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THE NECESSITY OF ELABORATING LEGAL INDICES OF ARMED FORCES STRATEGIC DEFENSE MANAGEMENT

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ABSTRACT

Strategic defense management of a country is a combination of political, economic, social, technological and military power factors. Many of the world's military experts believe that the military power of the country's armed forces is the main scale of the governance's deterrence power. A country's strategic defense policies are adopted by the senior managers and commanders of the military forces through the verification of the qualified authorities in line with supplying the military authority and security and independence of the country through considering a series of high-level legal principles governing the national public services. The novel and modern look over the legal principles governing the strategic defense management of a country's military forces, as the suppliers of authority and security of the system and recognition and redefinition of these principles, provides the country with new methods of achieving more success in this important policy-making area. The present study aimed at the delineation of this necessity.

Keywords: *Military Forces of Iran, Strategic Management, Duties and Authorities of Military Forces, Administration Principles of the Country's Military Forces, Legal Indices of Strategic Management*

INTRODUCTION

Strategic management is accomplished in the highest level of a country's armed forces parallel to the safeguarding of independence, security and prestige of a nation. The correct and principled functioning of the strategic management, especially in the national area of public services, follows the legal and regulatory principles and foundations that are usually taken into account in the high-level regulations for the quality of offering these services. These principles are of great importance in the process of making decisions and the feasibility of exerting high-level and general control as well as supervision on them. Managers have been provided with evident frameworks within the format of specified and clear-cut criteria so as to stay immune of fault by applying them or make the most minimal mistakes and also to be held responsible for their performance based thereon.

The important area of the country's defense services, as well, should obey these principles in its strategic management so that the country officials and nation's peace of mind can be supported legally and in a codified manner. It is assumed that the use of these legal premises and frameworks are effective in increasing the quality of these strategic decisions. Thus, within the cast of this article, it was endeavored to investigate the necessity and requirement of paying attention to these legal frameworks in a short glance so as to initiate more scrutinizing and thorough studies in this vital subject of the country's macro-level management.

Conceptual Study of Iran's Military Forces

The military forces of the country are structured organizations consisting of military and armed individuals who are responsible and aimed at defending and protecting the territory, nonmilitary units and the other military units and destroying the attacking military units and occupation and demolition of their positions. The country's military forces are supported and organized by the government and their objectives are associated with the country's political goals.

Military forces also have the responsibility and duty of cleaning the regions afflicted with natural disasters. When the governance is exposed to a grave danger like war, the military force would then include all of the reserved ready-for-service individuals in various citizenship ranks.

In Iran, the country's military force has been termed as the armed forces of Islamic Republic of Iran in the law of Islamic Republic of Iran's army and it includes army, the Islamic Revolutionary Guard Corps and the law enforcement forces¹. All of these forces are under the supervision of the general armed forces headquarter whose heads are selected by the Supreme Leader.

Islamic Republic of Iran's army incorporates the collection of the joint staff, ground forces, air force, navy and their associated organizations. Islamic Republic of Iran's army is enumerated amongst the regular and classic armies of the world. Islamic republic of Iran's army is comprised of three forces, general military police and a military base².

- 1) The ground force of Islamic Republic of Iran army
- 2) The Air force of Islamic Republic of Iran army
- 3) The navy of Islamic Republic of Iran army
- 4) The general military police of Islamic Republic of Iran army
- 5) Khatam Al-Anbiya'a's air defense headquarters

Islamic revolutionary guard Corps is a military organization that was formed by the order of Imam Khomeini (the founder of Iran's Islamic Republic System) on the 2nd of May, 1980. In a command letter to the revolution council, Imam formally declared the establishment of this institution and the revolution council took an essential step in line with organizing this institution through establishing the command council of Islamic Revolutionary Guard Corps.

The country's constitution has given the limits of Islamic revolutionary guard Corps' duties and their realms of responsibilities regarding the duties and realms of responsibilities of the other armed forces to the low-level regulations, through emphasizing their brotherly cooperation and coordination³. The Islamic Revolutionary Guard Corps can be divided into five subsystems:

- The ground force of the Islamic Revolutionary Guard Corps
- The Air force of the Islamic Revolutionary Guard Corps
- The navy of the Islamic Revolutionary Guard Corps
- The Quds force of the Islamic Revolutionary Guard Corps

¹ The law of the Islamic Republic of Iran's army

² Ibid

³ The constitution, act 150



- The organization for mobilization of the oppressed (Basij is composed of the voluntary people-driven forces)

