



The Social Contract in Imam Khomeini's Political Thought

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Abstract: The theory of the social contract, as one of the fundamental pillars of modern political philosophy, is grounded in human will and consent as the basis for founding political power. In contrast, the political thought of Imam Khomeini (RA) locates the source of legitimacy in the Divine Will. Employing an interpretive approach based on Quentin Skinner's hermeneutics, this research provides a historical description of the evolution of social contract theory and the context and era in which Imam Khomeini's (RA) political thought took shape. It seeks to answer the question of how the components of the social contract are formulated within Imam Khomeini's (RA) political thought. The aim of the research is to clarify the kind of nexus that can be established between the thought of Imam Khomeini (RA) and social contract theory. The findings of the research indicate that although, at the functional level, concepts such as law, majority rule, and accountability in Imam Khomeini's (RA) thought play a role comparable to that of social contract concepts in the political ordering of modern societies, at the foundational and teleological levels, he presents a new formulation of the social contract defined in conjunction with the Divine Covenant.

Keywords: Imam Khomeini (RA), Social Contract, Political Legitimacy, Guardianship of the Jurist (Wilāyat al-Faqīh), Republicanism.

Introduction

Statement of the Problem: Social contract theory constitutes one of the most fundamental frameworks in the history of modern political thought for explaining the origin of political power, the limits of governmental authority, and the relationship between the state and society. From the seventeenth century onward, this theory emerged in response to the crisis of legitimacy of power in the new world and sought, by relying on human reason, public consent, and the rule of law, to distinguish the political order from traditional and theological dominations. Nevertheless, throughout the history of political thought, the social contract has not been a single, fixed theory; rather, in the works of thinkers such as Hobbes, Locke, Rousseau, Rawls, and Scanlon, it has assumed multiple, and at times contradictory, formulations, each understandable only in connection with its specific historical contexts and political concerns. On the other hand, the political thought of Imam Khomeini (RA) was formed within the context of contemporary Iranian history, confronting the crisis of legitimacy of the modern state, royal despotism, and the rupture between the state and society. This political thought is founded upon Shi'i jurisprudential and theological principles and locates the source of political legitimacy in Divine Sovereignty and the Sacred Law (*Shari'a*); yet simultaneously, it extensively employs concepts such as law, popular participation, republicanism, public oversight, and political responsibility within its political lexicon. This issue has raised serious questions about the relationship between this political thought and modern theoretical traditions, particularly the social contract. The present study distances itself from the presupposition that Imam Khomeini's (RA) political thought can be subsumed under social contract theory. Its central problem is how the components of the modern social contract have been re-read and re-signified within Imam Khomeini's (RA) political thought. To answer this question, the paper utilizes Quentin Skinner's historically-oriented approach. According to this approach, political concepts are analyzed not as trans-historical theories but as speech acts that acquire meaning within the context of political conflicts and in response to specific historical problems. From this perspective, Imam Khomeini's (RA) political

thought is examined as a set of linguistic positions, declarations, jurisprudential and political works, and practical interventions, in relation to the historical conditions of contemporary Iran and the political language of his time.

Significance: The significance of this research lies in its endeavor, through a historical re-reading of the social contract and the political thought of Imam Khomeini (RA), to demonstrate how certain components of the modern social contract have been utilized and reformulated in the political thought of Imam Khomeini (RA), not at the foundational level, but at the linguistic and functional levels.

Necessity: The present research is necessary because it attempts to distance itself from two prevalent approaches. First, readings that view the thought of Imam Khomeini (RA) as entirely disconnected from modern political concepts. Second, interpretations that, without attention to foundational and teleological differences, impose modern concepts upon religious discourse. Neglecting such research leads to the propagation of either secularist or reactionary readings of Imam Khomeini's (RA) thought.

Objectives: Demonstrating the manner in which the components of the social contract are formulated in the political thought of Imam Khomeini (RA) constitutes the primary objective of this research. Paving the way for utilizing theories of the social contract and producing literature in this domain are among the subsidiary objectives of the study.

Question and Hypothesis: This research, in seeking to understand the political issues of the new world, seeks to answer the question of how the components of the social contract are formulated in Imam Khomeini's (RA) political thought. The present study is not hypothesis-driven.

Research Background: A review of articles related to the present research indicates that, from one perspective, they can be classified into two major categories. First, studies that focus on the social contract and explore various dimensions of this subject. The second category comprises studies centered on the political thought of Imam Khomeini (RA), attempting to situate modern concepts such as republicanism within his intellectual framework. Among the articles

falling into the first category is the article “A Philosophico-Political Critique of the Social Contract in Rousseau’s View,” which seeks the relationship and nexus between religion and legislation (Sadra, 2013). The author, in writing this article, unlike the present research, did not employ a specific methodology nor had the concern of indigenizing it. Another article published in this field is entitled “A Methodological Look at John Locke’s Theory of the Social Contract,” which seeks to identify the relationship of this theory with Locke’s ontological, epistemological, and anthropological foundations (Javidi, 2013). Another article, entitled “The Epistemological Foundations of John Locke’s Theory of the Social Contract,” was also authored, whose writers similarly pursue the relationship between social contract theory and John Locke’s epistemological foundations (Ali-Hosseini and Binandeh, 2025). The latter articles are written at the layer of intellectual foundations and have gauged this theory’s relationship with John Locke’s thought foundations. Given that the problem of the present research lies at the theoretical layer and focuses on the issue of political legitimacy, it does not overlap significantly with the present article. Perhaps the closest research to the author’s concern can be considered an article entitled “The Application of Ayatollah Misbah Yazdi’s Anthropological Foundations in John Locke’s Theory of the Social Contract” (Salehi Hafsajani and Khodri Kiarsi, 2024). This article attempts, by substituting the anthropological foundations of Ayatollah Misbah for those of John Locke, to achieve a theory of social contract with an Islamic approach. This research, conducted through a descriptive-analytical method, ultimately concludes that human beings, based on the innate desire for transcendence and truth-seeking, agree that divine laws should serve as the reference for resolving disputes, and they choose as their ruler the individual who possesses a better understanding of the religion. The historical approach of the present research and its reliance on the hermeneutic method are among its innovations compared to the latter article.

