Islamic Revolution with profound social changes and was redefined on the basis of the three principles of dignity, wisdom and expediency and other Islamic rules. Adherence to the ideals of the Islamic Revolution at the international level has the requirements that are presented at the macro level by the leaders of the Islamic Republic. Negotiation is a common tool of diplomacy that has been widely used to resolve conflicts and secure national interests, and the Iranian foreign policy apparatus has used it many times since the revolution. After Imam Khomeini, Imam Khamenei emphasized on negotiating with the countries of the world within the framework of the rules of Islamic jurisprudence, and in the meantime, negotiating with some governments was forbidden in certain circumstances. The history of the Islamic Revolution has seen many negotiations, the most significant of which was the negotiations on the nuclear issue, to which the Supreme Leader was reluctant and pessimistic, and after no positive results were achieved from the negotiations with the six countries, in particular, he banned negotiations with the United States. In this study, Imam Khamenei's prominent views on the conditions of the negotiation ban, such as the arrogant nature of the other party, lack of benefit or harm in the negotiations and influence under the pretext of negotiation were pointed out. These views, which are derived from the jurisprudence of Imam Khamenei, are based on numerous and strong rules and principles of Islamic jurisprudence, which referred to the rule of negation of the path, Forbidden cooperation in sin and aggression, the principle of dignity of Muslims, the rule of negation of harm and the obligation to fight the devil's helpers.

Keywords: Negotiation, Jurisprudential Principles, Imam Khamenei

Introduction

Political negotiations are one of the common methods in resolving disputes and diplomatic issues between different governments, while today, with the increase of political conflicts and problems between different governments, the need for political negotiations has become more apparent. Negotiation is one of the most common and public tools of communication in foreign relations and diplomatic actions, so that some experts have synonymously with diplomacy. One of the most important reasons for turning to negotiation is its low cost, its peaceful nature and its very long history of resolving tribal and national conflicts and restraints. (Sajjadi, 2013, 175)

Negotiation in general on various issues, including agreeing on various issues, resolving national, regional and global issues, initiating a constructive engagement or imposing a negotiation due to international pressures, has many examples. The negotiators of the Islamic State, who negotiate with

other states, pursue various goals such as ending the conflict, publishing the Islamic invitation, establishing peaceful relations and strengthening cooperation (Zohaili, 1991, 7), in order to succeed in conducting negotiations and achieving the predetermined goals, it is necessary, first of all, to use skills and techniques that are not incompatible with the holy Shari'a of Islam. Second, use the principles, techniques and rules of negotiation with other states, which are mentioned in Islamic texts.

After the advent of Islam, we have witnessed special rules in the political negotiations between the Islamic State and other states in the Islamic precepts and teachings and the manners of the Prophet of Islam (PBUH) and the Imams (PBUH). In the contemporary era, after the victory of the glorious Islamic Revolution, political negotiations have been held many times between the Islamic State and other states, and the leaders of the Islamic Revolution, Imam Khomeini and Imam Khamenei, have also expressed their views on this issue.

Imam Khamenei's views on the conditions of the ban on negotiation are outlined in his statements, which will be formulated in this study. Some studies have also addressed Imam Khamenei's views on political negotiations, including: The Supreme Leader's approach to the foreign policy of the Islamic Republic of Iran with emphasis on the negotiation method and the concept of heroic flexibility by Hassan Shamsini Ghasvand and Reza Nasiri, *Fundamentals of Foreign Policy in Thought of the Leader of the Revolution* by Abbas Vaezi Dehnavi. In any case, none of the above-mentioned researches have comprehensively and deeply addressed the jurisprudential principles of Imam Khamenei's view on the conditions of the prohibition of negotiation.

During the years of international relations of the Islamic Republic of Iran, Imam Khamenei has stated conditions for the prohibition of negotiations with some countries, which are based on the principles and rules of jurisprudence. In this research, in addition to collecting and compiling these views, we try to study their jurisprudential principles.

The objectives of this study include: Examining, extracting and compiling Imam Khamenei's views in the field of political negotiations between the Islamic State and other states on the subject of the conditions of the negotiation ban and using the results of research on the Islamic State's foreign relations and explaining the conditions of the negotiation permit.

