

## Modarres and the Events of the First World War in Iran

*Ali-Reza Mollai*

Despite voluminous researches undertaken about Ayatollah Modarres, still some significant aspects of his political and intellectual endeavors have remained in a veil of ambiguity. Without any doubt one of the outstanding, but unknown, aspects of his life is his preeminent political role in the developments of the war years in Iran.

The breach of Iran's neutrality and intrusion into our country's territory, prepared the grounds for such significant events as "migration" and attempts for the transfer of the country's capital from Tehran to Isfahan. Modarres, who had already launched his political activities by leading a movement called "The Scientific Board" in the third Parliament, joined a movement along with other defenders of the motherland, leading to the proclamation of war against the Russian and British domineering powers and the formation of a national government in Kermanshah.

The present article tries to study the untold aspects of Modarres' political life in the light of the historical dynamism of the events and their consequences.

## Reason, One of Four Sources

*Seyyed Mohammad Moosavi Bojnordi*

The author in this article discusses reason as one of the sources of religious legislation. He discusses the necessity of conformity of the reason and religious legislation, the practical and theoretical reasons, the goodness and ugliness and the ideas of Ash'arites, Mo'tazilites and Imamiyah. He concludes by elucidating the role of reason as one of the four sources in inferring a decree.

## Political Philosophy in Islamic Culture

*Hans Daiber*

*Tr. by Abdul Azim Enayati*

The holy Prophet of Islam, as the founder of Islamic Ummah, combined politics with religion.

The author in this article argues that the real meaning of politics is governance. Hence his main concern in the present article is "who should rule" according to the Islamic thinkers; he is not concerned with "how the ruler should rule."

According to the author, the Prophet of Islam, in accordance to the Divine Book - the Quran - had legal authority. However, the question of "who should rule" came to the fore immediately after the departure of the Prophet.

The author studies the roots of the controversy that surfaced after the departure of the holy Prophet and discusses the advent of the ideas of Greek philosophers like Plato and Aristotle in the Islamic culture. He makes a comparative study of the ideas of Plato about Utopia and philosopher-king and Farabi's virtuous Imam and also discusses the impact of Greek philosophers on Muslim thinkers.

## Religious Leaders and Modernization in the Second Pahlavi

**Era (Part II)**

*Yahya Fouzi*

The present article (second part of a two-part) discusses the stance of grand Shiite leaders regarding the modernization trend and pattern in Iran during the second Pahlavi era (1941-1978). The second part elaborates on Imam Khomeini's stands.

In this section, Imam Khomeini's stands in three separate stages, 1941-1961, 1961-1964 and 1964-1978, are discussed. In analyzing Imam Khomeini's critical approach to modernization -- cultural, economic, political and social models -- during the said period, his stands towards the White Revolution, Land Reforms, Political Participation of Women and the minorities as well as cultural, social, and economic reforms are discussed.

On the basis of the findings of this research, while Imam Khomeini, in accordance to his rational, theoretical approaches supports genuine reforms, he considers the modernization model of the second Pahlavi era as a colonial model adapted from the Western models. He argues that the executives of such a model of modernization cause the destruction and dependence of the country on the aliens.

In fact, Imam's criticisms were a reaction to the lack of modernization of the country. He believed that the said model not only will not follow genuine reforms, but will lead to the destruction and dependence of the country and the destruction of the economy, politics and culture of the country.

## **A Study of the Validity or Invalidity of Forced Contract**

**Ahmad Reza Rafii**

Alluding to the role of will and determination in any legal transaction, particularly in contract, the author in this article studies the contract which is concluded by compulsion without the consent of one party to the contract. The present article contains the following issues: 1) the definition of contract and the decrees of the jurisprudents; 2) Is the basis of a contract verbal announcement or other issues? This study also discusses the ideas of the opponents and supporters of those who do not believe that a contract is not based on verbal announcement and consider it among the issues based on inner intentions and purpose as well as consent of the parties to the contract; 3) This article also studies the ideas of the jurisprudents regarding the role of intention in the contract, that is, whether intention is a condition or a basis of the contract. At the end, the author discusses the reasons for the invalidity of a forced contract.

## **Creative Role of Love in the Universe in Imam Khomeini's Outlook**

**Fatemeh Tabatabai**

The footprint of love and compassion is seen in every line of our gnostic texts so much so that one can claim that this issue has been the most frequent subject in the history of our gnosticism and literature. The author believes that this issue is among the most pivotal gnostic subjects with which the "arch of descent" begins and the firmament of being becomes full of stars. Also in the "arch of ascent" it can prepare the grounds for man's perfection, leading him from the world of multiplicity to the realm of unity.

In this outlook, the lover is a perfect man due to being the manifestation of the Name of Lover. In order to elucidate these notions, the author in the first place gives a brief definition of love and compassion in the outlook of gnostics and then elaborates on the place of this truth in the gnostic works and writings of Imam Khomeini.

## Entitlement of a Sick Person to Own Properties

*Seyyed Mohammad Moosavi Bojnordi*

The main question in this article is whether a sick person is entitled or not to completely manage his wealth and properties? The author discusses three issues in order to support his notion: 1) The issues which are relevant or irrelevant to the differences in the opinions of scholars in this regard; 2) What is the definition of sick? 3) Are the personal allotments of the patient taken from the inheritance he or she leaves or from one-third of it? Relying on the traditions, the author concludes that a patient at the time of death is entitled to decide about his properties and wealth.

## International Trade Arbitration in Islamic Outlook

*La'ya Jonaydi*

Since long time back, due to the inefficiency of state courts in settling international trade disputes, the international traders have turned to other methods of settling such disputes, particularly international trade arbitration. Iranian legislators realized the urgency of this issue and in 1997 approved a law on international trade arbitration. The author in the present article has tried to study the legality and legitimacy of this law in the five branches of Islamic law. Consequently the author has also tried to study the status of international trade arbitration and the new law of arbitration in the Islamic law.

## English Abstracts of Essays

### The Process of Epistemological and Methodological Conceptualization of the Shiite Political Jurisprudence

*Shoja Ahmadvand*

As the Islamic civilization has been conceptualized on two pillars of philosophy and jurisprudence, the foundations of political reasoning of Muslims can also be depicted in two fields, that is, political philosophy and political jurisprudence. However, one should not neglect the role of *syasatnameh* as texts that can depict and elucidate the existing political condition of the society. The present article is an attempt to offer a new outlook of the epistemology and methodology of one of the two main currents of political reasoning of the Muslims through reviewing the classic approaches. This article argues that the discourse of Shiite jurisprudence is a combination of the theological approach of Sheikh Mofid and the dogmatic theological approach of Seyed Morteza. Seyed Morteza's emphasis on wisdom as a pillar of reasoning in the Shiite jurisprudence has had considerable results in the realm of political theory. Emphasizing on the theological-epistemological foundations of political knowledge, the author tries to review some of the elements of the Shiite political discourse like legitimacy and the dual aspect of authority.

### The Role and Place of Ideology in the Theories of Revolution

*Hamid Reza Akhavan Mofrad*

The first part of this article, titled, "Ideology, Its Meaning and Functions" was published in the previous issue. In the second part, while conceptualizing the concept of revolution and alluding to its various definitions, the author argues that a revolution requires political mobilization with all its requirements. He then discusses the modern theories of revolution within the framework of psychological, sociological and political approaches at both macro- and micro-levels, elucidating the role and function of ideology in each theory. The theoretical achievement of this article is the acknowledgment of the influence and role of ideology in the emergence of revolutionary conditions and the way of political mobilization in the theories of revolution.