The second category is dedicated to studies that address the political thought of Imam Khomeini (RA) and its relationship with modern concepts. Numerous articles have been written on this subject, but given the present research’s focus on the social contract, an article

that directly examines the social contract in Imam Khomeini's (RA) political thought was not found. Nevertheless, there are articles that have addressed part of the research problem. The article "The Epistemic Foundations of Republicanism in the Political Thought of Imam Khomeini (RA)," written using an analytical-interpretive method, seeks to interpret republicanism in Imam Khomeini's (RA) intellectual foundation as being based on human freedom and service to creation, and introduces human rights as part of religious rights, not separate from them (Esmaeili and Dashtkouhi, 2021). Another article, entitled "Discourse Analysis of Imam Khomeini's (RA) Views on the Mutual Rights of Government and People," written using Fairclough's method, concluded that the relationship of rights and duties between the government and the people is established mutually and bilaterally (Firouzjaei, Nategh Nouri, and Karimi, 2017). The article "Republicanism and Islamism in the Constitutional Discourse of Iran with Emphasis on the Thought of Imam Khomeini (RA)," using a descriptive-analytical method, demonstrates that republicanism is the form of government and Islamism is the substance of the political system, and that a kind of concordance exists between these two concepts in Imam Khomeini's thought (Khosravi, Fallah, and Dehnavi, 2016). The distinguishing feature and innovation of the present research compared to the mentioned articles lie in its focus on social contract theory and its historical examination using the hermeneutic method, which seeks, to some extent, to address this gap in historical understanding within the interpretation of Imam Khomeini's (RA) political thought and to offer a new formulation of the definition of Islamic government from his perspective.

1. Conceptual and Theoretical Foundations; Components of the Social Contract

1.1. Definition of the Social Contract

An examination of the social contract reveals that no single definition of it exists. Different traditions of the social contract produce entirely contradictory results, demonstrating that the social contract is a highly flexible tool in the hands of theorists. Choice is a key concept in the social contract. This choice may involve the creation of civil society, a

constitution, or a type of moral theory. Moreover, this choice may be historical, ideal, or hypothetical, and may be expressed explicitly or implicitly. Beyond these formal discussions, the motivation for the contract may also be a religious duty, personal security, economic welfare, or moral self-regard. Thus, there is not merely one social contract, but a variety of traditions, each adopting contractualism for its own ends (Boucher and Kelly, 1994: 10). Given the multiplicity of contractualist traditions, a single, operational definition cannot be provided, yet the common denominator of these definitions indicates that the social contract is based on a balance between individual freedoms and collective responsibilities.

1.2. The Function of Legitimization and Responsibilization

The social contract is the product of the consent and participation of the people in a government. In the social contract, individuals come together voluntarily and agree to surrender a portion of their rights to form a single society and submit to civil government. Citizens, in exchange for conceding part of their freedom, demand benefits such as security, stability, and the protection of individual and social rights. In such a contract, both the government and the citizens fulfill their civil objectives in a certain manner. Citizens are obligated to obey laws and respect the rights of others, and in return, they receive things such as public goods, legal protection, and social stability. Accordingly, political authority is justified only if the government adheres to its commitments under the contract (protection of rights, provision of justice, etc.). Conversely, the people are also obliged, provided the government adheres to the contract, to support it and to seek its strengthening and reform. In a sense, in democratic systems, the legitimacy of the government is tied to the efficacy of the social contract (Hobbes, 2014: 158-162).

1.3. The Structure of the Separation of Powers and Distribution of Power

As noted, the social contract is a flexible theory; therefore, regarding the design of the governmental structure, the social contract can be used, as with Hobbes, to logically justify the concentration of powers in the hands of the ruler, or, as with John Locke, Rousseau, and

subsequent contractualists, to distribute power among different branches. The division of power among branches enhances responsibility and responsiveness to the people's needs and renders the government more agile and efficient. In this structure, no single branch can become an absolute authority, because the executive branch implements the laws enacted by the legislative branch but is also accountable to it. The legislative branch enacts laws but can be reviewed by the judiciary, for the judiciary has the competence to interpret and annul laws deemed contrary to the constitution. The judiciary, in turn, depends on the executive branch to enforce its decisions. This mutual interdependence within the governmental structure ensures that none of the three branches, while independent of the others, can wield power absolutely (Rousseau, 2018: 141-151).

1.4. The Aims of the Social Contract

The rule of law, in the tradition of political thought, is a tool for checking and limiting governmental power. The collective agreement of citizens on law signifies that the individual will of rulers or influential groups cannot substitute for universal and enacted rules. In such a framework, law not only organizes social relations and guarantees individual and collective rights but also defines the boundaries of political authority. The government possesses legitimacy only when it considers itself bound by law and no power acts above it. In this way, law, as the outcome of collective agreement, serves both as an instrument for exercising power and as the most significant factor limiting it, to prevent autocracy and abuse (Locke, 2013: 275-284). The social contract, besides being a tool for exercising and checking power, also pursues various ends. For example, in the present era, John Rawls, utilizing the social contract, posited justice as an end. In the modern world, government, aiming to provide justice and equality in society, seeks to meet the diverse needs and requirements of citizens, and this is impossible without possessing an extensive apparatus and significant interventions. John Rawls employs the tool of the social contract in his theory to realize justice as fairness in society on the one hand, and to limit governmental intervention on the other (Rawls, 2021: 93).

2. Research Method

The present research is of a fundamental type, and its data collection method has been carried out in a documentary and library-based manner. The collected data has been examined and analyzed using Quentin Skinner's hermeneutic method.

