

ppi 201502ZU4645

Esta publicación científica en formato digital es continuidad de la revista impresa
ISSN-Versión Impresa 0798-1406 / ISSN-Versión on line 2542-3185 Depósito legal pp
197402ZU34

CUESTIONES POLÍTICAS

Instituto de Estudios Políticos y Derecho Público "Dr. Humberto J. La Roche"
de la Facultad de Ciencias Jurídicas y Políticas de la Universidad del Zulia
Maracaibo, Venezuela



Vol.40

N° 72

Enero

Junio

2022

Review of the nature of Iran's foreign policy in its constitution and its comparative study with other countries

DOI: <https://doi.org/10.46398/cuestpol.4072.52>

Amir Kondori *

Seyed Hossein Sadeghi **

Abstract

Iran's constitution, which was drafted after the victory of the Islamic Revolution, was mainly influenced by Islamic ideology. In this constitution, foreign policy is one of the categories that is well considered and taking a text of a revolutionary nature and influenced by the ideological atmosphere of the regime, aims to draw up a special strategy in the foreign relations of the Persian country. Therefore, the purpose of reviewing the foundations and structure of the foreign policy of the Republic of Iran and, at the same time, explaining how it develops at the stage of approval and revision of its constitution prevails. In addition, a comparative study of Iran's foreign policy with some countries is carried out, among them: the United States, France, Turkey, and India. The method used was the documentary and was based on the interpretation of textual sources with descriptive and comparative techniques, together with the analysis of the content of the constitution. The findings show that Iran's foreign policy after the Islamic Revolution is based on Islamic principles and seeks interaction with all countries through friendly relations.

Keywords: foreign policy; constitution of Iran; compared right; political system; international relations.

* Assistant Professor, Department of Law, University of Zabol, Iran. ORCID ID: <https://orcid.org/0000-0001-5937-403X>

** Assistant Professor, Department of Law, University of Zabol, Iran. ORCID ID: <https://orcid.org/0000-0002-0877-5682>

Revisión de la naturaleza de la política exterior de Irán en su constitución y su estudio comparativo con otros países

Resumen

La constitución de Irán, que fue redactada después de la victoria de la Revolución Islámica, estuvo influenciada principalmente por la ideología islámica. En esta constitución, la política exterior es una de las categorías que está bien considerada y, como un texto de naturaleza revolucionaria e influenciada por la atmósfera ideológica del régimen, pretende trazar una estrategia especial en las relaciones exteriores del país persa. Por lo tanto, en esta investigación prevalece el propósito de revisar los fundamentos y la estructura de la política exterior de la República de Irán y, al mismo tiempo, explicar cómo se desarrolla en la etapa de aprobación y revisión de su constitución. Además, se realiza un estudio comparativo de la política exterior de Irán con algunos países, entre ellos: Estados Unidos, Francia, Turquía e India. El método utilizado fue el documental y se basó en la interpretación de las fuentes textuales con técnicas descriptivas y comparativas, junto al análisis de contenido de la constitución. Los hallazgos muestran que la política exterior de Irán después de la Revolución Islámica se sustenta en los principios islámicos y busca la interacción con todos los países mediante relaciones amistosas.

Palabras clave: política exterior; constitución de Irán; derecho comparado; sistema político; relaciones internacionales.

Introduction

On the one hand, constitutions play effective and determining role in delineation of political, social, economic, cultural, military and security plans and policies and on the other hand, since constitutions originate from culture, rules, regulations and intellectual events in any society, they try to define and compile local and foreign policy of the country based on the dominant discourse, governing policies and political strategies. In Constitution of Islamic Republic of Iran as the major and the most important law of the country originating from revolutionary-Islamic discourse, foreign policy is one of the categories which have attracted attention considerably. Allocation of a chapter of Constitution to foreign policy and other principles which have considered foreign policy considerably can explain framework of foreign policy and executive structure and behavioral mechanism of its agencies.