Islamic Republic of Iran's law enforcement force is the police force of the country which was created by the merging of Islamic Republic of Iran's city police and Islamic Republic of Iran's gendarmerie and the Islamic Republic of Iran's committee force. It is the main force responsible for preserving Iran's internal security. Iran's law enforcement force has 18 defined branches (missions):

- Border guards
- Intelligence
- Special unit
- Military Police
- The traffic police
- Air force
- Logistic support
- Criminal investigation department
- Computer department
- Legal department
- Islamic teachings department
- Administrative units
- Art
- Finance
- Telecommunication
- Technical and engineering
- Marine
- Health department



Islamic Republic of Iran's ministry of defense is a part of the government that is responsible for supporting army. This ministry shoulders the responsibility of planning and preparing facilities for military forces and does not take part directly in military operations but is enumerated amongst the country's military forces.

Conceptual Study of Strategic Management

Along with the human beings' social evolutions and to stay accountable to the various needs of the different time periods, variegated methods, attitudes and approaches have been proposed in managerial method and different attitudes and methods have been distinguished from one another. The sequence of the novel ideas does not serve the obliteration of the older methods rather it signify the evolutionary aspects that can be employed within the format of the combined and integrative methods.

Strategic management approach emerged in 1980s with the objective of creating maximal coordination and coherence in the organizational goals and plans as well as in line with ensuring the implementation and execution of the plans. Strategic management includes the course of decisions and activities leading to the creation of one or several effective strategy for

achieving the goals. Strategic management incorporates the codification and implementation of the goals and plans prepared by the senior management of an organization on behalf of the owners or rulers and based on taking the resources into consideration as well as evaluating the internal and external environment (Kaplan et al., 2008). Strategic management gives the general orientation of an organization and encompasses the determination of organizational goals, creation of policies and programs for attaining the specified objectives and then allocates some resources for the running of the plans.

Thinkers and managers have developed numerous models and frameworks for helping the strategic decision-making within the framework of the complex and dynamic competitive environments (Davari et al., 2002). Strategic management is not essentially static; the majority of the model includes a ring of feedback for supervising the implementation and information-provisioning for the next round of planning. In this process, three essential elements are posited:

- Creation of a unique and valuable situation
- Selection of the not-to-do list
- Creation of proportion along with coordinating the organizational activities with one another for supporting the selected strategy



Strategy includes responding to key questions from the perspective of the organizational ideals: what should be the goal and objective of the organization? How should the goal be actualized within the context of the competitions and barriers?

Strategy is defined as the determination of the long-term goals of an organization and specification of the action periods and allocation of the required resources for the realization of these goals. Strategies determine the path, concentrate the activities, define and specify the suitable organization and coordination or guidance in response to intra-and extra-organizational environment. So, in line with the strategic management process, four key factors that together enable the program implementation should be taken into account. These factors are:

- Path of the program's implementation
- Programs
- Organizational structure of program implementation
- Coordination and communications of the organization

Strategy is an insight of a realistic near future that is attractive to the organization; or, it is a favorable destiny towards which the organization should move. In other words, strategy is a future that is more successful and desirable for the organization than its current conditions (David and Fred, 2001).

Expecting fruitful and optimum result from a strategic planning process is pendent over its creativeness and effectiveness. Strategic management embraces the concepts related to strategic planning and creative and strategic thinking. Strategic planning features an analytical nature and refers to the formal way of data production as well as the analyses that are utilized as the strategic thought input. Strategic management points to the mechanisms of controlling

the strategy. Strategic management is actualized in the light of strategic thinking. Strategic management includes two main processes including regulation and strategy implementation. Strategy regulation incorporates the analysis of the environment wherein an organization lives and strives and subsequently becomes the collection of the strategic decisions regarding the way the organization competes therein. The analysis includes the followings:

- 1) External environmental factors (political, economic, social, technological and legal perspectives)
- 2) Rivals' behaviors and threats resulting from this behavior
- 3) Internal environment (paying attention to the strong and weak points of the organizational resources like the forces, people, processes and the organization's informational system)

Strategic decisions are based on the insights gained from the environmental evaluations and the way the organization responds to the analyses conducted in respect to the external environment's factors, behaviors and threats of the competitors and the internal environment's factors. Evaluations determine the followings:

- 1) What should be the duties of the organization?
 - 2) What geography and groups should the performance of the duties and offering of services by the organization cover?
 - 3) How are the groups covered by the organization's services and what reveals the valuation based on them?
 - 4) Which services should be added to or omitted from the collection of the services?
 - 5) Which programs and interventions help the organization overcome the rivals and threats?
 - 6) What are the important opportunities and risks for the organization?
 - 7) How can the organization grow via its new programs and activities?
 - 8) How can the organization create more value and growth for its owners or proprietors?
- (Kaplan et al., 2008).