2.1. Introduction to the Method

In accordance with the research topic, which, in addition to examining historical contexts, necessitates attention to the dominant discourse of each time period for a more precise understanding of the text, the author has found the method of "Skinner's intentionalist hermeneutics" to be more suitable and comprehensive compared to other interpretive methods. This method falls within the category of methodological hermeneutic theories and, unlike traditional hermeneutic theories, links contextualism and textualism. In text-oriented hermeneutics, a reading of the text is considered valid independent of time and place, and the effort to reconstruct the historical and social contexts of the author is deemed futile. In contrast to textualists, contextual hermeneutics holds that one must study the religious, intellectual, political, and economic contexts so that the meaning of the text can be reconstructed and understood within the framework of those contexts. In response to the question of which of these methods is more appropriate for understanding a text, Skinner considers both methods individually incomplete. Textualism suffers from various ambiguities and mythologies, such as the mythology of doctrine, the mythology of coherence, and the mythology of parochialism (intellectual limitation). Contextualism, instead of understanding the text, merely reveals meaning *to us* and, instead of revealing "intention in doing something," explains "intention to do something"; that is, with this method, an incomplete discovery of prior motivations is obtained, and the aims and intentions inscribed within the text are not uncovered (Skinner, 2020: 61-108).

2.2. Application of the Method

In order to utilize Skinner's hermeneutic method in the present research, the following operational steps have been defined, and interpretation and conclusion have been conducted accordingly:

- 1- Simultaneous attention to political problems and interests alongside the language, prevalent meanings and concepts, and the customs and traditions governing political and social reasoning in that specific time and place of the text.
- 2- Reconstruction and re-creation of the communicative space within which the text was created.
- 3- Consideration of each textual statement as an intended act of communication, and understanding of the author's intention through the relationship among the text, the text's creator, and the discursive space of the text's creation.

Figure 1: The Dialectic of Understanding Authorial Intent in Skinner's Hermeneutic Method[.]

3. A Historical Review of Social Contract Theories

The social contract has undergone numerous changes and transformations throughout history. This section attempts to examine the historical evolution of the social contract in both the modern and contemporary eras from the perspective of the prominent thinkers of this theory.

3.1. Modern Theories of the Social Contract

Hobbes, Locke, and Rousseau are recognized as the exponents of the social contract in the modern era. By envisaging a "state of nature" prior to the formation of society, they sought to provide a rational justification for the emergence of government and laws. The views of these contractualists, along with those of Immanuel Kant, are reviewed below.

a) Thomas Hobbes (1588-1679)

Hobbes, known for his famous work *Leviathan*, is one of the thinkers who refutes Aristotle's greatest claim and rises to challenge it. Aristotle believed that human beings are by nature political animals; however,

Hobbes contends that humans are not inherently suited for political life. They are constantly in competition with one another and belittle each other. In Hobbes's view of humanity, human interests, particularly short-term ones, become prominent and overshadow human choices. Hobbes believes that human beings are very powerful; if someone has less physical endowment than another, they still possess the mental ability to overcome rivals, and if the sum total of individuals' physical and mental abilities is considered and compared, no observable difference exists (Hobbes, 2014: 156). He maintained that in the state of nature, a war of all against all occurs, and out of fear of potential harm, humans are willing to cede part of their freedom to a sovereign in exchange for security and to enter the state of contract. Thus, the government, by appropriating individuals' freedom, establishes security and prevents humans from breaking the law.

b) John Locke (1632-1704)

Locke can be seen as complementing Hobbes's view of the social contract. Unlike Hobbes, who founded the establishment of government and the transition to the contractual state upon human fear, Locke introduced consent as the axis for establishing government. He believed that human beings in the state of nature lived according to natural laws and were not perpetually in a state of war; however, the growth of societies led them to contemplate establishing government and transitioning from the state of nature to civil society. John Locke considered property the heart of the social contract and believed that the government should not possess absolute authority, as this might lead to despotism. Therefore, unlike Hobbes, who advocated absolute monarchy, Locke's desirable government is constitutional government. Locke's definition of political power has an essential moral dimension. Political power is the right to make laws and enforce them for the "public good." For Locke, power never signifies mere "capacity" but always signifies a "morally sanctioned capacity." Morality encompasses the entire arrangement of society. Locke argues that if the executive power fails to provide conditions under which people can enjoy their natural rights, then the people

have the right, if necessary, to forcibly remove the government. Thus, the right to revolution is granted to citizens (Locke, 2018: 246-267).

c) Jean-Jacques Rousseau (1712-1778)

Rousseau believed that primitive human beings lived healthily, happily, and well in the state of nature. Rousseau argues that human vices began when societies were formed. He thus exonerates nature and blames society. He considers natural inequality to arise from natural differences such as strength, intelligence, and the like, and believes that artificial inequalities originate from the conventions governing societies. Rousseau views inequality not as a separate problem but as one of the features of the long process of human alienation from nature (Rousseau, 2007: 96 & 133). He distinguishes between the fraudulent social contract and the genuine social contract, considering the fraudulent social contract to be in favor of the wealthy; for one of the aims of the contract is to guarantee the right of property for anyone who has been fortunate enough to possess assets. Thus, the existence of the contract is beneficial to all, but more so for the rich. In Rousseau's genuine social contract, the desirable government is a kind of republic in which the poor also attain freedom. Individuals are free only insofar as they obey laws that they have prescribed for themselves. Rousseau's republic is the creation of the general will, a will that never falters in advancing the common, communal, or national interests of each and every member, even if it occasionally conflicts with personal interests (Rousseau, 2018: 108). Thus, unlike Hobbes and Locke, who outline the social contract based on individual interests, Rousseau prioritizes collective interest over individual interests.

d) Immanuel Kant (1724-1804)