Some concepts such as happiness of human, negation of dominance and submission, defense of Muslims' rights and support of the oppressed in the world are of the principles which indicate deep effect of Islamic ideology and revolutionary approach to principles of foreign policy and formation of its goals. Specifically, in such system, constitution is regarded as the most important treaty of society. These principles are regarded as the most important source for recognition of goals, intentions and rules of foreign policy. Special attention of Constitution of Islamic Republic of Iran in dealing with category of foreign policy and delineating mental space affected by revolutionary conditions and doctrine aspect of the system in foreign policy are the main theme of the paper.

This writing seeks to answer this question: what place category of foreign policy has in constitutions of the studied countries. What effect do ideal attitude and doctrinal values of Islamic system have on importance of place of foreign policy in Constitution of Islamic Republic of Iran? Can this distinctive role of foreign policy be found in Constitution of Islamic Republic of Iran? In this research, hypothesis of the writers is that Constitution of Islamic Republic of Iran affected by an idealistic approach and based on doctrinal values and revolutionary space compared with the studied countries have given main role and place to foreign policy.

1. Methods

Utilization of comparative studies, reference to the firsthand sources such as use of text of the Constitution of Islamic Republic of Iran (as the most important source and document) and regarding Islamic Republic of Iran in addition to text of the constitution, utilization of the negotiations of the parliament in stage of approval and revision and also some secondhand sources have been considered and analyzed.

1.1. Selection of the compared countries

The compared countries have been selected based on the following criteria:

1. The compared countries differ in different geographical points and political systems. Therefore, Iranian neighbors (Turkey), Europe (France), America (USA) and subcontinent (India) have been considered.
2. The compared countries achieve relative and desirable degree of efficiency and success in legislation and policymaking has been regarded as the models of other countries such as France and USA.
3. The compared countries have suitable regional place in the field of

foreign policy such as Turkey and India.

4. Considering the latest experiences and events, they should be included in the latest constitutions enacted in the world.

Theoretical issues

1.2. Agency-Structure interactive method

Structuring theory which was raised by Anthony Giddens delineates an effective approach in interpretation of these two concepts in interaction between structure-agency. According to Anthony Giddens, it is improper to explain social phenomena using only agencies irrespective of role and function of structures or with emphasis on institutions and structures without considering approaches and motives of the agencies.

In other words, social institutions and phenomena in broad interactive process have become meaningful and explainable among structures and agencies (Adler, 2005). According to him, structures and agencies are inseparable and both factors should be considered in analysis of social changes and processes. Therefore, as independent agencies of social structures cannot act and survive, structures are dependent on action of agencies in social structures. As a result, social action can be interpreted and explained in interaction of two concepts of structure-agency (Held and McGrew, 2007).

Social or political structures continue only due to restrictions which they have on agencies or opportunities with which they provide them. Therefore, it is meaningless to imagine a structure without the least brief image of agency who may be affected by it (limited or empowered) (Marsh and Stoker, 2005).

Structures include a set of factors which provide conditions for activity of agencies in social environment. On the one hand, structures are regarded as social reality against actors and make action systematic or limit it and create distinctive models (Wendt, 2005). Agencies mean the units which are able to make decision and act in any environment. They may be individuals, groups and social units. Agencies may act based on conscious intentions or based on behavioral patterns (Hill, 2008).

Decision is made in foreign policy through interactive process among actors and each of them is in broad range of different structures. Interaction between them is a dynamic process which results in permanent change of structures and agencies (Hill, 2008). Ignorance of environmental and structural factors and ignorance of the characteristics of agencies can achieve realistic understanding of social action of states but study of behavior of foreign policy should be conducted based on interaction between structures and agencies and behavior of states in the field of foreign policy

is explained considering characteristics of the agencies who have power of choice inside the structural domains (Sotoodeh, 2007).

1.3. Foreign policy in Constitution and its supplement

Some theorists of foreign policy have considered attention of Constitution of Islamic Republic of Iran to category of foreign policy as a positive point in evaluation of the Constitution and emphasize on it (Nakhaei, 1997) and regard it as resulting from global mission of Islamic revolution in realization of international goals. At the same time, they divert this criticism to Constitution and the said Constitution has not paid necessary attention to category of foreign policy (Mohammdi, 2007; Nakhaei, 1997).