Concept ology

The key concepts in this Article are as follows:

Jurisprudential principles

The jurisprudential principles in this study refer to the jurisprudential rules on which Imam Khamenei's views on the issue of the prohibition of negotiation are based. The principles or rules of jurisprudence are very general formulas that are the source of the inference of more limited laws and are not specific to a particular case. Jurisprudential principles are not a medium for inferring and discovering rulings, because the rules of jurisprudence themselves are "rulings" and not a medium for discovery, while they are general and inclusive and not specific and case-by-case. (Mohaghegh Damad, 1985, 2)

Negotiation

Negotiation is used in the sense of conversation, counseling, learning, and so on. Accordingly, it seems to mean remembrance and reciprocal reminder. This means that each party to the negotiation rejects what is close to the other. (Toraihi, 1987, vol.3, p.437) The word negotiation in English, in the word means bargaining, discussion, agreement, exchange, transaction and critique. (Bateni, 1997, 564)

Negotiation is a practical way that the parties to the dialogue, whether government or otherwise, take to reach a consensus that guarantees the ultimate interests and goals of the parties. (Abdulvenis Sheta et al., 1996, 141) It should be noted that some scholars have interpreted diplomatic negotiations as "Technique" and "art", and some have interpreted it as "science". If negotiation is considered a "technique", it is necessary to learn the necessary skills by studying the experiences of your predecessors and practicing the skills and applying them in practice. But if we consider it a "science", it is necessary, as a diplomat, to be aware of the rules and principles of this science. If the art of negotiation is to be considered, it is necessary to cultivate the taste of this art in diplomats. The truth is that diplomatic negotiation is a collection of science, art and technique, and in addition to the innate abilities and capabilities, it is necessary to know the principles and techniques of negotiation as well. (Dabiri, 1991, 2)

Stages of foreign policy in Iran

In fact, three completely different periods can be considered for the study of Iran's foreign policy or diplomacy in the history of Iran:

1. Classical era; There were no new international relations and new interactions between countries, and each country based on a set of internal factors and based on specific governance criteria and intellectual and social relations, had relations with its neighbors and conflicts with its rivals, and in these frameworks, sometimes He went a little further and communicated with neighbor of its neighbors. This period lasted until the end of Qajar.

2. The era of weakening independence; Its beginnings began in the middle of the Qajar era with the relative knowledge of the Iranian elite about the world situation, especially the situation of the Western nations, reached its peak in constitutionalism and became a turning point in the evolution of Iranian government officials' policies on foreign relations. During this period, new requirements and concepts were ignored by Iran and the reciprocal rights of the countries and the disputed interests were raised, along with its legal consequences.

3. The era of dignity and independence; Due to the bipolar atmosphere, it began during the victory of the Islamic Revolution of Iran in 1978. Of course, Iran's specific geopolitics was also involved in the formation of Iran's new foreign policy; As it was involved before.

In the midst of the Islamic Revolution, two strategic slogans: "Independence, Freedom, Islamic Republic" and "Neither Eastern, nor Western, Islamic Republic" inspired by the ideas and theories of Imam Khomeini, caused the spread of a new idea in the Iranian nation and elites. These theories, which had a deeply religious character and were the result of Imam's religious personality and repeated guidance and deep religious structure in the Iranian nation, with Imam Khomeini's enlightenment and wisdom, caused Iran to leave the closed circle of the bipolar world and rise to new horizons; Horizons based on national dignity, national interests, human rights and mutual respect based on Islamic teachings. (Biraki dastani, 2002, 2)

In fact, this process also outlines the foreign policy goals of the Islamic Republic of Iran, which lead to the creation of an Islamic society based on pure Muhammadan Islam, conflict with Israel and the West, especially the United States, defense of Muslims and defense of liberation movements, etc. (Sari al-Qalam, 2000, 68)

After the victory of the Islamic Revolution and the establishment of the Islamic Republic, which was the result of a profound change in the political structure of the country, a new development was established not only in the field of political and social history of this country, but also in the world of Islam. In parallel with the fundamental changes in the framework of government and administration, diplomacy underwent profound changes, in which the value principles of the revolution, inspired by the precepts of Islam, were responsible for changing the structure of diplomacy.

Islamic Awakening, the separation of true Islam from American Islam, the unity of the Islamic nation, political independence, Increasing liberation struggles, clearly show the effect of the Islamic Revolution on international politics.

History of negotiations in the Islamic Revolution

With the outbreak of the Islamic Revolution of Iran in 1978, Iran's foreign policy also changed and in the new circumstances during the years of the revolution, international relations with the countries of the world have always been ongoing and the means of negotiating in these relations to ensure the interests of the Islamic Republic Variety is decisive.