Kant is also among the philosophers who addressed the issue of the social contract in his essays "Perpetual Peace" [^1] and "The Metaphysics of Morals." Kant believed that in the state of nature, individuals are free; however, their freedom is often limited by the freedom and actions of others. Natural freedom leads to insecurity, as individuals may be unable to protect their rights or property. Kant acknowledges that the state of nature lacks true moral freedom

because human beings often act based on their base inclinations rather than through rational will. Hence, without a sovereign authority, these rights cannot be effectively protected, and the absence of a ruler leads to potential conflicts. The contract state represents a movement from the state of nature to an organized society in which laws and governmental authorities protect the rights of individuals. For Kant, the establishment of civil government is a rational and necessary advancement for the realization of the moral law and freedom. Kant's concept of the social contract is not an actual historical agreement but a rational idea. Individuals tacitly or explicitly agree to form a type of civil society in which they cede certain freedoms to a sovereign authority. This authority is charged with enforcing laws that protect individual rights and guarantee justice. In the contractual state, the government derives its legitimacy from the consent of the governed and is obliged to defend the principles of justice inherent in natural rights. He ultimately puts forth the idea of universal legislation, wherein laws are designed with the aim of being applicable to all rational beings; that is, individuals should act in such a way that they would will others to act towards them, creating a bilateral relationship of mutual respect and cooperation. Based on the social contract, individual desires are not employed in determining the law; rather, a rule is used that satisfies the conditions of the categorical imperative. This leads the government to focus on the interests of society instead of the interests of an individual. This description by Kant is a description of an ideal society based on the social contract (Kant, 2015: 55-123). In sum, it can be said that in modern contractualism, Hobbes and Locke seek the maximal provision of individual interests within the framework of the social contract, whereas, in contrast, Rousseau and Kant prioritize collective interests.

3.2. Contemporary Theories of the Social Contract

Discussion of the social contract in the contemporary era was reintroduced into scholarly circles with John Rawls's theory of justice. His student, Thomas Scanlon, also specifically pursued discussions related to the social contract. In contrast, Robert Nozick critiques the egalitarian views of Rawls and his students and advocates for a

minimal state. In this section, in addition to reviewing the views of Rawls, the views of Scanlon and Nozick are also examined.

a) John Rawls (1921–2002)

In his book *A Theory of Justice*, Rawls reinterprets the traditional social contract by focusing on fairness and equality. He proposes a thought experiment called the “original position” [^2] and the “veil of ignorance” [^3] to derive principles of justice that would be agreed upon by rational and impartial individuals. In this original position, individuals are unaware of their specific identity, such as their social position, wealth, talents, or personal preferences. This lack of awareness ensures impartiality and prevents bias and partiality in the selection of principles. By stripping away awareness of personal information, the veil of ignorance compels individuals to choose principles of justice that are fair for all, regardless of their particular situation. He argues that under such conditions, rational human beings would agree upon two fundamental principles of justice. The first is the principle of liberty, according to which each individual has an equal right to the most extensive set of basic liberties compatible with similar liberties for others. This principle prioritizes individual liberties such as freedom of speech, religion, and assembly. The second is the difference principle, according to which social and economic inequalities are permissible only if they benefit the least advantaged members of society. Furthermore, such inequalities must be attached to positions and offices open to all under conditions of fair equality of opportunity (Rawls, 2021: 93). In contrast to the utilitarian perspective, he proposes that global institutions be designed in such a way as to guarantee justice and fairness and to protect the rights of all people, especially the least fortunate.

b) Thomas Scanlon (Born 1940)

Scanlon, in his book *What We Owe to Each Other* [^4] (1998), emphasizes the role of moral reasoning and interpersonal accountability and explains the social contract based on the idea of mutual justification and reasonableness. Unlike traditional social contract theorists such as Hobbes, Locke, and Rousseau, who focus on hypothetical agreements or the origins of society, his approach relates

more to principles that individuals in an actual world agree upon when seeking to justify their actions to one another. He distinguishes between contractualism (moral-reason based) [^5] and contractarianism (interest-based) [^5], and contrary to utilitarianism, rejects the idea that the moral value of an action is determined by the aggregation of its effects. Instead, he focuses on the question of whether the action can be justified to every individual affected by it. Scanlon's contractualism, rather than focusing on a literal or hypothetical agreement, centers on the idea that moral principles are those that no one could reasonably reject. This renders his theory more compatible with deontological ethics, as it emphasizes the intrinsic value of treating individuals with respect rather than prioritizing outcomes (Scanlon: 1998).

c) Robert Nozick (1938–2002)

In his celebrated work entitled *Anarchy, State, and Utopia* [^7], Nozick advocates a libertarian approach to the social contract. He believes that the state should exist only in a minimal form, ought to protect individual rights, and must never intervene in the redistribution of wealth. He deemed policies of wealth redistribution unjust, as such policies violate individuals' rights concerning their property. Nozick's model is based on the "entitlement theory," which holds that individuals have the right to keep what they have justly acquired, provided they do not harm others (Nozick 2023). Regarding the issue of globalization, Nozick opposes any form of global redistribution or intervention that violates individual or national rights and emphasizes that the meaning of justice, instead of implementing global justice, is respect for voluntary agreements. In sum, it can be said that Robert Nozick falls into the category of contractarians (interest-based). Scanlon and, to some extent, Rawls also fall into the category of contractualists (moral-reason based).

4. The Context and Era of the Formation of Imam Khomeini's (RA) Political Thought

Understanding the political thought of Imam Khomeini (RA) cannot be comprehended without attention to his historical context and era; for according to Skinner's method, political thought is always shaped

within the context of crises, social transformations, and the political language of its age. Imam Khomeini's (RA) life coincided with the domination of Pahlavi despotism, the influence of foreign colonialism, and the collapse of Iran's traditional socio-political structures; conditions that engendered a crisis of legitimacy and identity for Iranian society.

4.1. Childhood and the Ordeal of Despotism and Colonialism

His Holiness Imam Khomeini (RA) was born on September 21, 1902, when Iran's political system was on the verge of constitutionalism, and the traditional tribal system of the Qajars and the system of local khanate still dominated the cities and villages of Iran. The struggle against the injustices of local khans ultimately led to his father's martyrdom, and Imam Khomeini (RA) tasted the flavor of despotism from his very childhood. On the other hand, the domination of colonialists in World War I and the occupation of Iran by Britain and the Soviet Union coincided with his childhood. These two issues attest to the fact that war and struggle were an inseparable part of Imam Khomeini's (RA) life, and in his own terms, he had been in a state of struggle since childhood (Khomeini, 2006, Vol. 11: 12).