In a general definition, Constitution can be regarded as the main rules and principles in any society which define political relations of people with government and institutions and specify quality of distribution and application of power (Hill, 2004). On this basis, some researchers evaluate special attention to foreign policy in Constitution of Islamic Republic of Iran as unconventional, excessively broad, hard and limiting for scope of powers and action of the agencies of foreign policy and negligent of time and space elements.

Specifically, the reasons for limited attention of the constitutionalists to foreign policy in enacted principles of Constitution are origin, nature and essence of constitutional revolution like anti-colonial movement. Lack of codified laws and regulations in society which specified rights of nation and scope of powers of the governing body directed Iran society to legal positivism and tendency to make change in political structure and social conditions of the country and finally will of Iranian nation in codification of Constitution was manifested as the most important consequence of constitutional movement (Ravandi, 1978).

Therefore, despotism and dictatorship as the most stable characteristic and component of power construction in Iran on the one hand and lack of sovereignty of law caused main core of thought and ideology of constitutional movement in limitation of kingdom in the framework of law (MolaeTavani, 2002; Nadooshan and ZareeMamoudAbadi, 2005; Zerang, 2005).

The constitutional movement and liberalistic movement of Iranian people provided opportunity for birth and culture of new thoughts and experiences which result in codification of Constitution and determination of nation's rights as the most important achievement. In the book *Iran and its place among nations*, the most important reason for codification of the constitution is change in political structure of Iran under aegis of law and vindication of nation's rights, therefore, main duty of the first assembly is to draft Constitution to limit power of king, determine his

rights and responsibilities and role of the legislative power in supervision and enactment of the related laws has been emphasized (Mafinezam and Mehrabi, 2008).

Therefore, attention to and emphasis on foreign policy have been less preferred by the constitutionalists based on such role and function because reform of absolute political structure of the country and responsiveness of the political system to people will block the way of any stranger and domination of the foreigners according to the constitutionalists.

At the end, it should be acknowledged that Constitution of Islamic Republic of Iran affected by Islamic ideology highly emphasizes on role of foreign policy in realization of ideal goals while Constitution lacks ideological attitude and has paid attention to foreign policy in realization of the local policy and has emphasized on vindication of rights of nation and sovereignty of law in reform of political system of Iran and finally prevention of domination of the strangers in political affairs of the country.

Goals of the foreign policy of Iran are studied based on the Constitution and its supplement is studied based on three cases:

2. Emphasis on supervisory role of the National Consultative Assembly

Five principles 22, 23, 24, 25 and 26 highly emphasize on importance of place of the assembly in supervision on performance of the governing body and the reason is political conditions of Iran and influence of foreign colony in all political and economic positions of the country.

2.1. Limitation of powers of Shah in granting concession to other states

One of the important factors of constitutional movement is increasing despotism of the governing body and mainly king. This case can be found in granting expansive concessions to the foreign states that vitiated rights of the nation.

Therefore, the assembly tried to limit power of shah by supervising on performance of sovereignty in granting concession to foreign states on the one hand and prevented from access and influence of the strangers in political and economic affairs of the country on the other hand.

2.2. Limitation for the military

By virtue of principle 104, law defines deployment. Duties and rights of the regime authorities and promotion of positions are governed by law.

The reason is limitation of foreign armies and prevention from interference in military affairs of Iran. Therefore, principle 106 expressly has rejected employment of the foreign armies and stipulates that their residence should be confirmed by law.

2.3. Foreign policy in Constitution of Islamic Republic of Iran

Of the most important consequences of revolutions particularly ideological revolutions are emergence and formation of a broad set of organized attitudes and methods for management of society which try to present policies based on their ideology based on values and norms. In this area, gift of Islamic Revolution of Iran was to mention values and ideals which bound the revolutionists to present it as a new pattern of Islamic ideology.