The history of these negotiations in the Islamic Revolution will be very long and includes all the foreign policy relations of the Islamic Republic, but what is more important given the title of this study is to state the history of political negotiations during the years of the revolution in important events that are related to Ayatollah Khamenei's views on the ban on negotiations. Therefore, we will suffice to mention the background of negotiations with the United States and the nuclear negotiations.

Negotiation with the United States

One of the indisputable principles of the Islamic Revolution of Iran, which is one of the main differences between this revolution and other revolutions, is " Fighting arrogance and irreconcilability with arrogant governments." Resistance to US liberal, neoliberal and imperialist policies and opposition to the White

House doctrine of "simple hegemony and neoliberalism" is a hallmark of the Islamic Republic, which has led to know the rule of the Islamic Revolution as the vanguard of American opposition in the region and the world.

With the fall of the imperial regime, a new phase of international relations opened for the Iranians, based on the slogan "neither East nor West, Islamic Republic" and "insisting on changing unjust international relations", "supporting the struggles of the Palestinian people", "The non-recognition of the Israeli regime" and "support for liberation movements in other countries" were among its unchangeable principles. In the meantime, it was natural that the fall of the Shah, as an ally of the White House, would not be to the liking of the Americans, and more importantly, the capture of the US embassy would be far more painful for Washington. That was enough to make every effort to prevent the Islamic Revolution from gaining power.

The Islamic Republic's resistance to the White House's hegemonic policies and the revelations of the revolutionaries about the true face of the White House actors led to the formation and strengthening of the American opposition. Hence, anti-Americanism is one of the strategic policies in the foreign policy of the Islamic Republic and can only be reconsidered when the White House reconsiders its policies. It does not make sense to talk about negotiations with the United States, since years after the revolution, there has been no change in the US government's attitude towards the people and government of Iran and even other countries opposed to the White House.

The negotiating record of countries such as North Korea, Libya and Syria, which have long fought the United States, can be strong evidence that negotiations with US officials are useless before their behavior changes. The three countries not only did not benefit from the negotiations with the White House, but they were somehow deceived and regretted the negotiations.

That is why Imam Khomeini and Imam Khamenei have always been serious opponents of negotiating with the United States. The Supreme Leader of the Revolution has always emphasized during these years that the negotiations between Iran and the United States are closed until the behavior of the White House changes. However, so far, negotiations have taken place between Tehran and Washington, which can be boldly said to have had no result for the Iranian people and the government.

However, negotiations with the United States in 1980 that led to the Algerian agreement and the release of American hostages, secret and controversial negotiations with Washington, known as the McFarlane affair, secret negotiations with the George W. Bush administration, after the 9/11 attacks, Negotiations with the United States on Iraq since the fall of Saddam Hussein in 2003, and negotiations with the United States through Oman mediation, and negotiations in the form of the comprehensive joint action plan, which led to the signing of a nuclear deal, have been negotiations between the Iranian government and the United States for the past 40 years.

Nuclear negotiations

The acquisition of nuclear technology by the Islamic Republic of Iran and the localization of this modern human knowledge that will play a major role in the development and progress of the country is a great honor that has been bestowed on the Iranian nation in the post-Islamic Revolution era.

To opposition the development of the Islamic Republic of Iran's peaceful nuclear activities and Iran's use of clean and conventional nuclear technologies, a number of countries, known as the P5 + 1 group or coalition, have spared no effort to prevent Iran from gaining and exercising its inalienable nuclear rights. In fact, what is now referred to in world political and media circles as the P5 + 1 Group includes the five permanent members of the Security Council, namely the United States, Russia, China, Britain and France, plus Germany, which from the beginning of its formation. It has worked primarily to coordinate the global response to Iran's peaceful nuclear program. (khoshayand, www.irinn.ir)

The history of Iran's nuclear negotiations dates back to 2002, when, with the media controversy in the West in August 2002 over Iran's nuclear activities, this issue entered a new phase of its life, so that with the filing of this case in the International Atomic Energy Agency, the issue of Iran's nuclear issue became international and gradually some countries started to enter into negotiations related to it.