The second substantial process of strategic management is implementation that includes making decisions about how to use the organizational resources (for example, the people, processes and information technology systems) in line with goal accomplishments. Implementation is related to the ways the organizational resources are organized, the procurements, communications, motivations and supervisory mechanisms for pursuing the progress parallel in line with goal accomplishment.

The term strategy has long been proposed as a military concept. Mintzberg has realized strategy as the intellectual, conceptual-perceptional and analytical process (Mintzberg, 1998). Military dictionary of the US's Joint Chiefs of Staff considers strategy as the science and technique of developing as well as applying political, economic and military forces under war or peace conditions for the actualization of the goals for increasing the occurrence likelihood of the favorable outcomes like victory or decreasing the failure possibility.

Types of Strategic Management

In terms of the type and nature and the largeness or smallness of the strategic management area and under the status quo of the world's conditions, strategic management can be divided into three groups:

1. International and global strategic management

These strategies pertain to international organizations, superpowers, multinational companies and large global companies. It is via the adoption of these macro-level policies that they chase their goals, programs and interests in the global geography such as the UN's terrorism strategy.

2. National Strategic Management

This strategy pertains to the application of diplomatic, economic and informational facilities of a country or an organization for the supplementation of one's own national goals. As an example the national development and the annexation of Islamic Republic to the world trade organization can be mentioned.

3. Organizational Strategic Management

Organizational strategic management is applied for effective planning for imaging, proposing and programming of an organization. It is an organizational process for defining organizational strategy and decision-making for finding the required resources for reaching a strategic intention.

Limits, Duties and Authorities of the Country's Military Forces

The military forces of a country are responsible for preserving the governance, independence and territorial integrity and preparing its security. It is in the light of the military force's power and vigor that countries are per se capable of fighting the foreign invaders or the individuals who disrupt the social security inside the country by violating the law. Therefore, in line with repelling the foreign and domestic dangers, countries take actions regarding the formation of military organizations and institutions.

The constitution of the Islamic Republic of Iran has specified certain duties for the armed forces, the most important of which have been briefly explained in the following part.

1. Guarding the country's independence and territorial integrity⁴

A country's independence should be considered as an inevitable necessity. The preservation and protection of the borders and limits guarantees the country's independence which is one of the sublime goals of Islamic Republic of Iran. The government is obliged to apply all his facilities for corroborating the vigor of the national defense and preserving the country's independence and territorial integrity and so on. On the contrary, no individual or group or no authority has the right to cause flaws in the country's independence and territorial integrity. Therefore, independence is enumerated as a sacred principle. Thus, actions should be taken unsparingly for the preservation of it. The constitution has assigned army to the guarding of independence and territorial integrity and requires it to act in adherence to the criteria.

2. Guarding the Revolution and Islamic Republic of Iran's System⁵

Islamic revolution was formed, moved and brought to fruition along with the participation and serious cooperation of the people. After the victory, the people formed the Islamic Revolutionary Guard Corps by the order of Imam. In guarding the product of the Iranian people's revolution, Islamic Republic of Iran's constitution assigned this people-driven and revolutionary institution to the guarding of the Islamic revolution and its accomplishments. The holy system of the Islamic Republic is the most important accomplishment of the Islamic revolution. Therefore, defending this system, as well, is the duty of the Islamic Revolutionary

⁴ The constitution, act 150

⁵ Ibid



Guard Corps. Defending the revolution and its accomplishments is not surely limited to the defense of the foreign borders and enemies rather it is also undertaken inside the borders and country including all the military, security, political and cultural aspects.