They believed that since revolution of Iran is an Islamic movement, its laws should be based on Islamic laws. Therefore, mission of the Constitution is to objectify doctrinal fields of movement in intellectual positions and Islamic worldview based on its introduction. In such space, the experts who codified the constitution tried to highlight place of foreign policy in Constitution of Islamic Republic of Iran, therefore, foreign policy of Iran in text of new Constitution in 1979 has been affected by doctrinal values of charismatic leadership of the Revolution and social armed forces and discourse in Revolution and dependent intellectual events.

2.4. Foreign policy in description of negotiations of the Assembly and final investigation of the Constitution

Constitution of Islamic Republic of Iran including 175 principles was codified and enacted in 1979 in Assembly of Experts.

Efforts of the experts of Constitution were to design newly established Islamic system, inspire intellectual beliefs aligned with Islamic ideology and design role, function and duties of Islamic revolution and content of political system of Iran in global field.

Codification of the Constitution meant realization of ideological military demands which defined and interpreted its goals beyond geographical borders. According to Islam teachings, when a government with Islamic identity is created in a part of Islamic land, it should be responsible for political, social, economic, ethical, and spiritual conditions of all Muslims since start of formation.

It means that it should help Muslims and create a condition with help of each other to possess Islamic system and when these systems became Islamic, formation of a large global political system was natural and true under auspices of Islam and if it is necessary, global organization

of Muslims can be established like UN. Therefore, goals of Constitution should be presentation of a global pattern which includes and implies social and Islamic welfare for all Muslim nations in addition to Iran and doesn't provide opportunity for showing power of the international imperialists.

Based on this goal, they didn't accept any of the international laws. Experts of the Constitution affected by excitement of the first months of victory of Islamic Revolution and with feeling of duty toward the entire world regarded Islamic Revolution of Iran as the second global event after emergence of Islam and highly emphasized on global nature of the Constitution.

They also acknowledged that they should determine future of humanity under aegis of principles of Constitution and believed that Constitution of Islamic Republic will be supported by nations and countries which are revolving and they can be shared as a perfect pattern to the entire world (Mafinezam and Mehrabi, 2008). They imagined that they should rouse hope of humane and honorable life in humans based on principles and fundamentals of Islam and deepen and give meaning to life of humans (Mafinezam and Mehrabi, 2008). Therefore, all nations of the world from east to west wait to watch new achievement of the revolutionists (Mafinezam and Mehrabi, 2008).

Experts of Constitution prefer limitation of the global organization of the Muslims and Iranian support of the revolutions based on global right and help the oppressed nations in text of the Constitution and regarded it as a step-in globalization of Constitution (Hashemi, 2005). They believe that the first principles of Constitution should be as follows:

Principle 1- Islamic Republic of Iran is government of the believers. Principle 2 –Muslim nation of Iran is inseparable unit based on the holy verse of ..., principle 3- believers all over the world are members of the united nation and have common religion, object of worship, scripture, prophet and single homeland and equal rights and common duties, principle 4-Iran is an inseparable unit and is an integral part of our homeland is our nation or Daroleslam (Hosseini, 2005).

2.5. Direct approach to foreign policy

Legislators of the Constitution confirmed special place of this category in major considerations of Islamic Republic of Iran by allocating chapter 10 of the Constitution to foreign policy. Four principles 152, 153, 154 and 155 of this chapter emphasize on broad scope of goals, intentions and rules of the foreign policy of Islamic Republic of Iran.

The said principles affected by doctrinal nature of Islamic system of Iran indicate policies of Islamic Republic of Iran in presentation of new

behavioral patterns in executive structure of the foreign policy. Chapter 10 of the Constitution indicates will of the revolutionists in generalization of Islamic-revolutionary ideology in the field of foreign policy. In the draft of the constitution, a chapter entitled foreign policy had not been predicted but experts of the Constitution emphasized on importance of place of foreign policy and believed that law should be such that the international imperialists cannot show power (negotiations of the assembly (Hosseini, 2005).

Revision of the principles inserted in this chapter leads to more accurate recognition of the strategies and goals of the foreign policy of Islamic Republic of Iran.

