

عنوان مقاله:

Two-element Legitimacy as a Theory of Legitimacy of the Islamic Republic of Iran's Constitution with a Look at the Detailed Annotated Deliberations

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خلاصه مقاله:

One of the most significant issues in the terminology of democracy and democratic governments is legitimacy (better known as mashroo'iyat in Islamic terminology). In a democratic system, first of all, one should answer these questions: where does the credibility of the government come from and what is the role and position of the people in the government? Hence, in explaining the nature of the Islamic Republic of Iran's system, the issue of legitimacy plays a vital role; yet, investigating and analyzing the theory on legitimacy of the Iranian ruling system is essential. The Islamic government, which is proven to have divine legitimacy and derives its legitimacy from the Sharia, needs social legitimacy as proof and in the realization stage, and its manifestation lies in people's choice and public consent, and the legislator of constitution also accepts the two-element legitimacy and knows it as the real concept of the Islamic Republic and thus has extended it to all the institutions arising from the constitution. Furthermore, the structure of divine-popular legitimacy can make the limited-and-bound-by-the Sharia democracy theory understandable and defensible. One of the most significant issues in the terminology of democracy and democratic governments is legitimacy (better known as mashroo'iyat in Islamic terminology). In a democratic system, first of all, one should answer these questions: where does the credibility of the government come from and what is the role and position of the people in the government? Hence, in explaining the nature of the Islamic Republic of Iran's system, the issue of legitimacy plays a vital role; yet, investigating and analyzing the theory on legitimacy of the Iranian ruling system is essential. The Islamic government, which is proven to have divine legitimacy and derives its legitimacy from the Sharia, needs social legitimacy as proof and in the realization stage, and its manifestation lies in people's choice and public consent, and the legislator of constitution also accepts the two-element legitimacy and knows it as the real concept of the Islamic Republic and thus has extended it to all the institutions arising from the constitution. Furthermore, the structure of divine-popular legitimacy can make the limited-and-bound-by-the Sharia democracy theory understandable and defensible.

کلمات کلیدی:

Legitimacy (mashroo'iyat), Religious Democracy, two-element legitimacy, Constitutional Law, detailed negotiations

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