4.2. Youth, Middle Age, Seminary Education, and Political Activity

After studying in Arak and continuing his education in Qom, Imam Khomeini (RA) benefited from the tutelage of renowned masters such as Ayatollah Haeri Yazdi and Ayatollah Shahabadi, among others, and attained the degree of *ijtihād* at the age of 25, having completed the higher levels of seminary studies. The influence of Ayatollah Shahabadi upon Imam Khomeini was greater than merely scholarly. Imam Khomeini, beyond mystical discussions, was also influenced by him in political matters. Ayatollah Shahabadi's record of struggle indicates that he discerned Reza Khan's anti-religious line from the outset and opposed him, and Imam Khomeini's statements also show his agreement with this stance. Imam Khomeini (RA) stated about Ayatollah Shahabadi: "The late Ayatollah Shahabadi, besides being a perfect jurist and mystic, was also a combatant in the fullest sense of the word" (Mokhtari, 2020: 87).

During his middle age, His Holiness Imam (RA), in addition to teaching jurisprudential, mystical, and philosophical subjects, also focused on strengthening the seminaries of Qom, and in the years 1948 and 1949, he endeavored to consolidate the *marja'iyya* (source of emulation) of Ayatollah Boroujerdi after the passing of Ayatollah Haeri in the seminaries (Mousavi Khomeini, 2006, Vol. 1: 24). With the presence of Ayatollah Boroujerdi, the Qom seminary gained greater coherence, such that the Shah sought his consent for implementing the land reforms. Following the demise of Ayatollah Boroujerdi, Imam Khomeini (RA) sought to assume both the scholarly and political authority in the Qom seminary and prevent its decline. Imam Khomeini (RA) consistently pursued the path of struggle against despotism and arrogance. In authoring the book *Kashf al-Asrar* (1944), he attacked Reza Shah and proposed the idea of the jurists' oversight over parliamentary enactments and the imperial government; however, most researchers and historians consider the serious commencement of his political struggles to be the year 1963. The year at the commencement of which Imam Khomeini (RA) declared his opposition to the holding of a referendum concerning the White Revolution, and in objection to the approval of the bill on provincial and territorial associations, he wrote in a telegram to the Shah, deeming it a violation of the constitution (Mousavi Khomeini, 2006, Vol. 1: 89).

During his middle age, just as in his youth and childhood, Imam Khomeini (RA) engaged in struggle against domestic despotism and foreign colonialism. However, as he himself stated, given the conditions of society at that time, the reformist disposition prevailed over the revolutionary one, and Imam (RA) chose the path of admonition and counsel (Mousavi Khomeini, 2006, Vol. 1: 106). Yet gradually, with society's support for the change of the Pahlavi regime, Imam Khomeini's (RA) revolutionary disposition found the opportunity for emergence and manifestation.

4.3. Old Age, Scholarly Authority, and Leadership of the Revolution

After paving the social ground for the change of the Pahlavi regime, Imam Khomeini (RA) was recognized as the leader of the

revolutionary movement. During this period, Imam (RA) simultaneously fought against domestic despotism as a puppet regime and foreign despotism, and citing the verse of "Nafy Sabil" (Negation of Way), he declared: "The Qur'an says that God Almighty has never established any pathway of domination for non-Muslims over Muslims. Such a thing should never occur; any domination, any pathway, not even a single pathway should be found; '...and never will Allah give the disbelievers over the believers a way [to overcome them]'" (Mousavi Khomeini, 2006, Vol. 4: 317). In continuing his struggles, Imam (RA) launched severe criticism of the Capitulation agreement, an issue that set the stage for his exile to Turkey and subsequently to Iraq. Imam Khomeini's (RA) scholarly authority and his teaching of the doctrine of the Guardianship of the Jurist led to the gradual development of a rival theory to the Pahlavi regime. Upon returning to the country, in his first speech, Imam Khomeini (RA) pointed to the illegitimacy and illegality of the Pahlavi monarchy (Mousavi Khomeini, 2006, Vol. 6: 10-11). Emphasizing the right of the people to self-determination and opposing foreign intervention, Imam (RA) declared the Pahlavi monarchy illegitimate because its establishment was not based on the people's vote, and furthermore, the founding of the Pahlavi monarchy had occurred in contravention of the Constitutional law (Mousavi Khomeini, 2006, Vol. 4: 429).

An examination of the various stages of Imam Khomeini's (RA) life indicates that, contrary to utilitarian perspectives, Imam (RA) did not consent to compromise with the Pahlavi monarchy; rather, with a moral disposition, he sought a just government and the realization of the right of the people to determine their own destiny by their own hands. Hence, from this perspective, the political thought of Imam Khomeini (RA) functionally approaches theorists of the rational-moral spectrum, such as Kant, Rousseau, Scanlon, and to some extent Rawls, although it is vastly different from them in foundational and teleological terms.

5. The Components of the Social Contract in the Political Thought of Imam Khomeini (RA)

The political thought of Imam Khomeini (RA) is often formulated through the reading of the general appointment (*al-Nasb al-'Āmm*) of

the Jurist-Guardian; however, the author believes that this reading of Imam Khomeini's (RA) political thought is incomplete and merely encompasses a portion of his thought. Imam Khomeini (RA) states that the authority of the Jurist-Guardian in government is identical to that of the Infallible (Mousavi Khomeini, 2006, Vol. 10: 308). Although the Jurist-Guardian, in terms of actualization (*thubūt*), possesses divine legitimacy, in terms of proof (*ithbāt*) and the realization of the Islamic government, he requires the will of the people (Mousavi Khomeini, 2006, Vol. 20: 459). The distinguishing feature of Imam Khomeini (RA) from other jurists who have expounded the Guardianship of the Jurist at the theoretical level is his actualization of it. If a jurist seeks to attain government, it is not based on a carnal desire but arises from a Divine Covenant, to which the Commander of the Faithful Ali (AS) also referred upon accepting the Caliphate (Imam Ali, 2005: 40).^[8] There exists considerable evidence indicating that the components of the social contract in Imam Khomeini's (RA) thought have found concomitance with the Divine Covenant, which will be addressed subsequently.