Principle 152: negation of any dominance and submission, independency, territorial integrity, defense of the Muslims' rights, no obligation toward the authoritarian powers and mutual peaceful relations with non-combatant states. This principle is the main essence of the foreign policy of Islamic Republic. In addition to independency and territorial integrity of the country, which is based on realistic attitude, other issues manifest idealism of Islamic system.

To realize goals and ideal values of Islamic Republic, experts of the Constitution bound Islamic Republic to defend rights of the Muslims as representative of the Islamic government by resorting to Islamic teachings. They believed that this responsibility resulted from ideology of Islamic revolution. Therefore, Islamic Republic must accept multilateral obligations toward the Muslims and have emphasized those foreign relations of Iran should be based on relation with nations (Khalili, 2008).

Principle 153: prohibition to conclude any contract which leads to dominance of the strangers on aspects of the country.

Principle 154: emphasis on happiness of human as ideal of Islamic Republic of Iran , freedom and government of the truth and justice as right of all people of the world , avoiding interfering in internal affairs of other nations and supporting campaigns of the oppressed against oppressors of the world. The experts of the Constitution affected by conditions of victory of Revolution and an idealistic space bound Islamic Republic government to support true global campaigns particularly Islamic revolutions and emphasized that this issue should be expressed in the constitution and should have sanction (Khalili, 2008) because Islamic system in any part of the world is realized according to Islamic teachings and creates a government of which responsibility is not limited and is responsible toward all humans and particularly all Muslims.

Therefore, obligation and responsibility toward other Muslims of the world are regarded as characteristics of the Islamic governments based on these teachings but it doesn't mean that Islamic government intends to

expand its domain but means that it should help the Muslims and provide the opportunity for creation of Islamic government in these countries (Khalili, 2008).

Principle 155: granting asylum by Iran to the political asylums in case these persons are not traitors and felonies according to laws of Iran is another aspect of the considerations of foreign policy of the Islamic Republic in the Constitution.

Three main characteristics can be considered for foreign policy of Iran based on policies of the Constitution.

3. Limitation for agencies

Constitutions lack long-term goals in structure of foreign policy but the Constitution of Islamic Republic of Iran search for long-term goals in foreign policy. This imposes limitations for agencies. Delineation of space of foreign policy and determination of executive policies, expression of goals and determining movement of the agencies limit them in this field.

Constitution directs statesmen and agencies to realization of ideological goals of the system by determining long-term and unchanging goals in the field of foreign policy while there are changes in international system based on conditions and circumstances so that the states cannot be inflexible toward these changes but foreign policy of Iran is necessary based on strategies of the constitution without flexibility.

3.1. Obligation for the future generations

Provisions of the principles of Constitution and ideological attitudes toward it show that there are definite goals for foreign policy of the Islamic Republic. Considerations such as support of the oppressed against the oppressors, defending rights of the oppressors, defending rights of Muslims, unity of Islamic nations, effort to realize unity of Islam world in all fields and other issues indicate that these principles should be criterion for movement of all generations as they oblige the future generations in advance.

3.2. Pessimistic attitude toward the outside world:

Based on ideology of the Islamic system and attitude of the experts of the Constitution, the world is divided into two parts: self-otherness.

In principles inserted in the Constitution, literature of negation has special place. Repeated application of the words such as despotism, dominance of strangers, and the western world shows that Islamic Republic looks at the outside world with pessimistic look. This approach governs

many principles of the Constitution. In all political, economic, cultural and military fields, the Constitution delineates the world from the self and otherness viewpoint. In fact, the Constitution has given limited range of facilities and activities to the agencies and executives through expansive cultural otherness. Such orientation and principles result in production of conspiratorial literature about the outside world and international system.

3.3. Studying negotiations in Council for Revision of the Constitution

Since needs and circumstances are changed due to change and dynamicity of society and societies affected by these changes require new conditions, therefore, the constitutions move by accepting reform and change in alignment with new conditions. In the constitutions, an article entitled review of the constitution has dealt with this important case so that they can enact and execute new laws based on social and political circumstances.

In 1990, the Constitution of the Republic of Iran was revised and two new principles, namely Articles 176 and 177 were added to it. Therefore, the Iranian constitution now has 14 chapters and 177 principles (Hashemi, 2005).