After various ups and downs, Iran's nuclear dispute with the six members of the P5 + 1 group ended on July 14, 1994, with the reading of a concluding statement on the achievement of the Comprehensive Roadmap in Vienna. Six days later, on July 19, the UN Security Council adopted Resolution 2231,

approving the Comprehensive Joint Action Plan. (www.irinn.ir) A few years after the Comprehensive joint action plan agreement, the United States has withdrawn from this agreement, and other countries have not fulfilled their obligations, and the Islamic Republic of Iran has taken steps to reduce its obligations.

Imam Khamenei's views on the conditions of the ban on negotiations

The Supreme Leader of the Islamic Revolution considers negotiations in foreign relations necessary, but the exceptions are the Zionist regime, which has usurped the land of Palestine, and the United States, which has an arrogant temperament. After the Islamic Revolution, a group always announced the solution to the country's problems through negotiations and relations with the United States. In contrast, Ayatollah Khamenei has opposed negotiations with the United States. From his statements, we can extract the criteria for the prohibition of negotiation and then express the jurisprudential principles of these views

The criteria for banning negotiations from Imam Khamenei's point of view can be summarized as follows:

1. Arrogant temperament

The first thing that prevents the negotiations from the point of view of the Supreme Leader of the Revolution is the arrogant and top-down view of the other side. Imam Khamenei has called relations or negotiations with the United States inappropriate. "The current situation (the severance of our relationship with the United States) first states that this situation is the result of the behavior and natural state of American arrogance; In fact, it is the Iranian nation being oppressed result. The second point is that negotiating with the United States is of no use to the Iranian people. The third point is that negotiations and relations with the United States are detrimental to the Iranian nation." (17/01/1998)

The Supreme Leader of the Islamic Revolution in his statements condemning arrogance says: "Of course, arrogance has a wide meaning ... That is, one who is arrogant and considers himself superior to others, now in his treatment of others, organizes work in such a way that this arrogance becomes clear in action, humiliates others, insults others. interferes in the work of others, appears to others as a decision maker, this becomes arrogance. In the verse of the Qur'an, where speaks of the arrogant, says: "And when a warner came to them, it added nothing on them but opposition and hatred, this was because of their arrogance on earth and their deceit"(Fatir:42, 43); That is, they were arrogant against the Prophet (peace and blessings of Allaah be upon him) and the word of truth. They did not say we are higher; Rather, they organized this higher and more right or to know more rights for himself in practice; That is, the same long wars of the front of Infidelity and enmity with the front of the message of the right and spirituality, light and guidance. Arrogance means this. " (30/10/1996)

Examples of American hostility stemming from his arrogant temperament are as follows in the words of the Supreme Leader: nojeh coup plan, military attack on Tabas, downing of Iranian passenger plane, support for Iraq during the imposed war against Iran; Support for counter-revolutionary groups; Comprehensive support for the Zionist regime, adoption of comprehensive sanctions against Iran; Prevent Iran's peaceful use of nuclear energy; Propaganda and psychological warfare, including propaganda of human rights violations in Iran; Propaganda about the construction of nuclear, microbial and chemical weapons by Iran; Promoting Iran's support for terrorism.

2. Lack of benefit

One of the most important obstacles to negotiating with the United States is the futility of this relationship, and naturally countries are looking for communication and negotiation that serves their interests. "Relations and negotiations with the US government are of no use to the Iranian people ... of course there are disadvantages ... but they are of no use at all. Anyone who thinks that if we negotiate with the United States, the economic blockade and the "Damato" law, etc., will be lifted, is wrong, and another position is what have the countries that have relations with the United States gained? Governments that the United States today punishes them with its so-called State Department, such as China, Russia, and Turkey. It is not the case that a relationship with the United States or a negotiation with the United States prevents an enemy of the United States. Now there are countries whose embassies are in the United States, the American embassies are also open and active in their capitals ... but the United States introduces them as part of the list of terrorists in the world!" (17/01/1998)

In another statement, Imam Khamenei states: "Negotiation in political custom means transaction. Negotiation with the United States means a deal with the United States. Transaction means trade; That is,

take something, give something. What do you want to give to America from the Islamic Revolution, to take something from it? Do you know what he wants? "And they had no enmity with those believers, except that they believed in an impenetrable and praiseworthy God." (Borouj:8) God willing, the United States is not upset about anything by the Iranian nation as much as being a Muslim and adhering to the pure Muhammadan Islam. He wants you to let go of your commitment. He wants you not to have this greatness. "Are you ready?"(02/05/1990)