5.1. The Rule of Law and Limitation of Power

In the tradition of the social contract, law is the product of a rational human agreement to escape the state of nature and attain security. Hobbes, in *Leviathan*, considers the absolute power of the sovereign a necessary instrument for preserving order (Hobbes, 2014: 192). Locke, in *Two Treatises of Government*, writes that neither absolute power can be compatible with the ends of government and society, nor should the government exist without established laws, and the ultimate end of legislation should be nothing but the good and welfare of the people (Locke, 2013: 275-284). Rousseau, in *The Social Contract*, proclaims law as the expression of the "general will" and emphasizes the equality of all before it, maintaining that since everyone's condition is equal, no one would consent to making it difficult for all (Rousseau, 2018: 135-138).

In the political thought of Imam Khomeini (RA), law is also the axis of the political order, but its meaning is theological. Imam Khomeini (RA) writes in *The Guardianship of the Jurist*: "The ruler is in

reality the law... no ruler has the right to take any step contrary to the regulations and the law of the purified Sacred Law" (Mousavi Khomeini, 2019: 73). In *Sahifa-ye Imam*, it is also stated: "Islam came to establish the law, and the Prophet of Islam, the Imams of Islam, and the Caliphs of Islam were all submissive to the law and surrendered to the law... The law is for all" (Mousavi Khomeini, 2006, Vol. 14: 412-417). Law, in the thought of Imam Khomeini (RA), is not the product of human will but the manifestation of Divine Will. Yet, functionally speaking, Imam Khomeini (RA), contrary to Hobbes's view, does not consider the ruler above the law; rather, like Locke, Rousseau, and Rawls, he regards the ruler as part of the contract who must submit to the law.

In Imam Khomeini's (RA) thought, legislation in a religious government must not contravene religious laws. He transformed the concomitance of the Divine Covenant and the social contract into a durable reality through dual institutional structures. These structures bear the duty of preserving the hierarchy of meaning. The institution of the "Guardianship of the Jurist" and the stipulation that laws must be based on Islamic standards guarantee the essential primacy of the Divine Covenant. Institutions such as the "Islamic Consultative Assembly" and the "direct vote of the people" institutionalize the affirmative legitimacy (*mashrū'iyat-e ithbātī*) and the participation of the people, which is among the principles of the social contract. The crucial point of the institutionalization of the social contract is manifested in the structure of the Guardian Council. The Guardian Council is not merely a supervisory institution but a guarantor of the meaning of religious legitimacy. The purpose behind establishing this institution is to preserve and ensure that the discursive power of the laws enacted by the parliament never reaches a stage that weakens or violates the discursive power of the Divine Covenant. This mechanism permanently guarantees the predominance of Divine Sovereignty over human will at the legislative level while simultaneously recognizing the balance of rights and duties at the executive level (Mousavi Khomeini, Vol. 19: 42).

5.2. Majority Vote and the Issue of Legitimization

In the modern world, unlike the traditional world, the people play a prominent and key role in the formation and continuation of governments, whereas in the traditional view, the people were merely subjects of the state, and power rested in the hands of the philosopher-king or aristocrats. In Rousseau's terms, in the modern era, the legitimacy of governments arises from the general will; thus, the people are the primary source of governmental authority, and no official in the government can stand above the people. This fundamental shift in defining the role of the people exists in Imam Khomeini's (RA) literature as well, and within his own intellectual system, under the rule of law, he defines the vote of the majority of the people as sovereign over all things. Imam Khomeini (RA) introduces the Guardian Council as the competent authority to adjudicate violations of the law; however, within this very framework of law, the opinion of the people holds sway. Imam Khomeini (RA) states: "The people voted for these [representatives]... Everyone must be bound to accept the law... because the criterion is the majority; and the determination of the Guardian Council that this is not contrary to the law... is the criterion that we all must accept. I, too, as a seminary student, may disagree with many things" (Mousavi Khomeini, 2006, Vol. 14: 377).

Imam Khomeini (RA) believes that the majority opinion cannot alter the fixed divine decrees (*aḥkām*), such as the divinely prescribed punishments (*ḥudūd*), retribution (*qiṣās*), etc., because the fixed divine decrees are a priori and take precedence over all else. However, the dissatisfaction of the majority of society may cause disruption in the Islamic system or impair the interests of the Islamic community. In such a case, the execution of the decrees is temporarily suspended by the opinion of the Jurist-Guardian and deferred to another time. Given that governments are not permitted to use force illegitimately, the Islamic government is obliged, through raising awareness and public persuasion, to seek to generate inclination and desire within society to implement the divine decrees. In Imam Khomeini's (RA) view, the consent of the majority is one of the essential conditions for implementing divine decrees, although it cannot effect a change in the

decrees themselves. The issue of public consent also exists in the thought of John Locke, with the difference that John Locke views the government from the perspective of the people and believes that the people must be aware of their rights to prevent governmental transgression (Locke, 2013: 280-300). However, Imam Khomeini (RA), by centering religion, holds that both the government and the people must obey the laws. In a sense, Imam Khomeini (RA), with a religious perspective, stands beyond both the government and society and shelters both under his umbrella.

5.3. Structural Change and the Transition from “Absolute Right” to “Responsible Right”

In monarchical regimes, laws were always centered on the king, and royal decrees were the final word. However, Imam Khomeini (RA) strove, by reforming past practices, to demonstrate that no right has meaning without a corresponding duty. This pattern is reciprocally and internally applicable to both the people and the government. By lending their support to the government, the people enter into a kind of moral-political contract that entails bilateral duties. If the people have the right to political participation, the government is also obliged, through safeguarding votes, guaranteeing freedom of expression, and establishing legal institutions, to provide the necessary security and trust for the presence of the general public in decision-making processes (Khomeini, 2006, Vol. 18: 380-381). On the other hand, the people's support for the officials leads to the latter's legitimization and expanded authority (Khomeini, 2006, Vol. 14: 165), and if the people observe an action being carried out contrary to the laws, they are duty-bound to object in order to prevent the deviation of officials (Mousavi Khomeini, 2006, Vol. 8: 5). Hence, officials in the Islamic Republic of Iran never possess an “absolute right” and must always be accountable before God and the people.