Principle 110: this principle has vested the Leadership with expansive powers but more powers were delegated to the Leader in revision of the constitution in the fields which can be effective in foreign policy. These powers include:

- 1-2-1 the right to declare war and peace and to mobilize forces
- 1-2-2- The right to determine the general policies of the system in the Islamic Republic of Iran
- 1-2-3- The right to monitor the proper implementation of the general policies of the system
- 1-2-4- Solving problems of the system through State Exigency Council.

Based on the doctrinal attitude, the Islamic government should be led by the jurisprudent and according to principle 109 of the Constitution; he should be qualified for leadership which has been mentioned in this principle. Experts of the Constitution emphasized that if the Constitution is not based on the holy book and tradition and the issue of guardianship of jurist consult is not considered, it will not be enacted by the experts but issue of guardianship of jurist consult should be regarded as basis of action in the Constitution of the Islamic Republic (Council for Revision of the Constitution, 107).

Principle 128: ambassadors are appointed as suggested by the minister of the foreign affairs and enacted by the president. The president has signed credential of ambassadors and accepts credential of ambassadors of other countries.

Principle 176: the Supreme National Security Council presided by the president has the following duties to provide national benefits, guard Islamic Revolution, territorial integrity and national sovereignty:

1. Determining defensive –security policies in general policies determined by the Leadership
2. coordinating political, informative, social, cultural, and economic activities regarding general defensive –security strategies.
3. Utilizing material and spiritual facilities for confronting with local and foreign threats

Experts of the Constitution in Council for Revision acknowledged that Supreme National Security Council can solve the main problem i.e., national security which was lacking in the constitution by a new combination which has been predicted in the constitution in leadership section (Council for Revision of the Constitution, 1147).

Table 1- Principles of the constitution regarding foreign policy 1-3

(Source: Constitution of the Islamic Republic of Iran,1990)

Confirmed subjects	Foreign policy principles	Principle No.	Chapter or title	Row
Independence , responsiveness	Negation of oppression and submissiveness, independence	Principle 2, paragraphs b&c	Chapter 1- general PRINCIPLES	1
Nationalism, Cosmopolitanism, idealism	Rejection of colonialism, prevention from influence of the strangers , keeping independency, obligation and support of the oppressed	Principle 3, paragraphs 3,5,11,13,16	Chapter 1- general PRINCIPLES	2
Idealism, nationalism	Unity of Islamic nations , political – economic unity of the Islam world	Principle 11	Chapter 1- general PRINCIPLES	3

Responsiveness	Political independence , self-sufficiency	Principle 43	Chapter 4- economy and financial affairs	4
Responsiveness	Importance of the assembly	Principle 77	Chapter 6- the legislative power	5
Responsiveness	Prohibition to change the borderlines	Principle 78	Chapter 6- the legislative power	6
Responsiveness	Borrowing and lending subject to enactment of the assembly	Principle 80	Chapter 6- the legislative power	7
Responsiveness, independence , xenophobia	Prohibiting to grant concession for establishment of the company to the foreigners	Principle 81	Chapter 6- the legislative power	8
Islamic interest of responsiveness	Prohibiting to employ foreign experts	Principle 82	Chapter 6- the legislative power	9
Isalmistic	Granting right to declare war, peace and mobilize forces to the leader	Principle 110	Chapter 8- leadership or council of leadership	10
Determining executive structure	Duties of the president	Principle 125	Chapter 9- Exeexecutive power	11
Determining executive structure	Appointment and acceptance of ambassador	Principle 128	Chapter 9- Exeexecutive power	12
Independence , responsiveness, Xenophobia	No acceptance foreigners in army	Principle 145	Chapter 9- Exeexecutive power	13
Responsiveness, independence	No establishment of foreign military base in the country	Principle 146	Chapter 9- Exeexecutive power	14
Realism. Nationality, idealism	Negation of dominance and submission, defending Muslims , lack of obligation	Principle 152	Chapter 10- foreign policy	15
Responsiveness	Prohibiting contract resulting in dominance of the strangers on dignities of the country	Principle 153	Chapter 10- foreign policy	16

Idealism	Happiness of human , government of truth and justice for all people of the world, supporting campaigns of the oppressed	Principle 154	Chapter 10-foreign policy	17
	Granting asylum to political asylums	Principle 155	Chapter 10-foreign policy	18
Realism , national interests	National benefits , security, defending territorial integrity	Principle 176	Chapter 13- Supreme National Security Council	19

Praise of the authors.