Moreover, the law of Islamic Republic of Iran's army, approved in 10/07/1988 by the Islamic Consultative Assembly and its later amendments, has announced the duties and missions of army as one of the three main military forces of the country in the following words⁶:

1. Preparedness and fighting against any military invasion targeting the Islamic Republic of Iran's system, territorial integrity and independence and the country's interests;
2. Cooperation with law enforcement forces and the Islamic Revolutionary Guard Corps against villains, insurgents, smugglers, separatists and overthrowing streams in necessary cases and according to the orders;
3. Preparedness for cooperation with Islamic Revolutionary Guard Corps in helping the Islam-complying Muslims and poors in defending themselves against the military threat and invasion according to their request and based on the orders;
4. Organizing, instruction, equipping and expansion of the ground forces, air forces and navy in proportion to the facilities and threats for performing the assigned duties
5. Continuous efforts for perfect governance of culture and Islamic criteria in the organizations associated with them
6. Preparing the people for armed defense of the country and the Islamic Republic System within the framework of the general military service law
7. Helping the Islamic Revolutionary Guard Corps in training and organizing based on the orders
8. Taking necessary actions for achieving self-sufficiency in all of the fields including industries, education, supplies, informational, methods and organizing
9. Taking the required actions for being aware of the vivid and latent situations, events, political and military evolutions of the region and the world and constant evaluation of the threats and the military power of the potential and actual enemies
10. Making continuous and constant efforts for preserving and guarding the army and the associated organizations in security grounds
11. Creation of the required facilities for cooperating between the Islamic Revolutionary Guard Corps and army in necessary cases specified by the Supreme National Security Council



Besides the Islamic Republic of Iran's army, the Islamic Revolutionary Guard Corps, as well, has important duties and missions, including⁷:

- **Military Mission:** By military mission, the collection of missions is intended that are conducted by the Islamic Revolutionary Guard Corps within the format of a regular army. These missions have been very diverse and numerous since the beginning of the revolution up to now amongst which the suppression of the anti-revolution forces and the associates of Shah's regime, anti-revolution sects, neutralization of coup, suppression of the separatist ethnic and regional separatist groups, armed overthrowing groups, fighting the invasion by Saddam's Baath regime and so forth can be pointed out.

⁶ The law of Islamic Republic of Iran's army, article 7

⁷ Excerpted from the second chapter of the Islamic Revolutionary Guard's charter under the title of "mission", articles 2-11

- **Disciplinary Missions:** Due to the insecurity that had been caused during the early revolution days by the anti-revolution individuals and groups and the inability of the law enforcement forces, i.e. the police and gendarmerie, the Islamic revolution officials assigned the Islamic Revolutionary Guard Corps to this duty and mission. Since then, this revolutionary and people-driven forces has been able to suppress all the anti-revolution individuals, groups and sects and restore order and security in the country. These days, all the Iranian people feel peace of mind and security from the distant regions to the country's capital in this regard.
- **Islamic Revolutionary Guard Corps's Intelligence Missions:** After the victory of the Islamic revolution and dissolution of the intelligence and security (SAVAK) organization of the country, Iran predominantly lacked the intelligence forces. On the one hand, the former intelligence forces and individuals were not reliable and trustworthy and, on the other hand, no informational organization had been formed yet. Due to the same reason, the Islamic Revolutionary Guard Corps was assigned to the intelligence missions. It was this Corps that was doing the intended important duty till the formation of ministry of intelligence and centralization of the intelligence and security duties in this ministry, which was then, assigned to a new ministry.
- **Islamic Revolutionary Corps's Cultural Mission:** Since the beginning of the Islamic Revolutionary Guard Corps's formation, one of the duties that this sacred institution authenticates for itself, is cultural and promotional defense of the Islamic Revolution and its values. Since, guarding the revolution and its accomplishments is not solely limited to military, disciplinary and security issues rather it is full-scale defense including the defense against the cultural invasion. Threats are divided into three sets, namely hard (military) threat, semi-hard (security) threat and soft (cultural-promotional) threat. According to the existence of the (cultural) threats, it is evident that it is necessary to perform defense against them. Thus, one of the inherent duties of the Islamic Revolutionary Guard Corps is cultural and promotional defense of the revolution and its accomplishments inside and outside the country because the important way of fighting the cultural threats is the defense by the means of cultural and promotional methods.
- **The Islamic Revolutionary Guard Corps's duty is not solely military, disciplinary and/or security defense rather defending against cultural threats is also amongst the duties and missions of this holy institution.**
- **Organizing and Training Basij:** Due to the emergence of numerous problems in the national mobilization organization during the early revolution, the Islamic Consultative Assembly enacted the law on merging the national mobilization organization (the organization for the mobilization of oppressed) into the Islamic Revolutionary Guard Corps at 02/19/1981. Based on this law, the national mobilization organization was merged under the title of the organization for the mobilization of the oppressed into the Islamic Revolutionary Guard Corps that was assigned to its administration and commanding. Furthermore, all of the credits and facilities provided by the governmental and nongovernmental organizations were delegated to the Islamic Revolutionary Guard Corps.