5.4. A Just Government and the Cultivation of the Refined Human as an End

In the social contract tradition, the end of the state varies depending on the anthropological and epistemological foundations of the thinkers. Hobbes regarded the state as a “response to fear” and saw its

aim solely as maintaining security and preventing a return to the state of nature (Hobbes, 2014: 189-191). Locke considered the aim of the state to be the protection of “natural rights” (life, property, and liberty) (Locke, 2013: 268-273). Rousseau viewed the state as a tool for realizing the “general will” for the common good, and in the contemporary era, Rawls saw the end of the state in the realization of justice and structural equality among citizens (Rawls, 2021: 45-46). However, in the political thought of Imam Khomeini (RA), the state is not merely an institution for order and security, or even material justice; rather, its end transcends politics in the modern sense and extends into the realm of justice at all levels and, beyond that, the cultivation of the human being. His Holiness Imam Khomeini (RA) explicitly states in his lectures on *Wilāyat al-Faqīh*: “Muslims can only live in security and tranquility and preserve their faith and virtuous morals under the shelter of a just government and law, a government whose system, mode of administration, and laws have been designed by Islam” (Mousavi Khomeini, 2019: 153). Furthermore, the Islamic government, like the prophets, seeks the cultivation of the refined human (*insān-e muhadhdhab*), which in Imam Khomeini’s (RA) political thought constitutes a socio-political project. The refined citizen, through conscious participation and continuous oversight, reacts against any pattern of domination or discrimination and prevents the government from turning into a structure for securing personal and factional interests (Mousavi Khomeini, 2006, Vol. 8: 204-208). This end, distinct from conventional social contracts, arises from the linkage of the social contract with the Divine Covenant in Imam Khomeini’s (RA) political thought, and defines material concerns as subordinate to spiritual ones (Mousavi Khomeini, 2006, Vol. 7: 553).

Conclusion

The concept of the social contract has been defined in a variable and multifaceted manner throughout history and cannot be characterized as a single, universal framework. Nonetheless, the emphasis on the rule of law and the proportionality of rights and duties between the state and citizens constitutes a common denominator among contract theories. This concept, in the political thought of Imam Khomeini (RA),

in conjunction with the Divine Covenant, takes on dimensions distinct from the conventional social contract. Although these may, in function, resemble the theories of rational-moral contractualists, they exhibit significant differences in foundations and ends. The examination of the historical and social context of the development and evolution of the political thought of Imam Khomeini (RA)—as a religious scholar, political militant, and leader of a revolution—indicates that from the very beginning of his life, he possessed a moral and divine disposition in his struggle against domestic despotism and foreign intervention, and never, with a utilitarian disposition, sought greater welfare and compromise with the regime. Such a disposition, arising from Imam Khomeini's (RA) heartfelt faith in the Divine Covenant, displays a new formulation of the social contract. This Divine Covenant constitutes the source of the substantive legitimacy of the Guardianship of the Jurist. On the other hand, the emergence of an Islamic government is impossible without the people's accompaniment; therefore, Imam Khomeini (RA) always emphasized the people's participation and the basis of majority rule within the framework of law. In other words, it can be said that Imam Khomeini (RA), as an author, intended, by distancing himself from the dominant reading of the social contract—which was a secular reading severed from revelation—to present a project for the concomitance of the social contract with the Divine Covenant, a project which is divine at the level of actualization and requires the people's participation at the level of demonstration. The intent of Imam Khomeini (RA), as an author, in presenting this new project, was the establishment of a just government for the cultivation of the refined human being.

پرتال جامع علوم انسانی

References

- Ali-Hosseini, Ali, & Binandeh, Abdullah (2025). "Epistemological Foundations of John Locke's Theory of the Social Contract." *Quarterly Journal of Politics*, 14(55), pp. 189-213.
- Bashiriyyeh, Hossein (1995). *The Government of Reason*. Tehran: Novin Science Publishing Institute.
- Boucher, David, and Kelly, Paul (1994). *The Social Contract from Hobbes to Rawls*. New York: Routledge.
- Boucher, David, and Kelly, Paul (2005). *The Social Contract from Hobbes to Rawls*. New York: Routledge.
- Dastani Birki, Ali et al. (2013). *A Review of the Political and Social Thoughts of Imam Khomeini (PBUH) (Collected Articles)*. Tehran: Orouj Publishing Institute.
- Davari Ardakani, Reza, & Shakeri, Seyyed Reza (2009). "Political Security in the Thought of Imam Khomeini (RA)." *Biannual Journal of Political Science*, 5(10), pp. 69-86.
- Dehnavi, Hassan; Fallah, Mahmoud; & Dehnavi, Hamid (2016). "Republicanism and Islamism in the Constitutional Discourse of Iran with Emphasis on the Thought of Imam Khomeini (RA)." *Biannual Journal of Cultural Protection of the Islamic Revolution*, 6(13), pp. 129-162.
- Derakhsheh, Jalal (2005). "The Relation between Law and Sharia in the Political Thought of Allameh Mirza Naini." *Biannual Journal of Political Science*, 1(2), pp. 39-60.
- Eftekhari, Asghar (2007). "Justice as 'Moderation'; An Introduction to Imam Khomeini's (RA) Theory of National and International Justice." *Biannual Journal of Political Science*, 3(5), pp. 39-65.
- Eftekhari, Asghar et al. (2013). *Political Conceptology in the Thought of Imam Khomeini (RA)*. Tehran: Imam Sadiq University Press.
- Esmaeili, Mohammad Mahdi, & Dashtkouhi, Mohsen (2021). "The Epistemic Foundations of Republicanism in the Political Thought of Imam Khomeini (RA)." *Quarterly Journal of Politics*, 10(51), pp. 1-18.
- Fowzi, Yahya (2018). *The Political Thought of Imam Khomeini (RA)*. Tehran: Ma'aref.
- Gadamer, Hans-Georg (2006). *Truth and Method*. London: Continuum International Publishing Group.