4. Place of foreign policy in constitution of countries

Taking principles of foreign policy from constitutions of the countries can indicate characteristics affecting executive structures of the countries. Therefore, this part of the paper first refers to place of foreign policy in constitutions of America, France, India, Turkey and then studies main and effective points relating to foreign policy of each country and finally studies condition of foreign policy of Iran in constitution compared with other constitutions.

4.1 USA

The US Constitution, adopted in 1789, is considered to be the oldest codified constitution and, with 26 amendments, has survived and had profound implications for the modern world constitutions alongside the British and French constitutions. The United States Constitution contains 7 principles and 26 amendments (Hosseini, 2020).

The following principles include cases relating to foreign policy of this country. These principles include:

The first principle, Section 8 of paragraph 3: legislating regulations to commerce with foreign countries and different states is one of the powers of the congress.

The first principle, section 10: prohibition of accession to a treaty, union, or confederation for the states.

First principle, section 8, paragraph 2: no state is not entitled to enact tariff or customs duties on import and export without agreement of the congress unless in necessary cases.

First principle, section 8, paragraph 3: states have no signatory right for the agreement or treaty with foreign powers and cannot make war.

Second principle, section 2, and paragraph 2: treaties are concluded by the president with consultation and agreement of Senate under special conditions. Ambassadors are appointed by the president.

Second principle, section 3: acceptance of representatives and ambassadors by the president

Principle 3, section 2: supervision on the concluded treaties, claims relating to ambassadors and the disputes between one state and citizens of another state or the disputes in which USA is one of the parties to the dispute shall be done by the judiciary and regarded as scope of powers of the judiciary.

4.2. France

Constitution of France relating to 4 October 1958 or the constitution of the fifth republic and the subsequent amendments. It has been mentioned in introduction of the constitution of this country that France formally announces its adherence to human rights and national sovereignty principles as specified in declaration 1789 and confirmed and completed in introduction of the constitution 1946. The said two texts are regarded as a part of the constitution of France.

The constitution of France comprises of 17 chapters and 93 principles among which principles 90 to 93 have been abolished. The principles which relate to foreign policy:

Second chapter, principle 11: the president proposed by the state is able to hold a referendum on enactment of the treaties which have effect on performance of the institutions without contradiction with the constitution.

Chapter Two Article 13: The President has the right to appoint ambassadors and special representatives

Chapter Two, Principle 14: The President receives the credentials of the ambassadors and envoys of foreign countries

Chapter Two, Principle 16: The President Takes the Necessary Measures When the Institutions of the Republic, National Independence, Territorial Integrity, or the Fulfillment of International Obligations Are Seriously Threatened

Chapter 5 Article 35: The declaration of war requires the permission of Parliament

Chapter 6, principle 52: negotiation about treaties and their signature shall be done by the president and he should be notified of the negotiations

which are made to conclude international agreement and need no signature of the president.

Chapter 6, principle 53: confirmation of the peace treaties, commercial treaties and agreements relating to international organizations which are enforceable in case of enactment of law.

Chapter 6, principle 54: in case council of constitution declares that an international obligation entails an article contradictory to the constitutional law, it is possible to enact or confirm it after revision of the constitution.

Chapter 6, principle 55: preference of the treaties or agreements which have been signed and enacted legally to local laws provided that the opposing party is bound to execute the treaties.

Chapter 14, principle 88: the republic can conclude treaties with the states with accession to treaty to expand its civilization can conclude treaties.

4.3. India

Constitution of India was codified by constituent's assembly in December 1946 and formalized and enforced on 26 January 1950. Codifiers of the Indian constitution utilized experiences of other countries while being affected by the British government. The constitution comprised of 151 principles.