The police force and gendarmerie were responsible for establishing order and security in the cities, villages and borders before the victory of the Islamic Revolution. After the victory of the Islamic revolution and as urged by the time expediencies, a people-driven institution was formed in various neighborhoods under the title of the “Islamic Revolution Committee”. Since then up to 1991, these three forces became responsible for establishing order and security; but, due to the problems that had come about as a result of the numerosity of the security forces between these three forces (the city police, gendarmerie and committee), it was decided that these three forces should be integrated and a new force should be formed.

Finally, it was in 08/09/1991 that the law of enforcement forces was eventually approved by the Islamic Consultative Assembly and the Ministry of the Interior became obliged to integrated the existent disciplinary forces within one year and establish a force under the title of Islamic Republic of Iran’s Law Enforcement Force. In addition, all of the armed forces that were performing activities in conjunction with the judicature, ministries and organizations, various institutions and foundations were integrated into the Islamic Republic of Iran’s law enforcement force. They were ordered by the ministry of interior to become sub-branches of this force. According to this law, the Islamic Republic of Iran’s law enforcement force is an armed organization that obeys the commander in-chief and is associated with the ministry of interior. The commander of the law enforcement force is appointed by the commander in-chief⁸. The goals of the law enforcement force’s formation is the establishment of order and security and safeguarding of the public and individual comfort and guarding and protecting the Islamic Revolution’s accomplishments within the framework of this law inside the Islamic Republic of Iran’s territory.

The missions and duties of the Islamic Republic of Iran’s law enforcement force are⁹:

- 1) Establishment of order and security and safeguarding public and individual comfort
- 2) Decisive and continuous fighting and combating with any sort of sabotage, terrorism, mutiny and agents and movements disrupting the country’s security in cooperation with the ministry of intelligence
- 3) Safeguarding security for the holding of communities, formations, rallies and legal and authorized activities and preventing and barring any unauthorized formation and rally and associations and fighting with unrests, disorders and unauthorized activities
- 4) Taking necessary measures in regard of acquiring news and information within the domain of the assigned duties and cooperation with the country’s other organizations and intelligence units within the domain of their duties
- 5) Guarding the places, facilities, equipment and classified non-military facilities and protection of their privacies except for the sensitive and vital cases as deemed expedient by the Supreme National Security Council that is assigned to the Islamic Revolution Guard Corps.
- 6) Protecting the officials and native and foreign personalities in the entire country other than those inside the military bases and installations unless it is deemed by the Supreme National Security Council that the revolution is essentially at risk in which case the protection is the duty of the Islamic Revolutionary Guard Corps.

⁸ The law of the Islamic Republic of Iran’s law enforcement force, article 2

⁹ The law of the Islamic Republic of Iran’s law enforcement force, article 4



- 7) Collecting weapons and ammunitions and equipment and issuing the weapon possession and carriage license and supervising the authorized keeping and use of bonfire in coordination with the ministry of intelligence against the plans enacted by the security council
- 8) Performing the duties assigned by law to the law enforcement force as the agents of the judicature, including fighting narcotics, smuggling, depravities and corruption, prevention of the crime occurrence, crime discovery, inspection and investigation, preservation of the crime evidence and proofs, apprehension of the culprits and criminals and preventing their escape and hiding and enforcing and declaring the judicial sentences.
- 9) Performing affairs related to the identity recognition and scientific discovery of crimes
- 10) Protecting and controlling Islamic Republic of Iran's borders, enforcement of the enacted border treaties and protocols and advocating the government's rights and the border-dwelling citizens of the Islamic Republic of Iran in the borders and the exclusive economic domains of the seas
- 11) Enforcement of the rules and regulations related to passport (except the political and service passports) and entry and residence of the foreign citizens with the coordination of the intelligence ministry
- 12) Enforcement of the traffic rules and regulations and distribution and preservation of the country's right of ways
- 13) Enforcement of the military service rules and regulations
- 14) Supervising the public places and performing other affairs related to the aforementioned places based on the enacted regulations
- 15) Cooperation with the other armed forces of Islamic Republic of Iran in necessary cases and based on orders
- 16) Collaboration with the secretariat of the Interpol
- 17) Cooperation with ministries, organizations, institutions and governmental companies and government-associated corporations, banks and municipalities within the limits of the corresponding rules and regulations
- 18) Cooperation with the corresponding organizations for creating and developing the necessary cultural grounds for reducing the crimes and violations and facilitation of the assigned duties
- 19) Performing rescue affairs and people-assistance interventions in necessary cases meanwhile coordinating with the qualified authorities
- 20) Organizing, equipping, training the disciplinary units and preparing them for performing the assigned missions
- 21) Safeguarding and protecting the installations, infantries and related bases
- 22) Supplying the personnel's medical needs and administrating the affiliated hospitals and clinics
- 23) Preparing the plan for logistic requirements and preparing and purchasing the items and services that have been assigned by the general commander in-chief of the armed forces to the law enforcement force, taking measures for purchasing properties and constructing the required facilities based on the enacted plans