3. Damage from the enemy

Wise people do not engage in unprofitable relationships; Now, if that relationship is harmful, it certainly does not make sense. "The problem is that the conditions of this government are such that our relationship with him is detrimental to us. Man establishes a relationship with any country in pursuit of the definition of a benefit; Where it does not benefit us, we do not seek a relationship; "Now, if it hurts, we will definitely not seek a relationship." (03/01/2008) And the saddest fact is that America's loss includes America's friends: "Do not think that now, if relations with the United States are established or negotiated, the Islamic Republic will no longer suffer the slightest harm from the United States; Not. Many countries have relations with the United States, and their relations with the United States are apparently good, sincere, and polite on a global scale; At the same time, the United States strikes wherever necessary; It imposes an economic siege, it imposes sanctions!" (17/01/1998)

A relationship in which there is a risk of loss is unreasonable from the beginning: "The political relationship with the United States is harmful to us. First, it does not reduce the US threat. The US invaded Iraq; While they had a political relationship, they had ambassadors; ... Second, the existence of a relationship for Americans has been a means of infiltrating mercenaries in that country. Those who were willing to sell themselves to the enemy. Now, gentlemen, sit down and talk and reason that the lack of a relationship with the United States is harmful to us. no sir! The lack of a relationship with the United States is good for us. On the day that the relationship with the United States is useful, I will be the first to say that they will establish a relationship." (03/01/2008)

4. Influence from the enemy

One of the issues that prevents constructive negotiations in Imam Khamenei's view, and which is also confirmed by Wisdom and Sharia, is the danger of the enemy's influence in the form of negotiations. Explaining this, he says: "We are not opposed to negotiating with the modern meaning; We are now negotiating with the whole world. We negotiate with European governments; we negotiate with Latin American governments; All this is negotiation; We have no problem negotiating. To say that we are not negotiating with the United States does not mean that we are opposed to the principle of negotiation; No, we are against negotiating with the United States. This has a reason, the intelligent man must understand why; Well, when we negotiate with others, they are not our close friends - some of them are enemies, some are indifferent, we have no problem negotiating with them - but the US negotiation with the Islamic Republic of Iran means influence; This is the definition they used to negotiate, and they want to pave the way for imposition. Today, the world's largest advertising giant is in the fist of America; Today, the Zionist current, the great enemy of humanity and the enemy of virtue, is both in the same uniform with the United States, their hands coming out of a sleeve and they are together. Negotiating with them means opening the way for them to be able to penetrate the country, both economically, culturally, and politically and security-wise. In the same negotiations on nuclear energy issues, wherever they had the opportunity and the field was given to them - which, of course, the Iranian parties were aware of, but in some places they finally found opportunities - they infiltrated, made a move detrimental to Iran's national interests. They gave; This is what is forbidden. Negotiations with the United States are forbidden because of the innumerable harms it has and the fact that it has no benefit at all; This is different from negotiating with a government that has neither such facilities nor such motivation; "They are different; they do not understand this."(07/10/2015)

Jurisprudential principles

Considering the above-mentioned views of Imam Khamenei regarding the conditions of the prohibition of negotiation, we now turn to the principles and rules of jurisprudence related to those views.

The rule of negation of the path

The central rule of prohibition of negotiation proposed by the jurists is the rule of "denial of the path". Denying the path in the term means that the rules of Islam do not legislate a ruling that proves the domination of infidels over Muslims (Fazel Lankarani, 1995, 242); In other words, God has not legislated a ruling that will establish the domination of infidels over Muslims. (Mousavi Bojnourdi, 1968, 261)

This rule is based on verse 141 of Surah An-Nisa: "And God will never open the way for the disbelievers to prevail over the believers."; According to many jurists, this verse generally denies any way and domination of the infidels over the believers, because its appearance is in the position of legislator and it has rejected legislative forgery and not developmental. (Shariati, 2008, 213) Another point to note is that in the holy verse, the word "lan" is used, which is used for "eternal denial", meaning that God has never given the believers a dominion over the unbelievers. According to the jurists, this rule covers all areas of jurisprudence, including political jurisprudence, and negates the dominant relationship. Based on this, it should be said about the negotiations between Iran and the United States and any other country: If the United States or any other country insists on its arrogant attitude towards the Islamic State of Iran, in such a way that negotiations with this country lead to the domination and proof of the infidels' way over the Muslims or lead to harm and influence over the Islamic State, this negotiation Explicitly prohibited.