The principles relating to foreign policy:

Principle 3 regarding establishment of new states or separation of borders from any state, change of domains or name of states, unity of two or more states, unity of each border with any part of a state, increase or decrease of domains, parliament supervises through law.

Principle 18- none of the Indian citizens should accept any title from the foreign state without agreement of the president.

Principle 19: emphasis on friendly relations with foreign states as one of the essential rights of people

Principle 51: regarding international peace and security, states make effort to expand international peace and security, keep fair and respectful communication among the nations, increase validity of the international law, bind the parties to perform the treaties and limit international disputes.

Principle 102: members of the parliament will be incapacitated optionally in case of accepting nationality of the foreign state.

Article 131: The Supreme Court has the right to judge between India and other states. This court oversees the conclusion of treaties. This principle

states that treaties that are concluded before the adoption of the constitution will not be concluded

Principle 138: the Supreme Court has right of judgment between Indian government and another state in conclusion of the contract. Right of judgment of the Supreme Court should be enacted by the parliament.

4.4. Turkey

The first constitution of this country was enacted in 1876. The said constitution was abolished in 1878 and enforced again in 1908.

The constitution of this country seriously changed through reforms of Ataturk since 1920s. The latest changes of the constitution of Turkey were made in 2004 to pave the way for accession of Turkey to European Union. The constitution of this country comprised of 7 sections and 176 principles. The principles relating to category of foreign policy include:

Principle 5: goals and duties of the state include: keeping independency and territorial integrity and making effort to remove political, social and economic barriers which limit essential rights and freedoms.

Principle 16: essential rights and freedoms of the strangers may be limited by virtue of law according to international law.

Principle 69, paragraph 10: political parties which receive financial assistance from foreign states, international institutes and persons or organizations will be permanently dissolved.

Principle 74: citizens and foreign residents are entitled to request hearing for their complaints considering principle of reciprocity before the competent authorities and great national assembly of Turkey.

Conclusion

The constitution sets out the main policies, goals, and programs of a country's foreign policy. For this reason, the constitution of any country is the most authoritative official document and legal and political source in all political systems of the world and is of great importance. The constitution of the Islamic Republic of Iran was written when the revolutionaries tried to draw the constitution based on Islamic ideology and in a revolutionary atmosphere.

Therefore, it achieved a high position in achieving the final goals of the Islamic Republic and directing its commitments and foreign policy. According to the agency-structure theory, the interaction between structures and institutions is an important factor in analyzing and explaining social and

political changes and processes. This theory gives a clearer understanding of the foreign policy of the Islamic Republic of Iran. Since the Constitution of the Islamic Republic of Iran as the first and main source in recognizing and analyzing Iran's foreign policy in the revolutionary and ideological conditions of the Islamic system on the one hand and the attitude of experts in drawing strategies and goals of foreign policy.

On the other hand, in this study, the constitutions of five countries, Iran, the United States, France, India and Turkey, were examined and an attempt was made to discuss the place of foreign policy in the constitutions of the mentioned countries. The constitutions of the studied countries, with a realistic approach and without anticipation of long-term goals, have dealt with the executive structure and foreign policy in the principles related to foreign policy and has put the preservation of the current situation on their agenda.

The Islamic Republic of Iran has idealistic and challenging goals for the current situation in the field of international system in its foreign policy goals and the Constitution of the Islamic Republic of Iran among the constitutions of the studied countries has assigned more principles to foreign policy and these results are research hypotheses. Proves. Some of the principles enshrined in the Constitution of the Islamic Republic of Iran are a reaction to the strategies and political and economic relations of Iran in the Pahlavi period with other governments, especially Western governments. Therefore, the greatest emphasis is on rejecting the goals and plans of the previous regime.

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UNIVERSIDAD
DEL ZULIA

CUESTIONES POLÍTICAS

Vol.40 N° 72

*Esta revista fue editada en formato digital y publicada en enero de 2022, por el **Fondo Editorial Serbiluz**, Universidad del Zulia. Maracaibo-Venezuela*

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