- 24) Making constant and continuous efforts for preserving and guarding the organization in security grounds
- 25) Making constant and continuous efforts for the perfect governance of the Islamic culture and criteria in military forces

Besides the three abovementioned forces, the ministry of defense and armed forces' logistics is a part of the government that is responsible for supporting the armed forces within the format of the rules and strategies ordered by the Supreme Commander in-Chief.

The duties of the ministry of defense and armed forces logistics are¹⁰:

- 1) The investigation, regulation and acquisition of budget and credits for the military forces and their associated ministries and organizations in coordination with the general staff of the armed forces and supervising the making of costs and confirming the balance sheets of the budget accounts
- 2) Manufacturing and production of the items required by the armed forces and performing the necessary industrial researches and increasing the technological facilities of the corresponding industries in line with the strategies and policies of the general commander in-chief.
- 3) Renovation, reconstruction and essential repair of the instruments and equipment outside the capabilities of the armed forces in adherence to the instructions issued by the general staff of the armed forces
- 4) Technical, instructional and maintenance support of the armed forces' computer services
- 5) Guiding and coordination of the industrial research affairs of the armed forces and the ministry-affiliated organizations in adherence to the enactments and policies made by the commander in-chief and taking advantage of the facilities of the country's industrial, research and study centers
- 6) Training and instructing specialist cadre required by the ministry and the affiliated organization and coordinating the affiliated subordinate organizational elements
- 7) Acquiring awareness of the military industries' progresses and recognition of the advanced weapon systems worldwide
- 8) Performing all the foreign purchases required by the military forces and ministry and their affiliated organizations based on the strategies of the commander in-chief and the general policies of the Islamic Republic of Iran
- 9) Preparing, supplying and buying the common items required by the military forces as deemed expedient by the general staff of the armed forces except for the fuel and corruptible substances as well as making all of the internal purchases required by the ministry
- 10) Preparing and regulating the essays required by the military forces and the ministry and their associated organizations based on the general strategies of the commander in-chief and follow-ups examinations of the declaration process of the board of ministers' enactments and regulations through the general staff of the armed forces to all the military forces and supervising the enforcement of the rules and regulations



¹⁰ The law of the ministry of defense and armed forces logistics, article 4

- 11) Defending the rights of the military forces and ministry and their affiliated organizations in the judicial authorities
- 12) Administating the property affairs of the military forces and ministry and their affiliated organizations in terms of legal matters
- 13) Preparing and supplying the required land and constructing buildings and installations for the military forces and ministry according to the instructions and policies of the commander in-chief of the armed forces within the framework of the criteria and policies of the ministry of housing and urban planning
- 14) Preparing and supplying the military and border maps of the country and geographical services required by the armed forces
- 15) Supplying treatment services to the armed forces' personnel and ministry and their affiliated organizations including fixed, contracted and service cadre and special members of Basij, retired individuals, pensioners and their family members
- 16) Supplying the treatment needs of the personnel and administating the affairs of the hospitals and clinics of the ministry and affiliated organizations
- 17) Performing affairs related to the insurance and retirement allowance and pension of the personnel of the military forces and ministry and their affiliated organizations
- 18) Supplying and physical protection of the places and installations of the ministry and the affiliated organizations
- 19) Training and preparing the fixed cadre personnel of the ministry and the affiliated organizations within the military branches for accepting the assigned responsibilities during war in cooperation with the armed forces

Principles of Administating the Country's Military Forces

The military forces of the country are administated according to the commanding principles and the hierarchies presented below:

- 1) The Supreme Leader (Jurisprudential Guardianship) commands all the armed forces in the Islamic Republic of Iran. The chiefs, heads and managers in all of the hierarchies are assigned by the supreme leader to the commanding, headship and/or management of the forces within the organizationally enacted authority limits¹¹.
- 2) If the supreme leader, the commander in-chief, delegates all or a part of his authorities to another person, the orders of that person are indispensable within the limits of the delegated authorities.
- 3) The general staff of the armed forces is in a higher level in a longitudinal hierarchy to the joint chiefs of staff of Islamic Republic of Iran's army, the joint chiefs of staff of the Islamic Revolutionary Guard corps, the joint chiefs of staff of the law enforcement force. It fulfills its duties in a mission-specific manner and according to the commands received from the supreme commander in-chief.
- 4) The Islamic Republic of Iran's ministry of defense and armed forces' logistics obeys the armed forces' rules and regulations which is a part of the government that shoulders the support of the armed forces within the format of the regulations and strategies of the supreme commander in-chief.