Imam Khomeini has also explicitly stated this: "If there is a fear of the enemy dominating the Muslim world, defense is obligatory; If the political or economic domination of the infidels over the Islamic world is feared, negative defense and resistance is obligatory; If in trade relations there is a fear of the domination of the infidels over the Muslims or the Islamic land, it is obligatory on the ruler to refrain from establishing those relations, and it is upon the Muslims to guide them or compel them to leave these relations. If some officials or members of parliament cause political and economic influence and domination of infidels over Muslims, he will be a traitor and will be removed from office and they need to be punished, and they need to be dealt with." (Mousavi Khomeini, 2005, vol. 1, p 487)

The central point is that this rule governs other jurisprudential rules; of course, sometimes the rule of expediency or prioritizing the important over the important may take precedence over this rule because of greater preference; in any case, it is up to the Islamic ruler to make the final decision based on the interests of the ummah and with the opinion of experts. (Shariati, 2008, 122)

Forbidden cooperation in sin and aggression

Another rule that jurists adhere to is the rule of "cooperating on sin and aggression." This rule is based on verse 2 of Surah Al-Ma'idah: "You should help each other in goodness and piety, not in sin and injustice"; It is also narrated from Imam Sadiq (as) that Whoever acts against a believer, even if he writes a word, the Day of Judgment will come while it is written between his eyes: "Despair of God's mercy." (Ameli, 1977, vol. 19, p. 9)

The rule of sanctity of cooperation on sin and aggression is one of the well-known jurisprudential rules that some later jurists have referred to this issue as the "rule of donation on sin". "Including the late Naraghi in his book *Awaed al-ayyam*, Fazel Lankarani in his book *Al-Qawai'd al-Fiqhiyyah*, and the late Bojnourdi." (Mohaghegh Damad, 1985, vol. 4, p. 171) The documents of this rule are the Qur'an, narrations, reason and consensus.

The meaning of this verse on the prohibition of negotiating with an arrogant and oppressive country is If empathy and sympathy with the policies of this oppressive country is inferred from interacting with the country, it is a kind of cooperation with the aggressor country. Foreign policy is an arena of sensitive and precise relations in which the slightest move can have great consequences. Sometimes the consequences of a foreign policy mistake are no less than the cost of a war. With this explanation, this behavior is explicitly forbidden in the Qur'an if it is inferred from the negotiations of the Islamic State with the arrogant state, to accompany the policies of the aggressor country.

The principle of dignity of Muslims

The principles of "dignity, wisdom and expediency" are three central principles in the foreign policy of the Islamic Republic of Iran and are derived from religious teachings. There are several verses in the Qur'an about preserving the dignity of Muslims. God says: "And while honor belongs to God, the Messenger, and the believers, but the hypocrites are not aware of this meaning"(Hypocrites: 8) Also, God says elsewhere: "Whoever seeks honor is all the honor of God."(Fatir: 10)

The mentioned verses explicitly command the preservation of the dignity of Muslims that the field of interaction and negotiation with non-Islamic countries can be one of the most important examples. According to the verses, if the way of negotiating the Islamic State against the pressure of the arrogant powers is far from the dignity of the Muslims, or causes no benefit or harm and influence for the Islamic State, or by the inaction of the officials, the position of the Islamic State against other countries is weakened. The explicit text of the Qur'an dictates the prohibition of this behavior. It is the obvious logic of the Qur'an that addresses Muslims: "Do not be lax and do not call for peace with laxity. You are exalted and honored" (Muhammad: 35)

The rule of negation of harm

One of the most famous rules that jurists cite in their jurisprudential chapters is the rule of no harm. In the concept of loss, expressions such as contrary to benefit (Sahah al-Lughah and Imam Khomeini), misbehavior (qamous and Ragheb Isfahani), bad deed (Mesbah al-Munir) are mentioned, but in the concept of zarar, according to Imam Khomeini (may God bless him and grant him peace), the word "zarar" It also has different meanings.

The interaction refers to the actions of parties. Therefore, zarar, which is the bilateral work, indicates the possibility of damage on both sides, unlike the "loss" which is always inflicted from one side against the other. (Mohaghegh Damad, 1985, vol. 1, p. 138) The documents of this rule are the Qur'an, narrations and reason.