¹¹ Disciplinary procedure of the Islamic Republic of Iran's armed forces, article 17

- 5) Islamic Republic of Iran's armed forces, from the highest to the lowest ranks are appointed or installed by the commanders, heads or managers that are per se chosen by the supreme commander in-chief. They are like a conjoined chain ring which is commonly termed as hierarchy¹².
- 6) The commander in-chief is the head of the Joint Chiefs of Staff in the armed forces and the latter assists his highness leader in administrating the affairs of the armed forces.
- 7) The hierarchy is declared based on the organizational structure in the army, Islamic revolutionary guard corps and law enforcement force each of which constitute a branch of the armed forces.
- 8) The path of exercising command in units that do not have a headquarter, is direct and non-intermediated, but the commander of the units having a headquarter establishes communication with the subordinate units through their associated headquarters. . Thus, the headquarters are not given a position in the command hierarchy rather they facilitate the command affairs' implementation.
- 9) Commanders, heads and managers are responsible for constant supervision on the enforcement of the regulations in the corresponding hierarchies.
- 10) Commanders, heads and managers should specify their policies though issuing complementary guidelines and current methods according to the rules and procedures and statuses of each of their corresponding units or parts. They should enhance the knowledge of the whole of their personnel and make them acquainted with the way of proper enforcement of the regulations and fulfilment of their assigned duties.
- 11) The instructions should be simple, explicit, clear-cut and enforceable and issued in adherence to the sure canonical guidelines and commands of the supreme commander in-chief and the enacted regulations. They should be within the limits of the authorities and be matched with the regulations.
- 12) The instructions issued for the higher ranks are more of a general nature and, in regard of the lower ranks, they should be explicative in proportion to the extent to which the rank is low.
- 13) In the command hierarchy, each person is obliged to use his innovation for a good performance of the assigned mission within the framework of the responsibility.
- 14) In order for the person to be able to properly exercise innovation in each rank, it is necessary for the limits of the authorities of each person to have been vividly specified.
- 15) The supervision of the commanders, heads and managers on the staff personnel should not be in such a way that the subordinates are deprived of their innovative power and no interference should be made in the work details for the excuse that all the responsibilities are attributed to the commanders, heads and managers.



Methodology of the Strategic Management Pattern of the Country's Military Forces

The military forces of a country are the manifestations and scales of national authority and defense power as well as the military vigor. Although all of a country's defense power is not summarized in its military vigor. The perfect defense power of a nation is a combination of its military, political, economic, social, cultural, scientific, technological and geographical

¹² Ibid, article 20

potencies. Many of the strategists realize a country's military force power as the final scale of the defense rigor. In addition, this military force of a country supports the implementation of its national and international policies. By identifying and fighting the domestic and foreign threats, they set the ground for a safe social, economic, cultural and political space for the government parallel to its achievement of excellent governance goals.

The country's defensive needs in the highly challenging region of western Asia during the rapid current changes and with the heavy and devastative pressures by the American and western hegemony should be satisfied and constantly supported. It should be done through the creation and implementation of codified and clear-cut strategies that are based on the temporal and environmental necessities as well as based on the high-level legal documents such as the constitution and the vision plan.

Codification of the country's military forces' strategic management should be carried out based on a thorough recognition of the contingent threats and threatening behaviors and the potential and actual (disregarded) capacities in line with creation of defense preparedness. They have to be based on an integrated and single literature relying on the legal procedures of this large area of exclusively national-public services.

According to the aforementioned issues, it seems that the strategy of the country's military forces should be inhomogeneous deterrent defense by relying on such indicators as numerous chivalrous human workforce, corroboration of the internal consolidation, optimum and maximal use of latest defense technologies, designing of innovative methods via taking advantage of the internal strong points and damaging the enemies' and their allies' weak points and interests, strengthening of the suppression power and repelling of the invaders by elevating the missile power and increasing the power in navy, air force and ground force, keeping the defense more of a people-driven nature and becoming a superior defense power in the region.

Fortification of the defensive power and becoming the superior defensive power in the region and adoption of the effective and changed strategic management pattern that relies on the capacities of the people mobilization in the light of following the sure principles existent in the legal and regulatory procedures of the country's national-public-defense-security services system can bring about more sureness and confidence in regard of the accuracy, properness and possibility of monitoring and mandating and acquiring acceptable success in this form of the country's vital management. The recognition and elucidation of these principles have been dealt with under the forthcoming title.

Armed Forces' Legal Indices (Essential Principles) of Strategic Defense Management

Safeguarding the security, preservation of the country's order and prestige, as a national and public service follows certain essential principles governing this group of services. The observation of these indices is of a great importance:

1. Consistency

The defense and security services should be up-to-date, consistent with the conditions and matching the perfect defense and security needs of the country. The actualization of all these conditions entails managers' commitment in designing and implementing to the observance of all the high-level and ordinary legal requirements. Additionally, the country's defensive managers should estimate the changing and variegating necessities of this area through



seeking assistance from the elites, thinkers and defense, politics and law specialists within the format of very specialized processes for remaining accountable to the threats.

2. Stability and Continuance

Defensive services guarantee the regular performance of the general forces and continuance of the governance. The securing of this principle in safeguarding the defensive and secure services is valuable in terms of constitution to people and the governance. These vital services should be incessant and constant. Pause, gap and deficiency in offering these services would cause anxiety and disruption of the society's political peace.

3. Equality

The country's constitution underlines the parity of the entire nation in regard of all their essential rights, including safeguarding of security and preservation of independence and governance for them¹³. Thus, every corner of this land and its residents should be enjoying such blessings.

4. The Precedence of the Defense and Security Services

Independence and security belong to every individual member of the society and their benefits should include all. The country's strategic defense managers should give priority in their planning efforts to the safeguarding of these rights over any other individual and private right of any other kind.

5. Supervision (Accuracy Conditions of Strategic Decisions)

Supervision and control are considered as the main components of the strategic management and the other parts would be imperfect if it is left unattended following which there would be no guarantee for the correct accomplishment of them. From the beginning of preparing a program till its enforcement, it is expected that the program's goals should be actualized and it has to be ascertained in running the program that the movement trend is exactly towards the predetermined goals. It is sometimes the case that the details of the program are precisely implemented but the general orientation of the program's execution is deviated. This would make us miss the target. Supervision and control are needed to ensure that the program implementation and guidance are correctly conducted and necessary measures have been taken, in case deviation is observed. The country's strategic defense managers should welcome and be completely ready for the supervision by the people and the high-ranking legal authorities over their interventions and get their decisions approved by the corresponding authorities and institutions based on perfect commitment to the observance of good will and utmost honesty and then exercise supervision over their peers' actions with due carefulness and scrutiny.

6. Liability Resulting from Non-Observance of Administrative Formalities

Besides being adopted with utmost good will, honesty and preservation of the country's expedencies, the decisions by the high-ranking and strategic officials should be necessarily made through taking into account and observing a series of special legal formalities. Without observance of these formalities, the most constructive decisions would lack the executive value and they would not be envisaged to be practically followed by fruition. Non-observance of the formalities causes various legal liabilities and responsibilities to the decision-makers due to the



¹³ Constitution, Act 20

fruitlessness of a large collection of activities performed at the cost of the public treasury house.

7. Liabilities Resulting from Decision Subject's Contradiction with Law

The decisions by the country's high-ranking authorities and managers would be of legal and executive credit and value when they are not contradictory or in disagreement with the country's high-level regulations in the area of those decisions and policies. The existence of disagreement in decisions with the high-level regulations would cause being creditless and liability to the involved managers.

CONCLUSION

Believing in the effective role of the legal indices of armed forces' strategic defense management in guaranteeing the accuracy, soundness and efficiency of the process of making strategic decisions and their implementation, the present article investigated such concepts as military forces, strategic defense management, limits of the armed forces' duties and authorities, administration of these forces and patterns of strategic management as well as the specification of the legal indices of such a type of management through adopting a novel and innovative approach.

The development and establishment of strategic management has become more successful through observing the legal indices intended by the country's high-level regulations for public services which won't be relying on certain individuals and their special titles any more. The observation of this point guarantees the precise enforcement and observance of meritocracy in a strategic area of the national public services. Thus, exact performing of the studies and scrutinizing specification and recognition of these indices and their implementation is necessary in adopting strategic decisions. To this end, special research groups should be assigned so as to accomplish the intended goal.

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