The most important reason for the harmless rule is reason and Undoubtedly, the rationale is based on the fact that in social and civil life, harming others is a disgraceful thing and the perpetrator of the loss is responsible for the compensation of the injured party, and therefore this principle has been accepted in all legal systems, and in the case, this theory of the wise men of the world have not been rejected from the point of view of the holy Shari'a, through which the signature of the Shari'a is obtained."(Ibid, vol. 1, p. 151)

The no-harm rule does not only cover the legal and social aspects, but is also an important and practical rule of Islamic foreign policy in the international arena. Among them, we can refer to the statement of Imam Khomeini in the book "Al-Rasa'il" that they have spread harm and zarar to the arena of enmity with the Islamic government during the flow of zarar mosque. (Ibid, vol. 1, p. 139)

From the contents of the verse about the mosque of harm " And those who built a mosque to harm and disbelieve " (Repentance: 107) can be mentioned the following points: "They meant to harm the Muslims with this act. "zarar" means intentional harm; in fact, they are the exact opposite of what they claimed was intended to serve the interests of Muslims and to help the sick and disabled, with these preparations, they wanted to destroy the Prophet of Islam and crush the Muslims, and even if they succeed, they would remove the name of Islam from the face of the earth and to strengthen the foundations of infidelity and return the people to the pre-Islamic situation, and to strike at Islam by creating divisions among the ranks of Muslims. Their other goal was to create a focal point for someone who had already fought God and His Prophet and whose background was clear to everyone, to carry out their plans from this base of hypocrisy, but it is strange that all these sinister goals were wrapped up in a deceptive appearance, and they even swore that we had no intention other than goodness." (Grouhi&Ali Moradi, 2014, 27)

From all this, it can be used that in foreign policy, if the negotiation is not beneficial for the Islamic country and causes harm to the Islamic country, according to the rule of no harm, the Holy Shari'a does not consent to such negotiation. The application of this rule clearly proves the prohibition of negotiations with countries that intend to infiltrate and strike at the Islamic Revolution.

Fight the devil's helpers

This rule is based on verse 76 of Surah An-Nisa ', in which God says: "So fight the friends of Satan, for the plot of Satan is very weak." According to the teachings of the Qur'an, arrogant temperament is one of the prominent traits of Satan, which caused him to turn away from God:"and when We said to the angels, 'Prostrate before Adam,' they prostrated, but not Iblis: he refused and acted arrogantly, and he was one of the faithless"(Al-Baqarah: 34) From the point of view of the Islamic Revolution, the United States is an arrogant country that today is a clear example of evil politics in the world.

In this view, if the American action arises from an arrogant temperament, it is in the ranks of the devil, and all those who support the United States or Israel will be among the allies of the devil. According to this principle, not only is negotiation or relationship forbidden, the command to fight the devil and his friends is given; therefore, when the United States is introduced as the great devil, there is no place for negotiation, because in the teachings of Islam, the devil should be stoned, not talked to. (Hamedani, 2017, 227)

Conclusion

Political negotiations are the most important tool in international interactions today, which has a significant place and history in Islamic foreign policy. After the Islamic Revolution in Iran, the focus of the Islamic Republic's international relations has been based on the three principles of dignity, wisdom and expediency, and negotiations have followed these rules. In Islamic rule, all areas, including foreign policy, must be in accordance with the rules of Islam. In this study, we examined the jurisprudential principles of Imam Khamenei's views on the conditions of the prohibition of negotiation.

After Imam Khomeini, Imam Khamenei has been the leader of Islamic Iran, and while encouraging and emphasizing national independence and Trust in internal power, he has also emphasized positive international interactions in various fields. In his view, there is no obstacle to negotiating with the countries of the world within the framework of national interests and foreign policy goals, but the usurping Zionist regime and the United States and other countries are not negotiable under certain conditions. In general, his statements are used that if the national dignity is damaged by the arrogant temperament of the other side or there is no significant benefit in the negotiation, and more clearly if the damage is done to the Islamic country in the negotiations or negotiation becomes a tool to influence various aspects of nationalism, negotiation will be prohibited. These views are based on strong jurisprudential principles and rules, including the principles and rules of negation of the path and forbidden cooperation in sin and aggression and dignity of Muslims negation of harm and fight the devil's helpers. In any case, Imam Khamenei's views on the conditions of the prohibition of negotiation are based on the strong jurisprudential principles and rules of Islam that have been mentioned in this study.

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