- Ghahreman, Meysam, & Keshavarz, Hadi (2016). "Qualitative Content Analysis of the Political System Model in Imam Khomeini's (RA) Book Wilayat al-Faqih." *Biannual Journal of Political Science*, 12(24), pp. 139-162.
- Hobbes, Thomas (2014). *Leviathan*. Translated by Hossein Bashiriye. Tehran: Ney Publishing.
- Hosseini, Rouhollah (2010). *Foundations of the Political Thought of Imam Khomeini (RA) (Worldview and Ideology)*. Tehran: Islamic Revolution Documentation Center.
- Imam Ali (AS) (2005). *Nahj al-Balagha*. Translated by Ayatollah Naser Makarem Shirazi. Tehran: Madrasa al-Imam Ali ibn Abi Talib (AS).
- Imam Jomehzadeh, Seyyed Javad, & Ebrahimi, Ali (2016). "A Sociological Analysis of the Occurrence of the Islamic Revolution; With Emphasis on Ted Robert Gurr's Theory of Relative Deprivation and the Thoughts of Imam Khomeini (RA)." *Biannual Journal of Political Science*, 12(23), pp. 27-60.
- Jahanbazorgi, Ahmad (2009). *The Political Thought of Imam Khomeini (RA)*. Tehran: Youth Thought Center.
- Jamalzadeh, Naser, & Babakhani, Mojtabi (2018). "The Application of the Rule of Preserving the System in the Jurisprudential-Political Thought of Imam Khomeini (RA)." *Biannual Journal of Political Science*, 13(25), pp. 5-40.
- Javidi, Mojtabi (2013). "A Methodological Look at John Locke's Theory of the Social Contract." *Quarterly Journal of Religious Thought*, 20(75), pp. 21-44.
- Jowhari, Mohsen; Nasrollahi, Mohammad Sadegh; & Nosrat Panah, Mohammad Sadegh (2023). "The Paradigmatic Model of the Distortionology of the Thought and Conduct of Imam Khomeini (RA)." *Biannual Journal of Political Science*, 19(37), pp. 77-104.
- Karimi Firouzjaei, Ali; Nategh Nouri, Hamid; & Naeimi, Farahnaz (2017). "Discourse Analysis of Imam Khomeini's (RA) Views on the Mutual Rights of Government and People." *Quarterly Journal of Contemporary Political Essays*, 8(24), pp. 123-144.
- Khademi, Mehrnoosh; Mousavi Jashni, Seyyed Sadroddin; & Keshavarz Shekri, Abbas (2024). "The Components of Women's

- Empowerment in Imam Khomeini's Thought." *Political Sociology of the Islamic World*, 12(24).
- Lakzaei, Najaf (2008). *The Evolution of Imam Khomeini's (RA) Political Thought*. Tehran: Institute for Culture and Islamic Thought Publications.
- Locke, John (2013). *Two Treatises of Government*. Translated by Farshad Shariat. Tehran: Negah-e Mo'aser.
- Mackie, John Leslie (1977). *Ethics: Inventing Right and Wrong*. London: Penguin Books.
- Mehrizi, Mahdi (2006). *Social Thoughts of Imam Khomeini (PBUH)*. Tehran: Institute for Compilation and Publication of Imam Khomeini's Works.
- Mirsandesi, Seyyed Mohammad (2003). *Discourses on the Social Thought of Imam Khomeini (RA) (With Emphasis on Justice and Development)*. Tehran: Imam Hossein University Press.
- Mousavi Jashni, Seyyed Sadroddin, & Bakhshi, Abbas Ali (2019). "Examining the Role of the People in the Political Thought of the Muslim Brotherhood Movement." *Political Sociology of the Islamic World*, 7(15), pp. 81-108.
- Mousavi Khomeini, Seyyed Ruhollah (2006). *Sahifa-ye Imam*. Tehran: Orouj Publishing.
- Mousavi Khomeini, Seyyed Ruhollah (2007). *Kitab al-Bay'*. Tehran: Institute for Compilation and Publication of Imam Khomeini's Works.
- Mousavi Khomeini, Seyyed Ruhollah (2015). *Adab al-Salat*. Tehran: Institute for Compilation and Publication of Imam Khomeini's Works.
- Mousavi Khomeini, Seyyed Ruhollah (2019). *The Guardianship of the Jurist (Islamic Government)*. Tehran: Institute for Compilation and Publication of Imam Khomeini's Works.
- Nosrat Panah, Mohammad Sadegh, & Bakhshi, Masoud (2020). "Anti-Arrogance in the Political Thought of Imam Khomeini (RA); Based on the Conceptology of Arrogance in Al-Mizan Commentary." *Biannual Journal of Political Science*, 16(32), pp. 671-696.
- Nosrat Panah, Mohammad Sadegh, & Saifi, Mohammad Mehdi (2019). "The Relationship between Justice and Freedom in Transcendent Political Philosophy; With Emphasis on the Views of Allameh

- Tabatabai." *Biannual Journal of Political Science*, 15(29), pp. 243-270.
- Nozick, Robert (2023). *Anarchy, State, and Utopia*. Tehran: Nashr-e Markaz.
- Rawls, John (2021). *A Theory of Justice*. Translated by Morteza Nouri. Tehran: Nashr-e Markaz.
- Rousseau, Jean-Jacques (2018). *The Social Contract; Text and Context*. Translated by Morteza Kalantarian. Tehran: Agah.
- Russell, Bertrand (2015). *History of Philosophy*. Translated by Najaf Daryabandari. Tehran: Avand-e Danesh.
- Sadi, Hossein Ali, & Babakhani, Mojtabi (2024). "The Possibility or Impossibility of Extending the Jurisprudential Rule of 'Obligation to Preserve the System' to 'Preservation of the Muslim Political System'; With Emphasis on the Views of Imam Khomeini (RA)." *Biannual Journal of Political Science*, 20(40), pp. 345-370.
- Sadra, Alireza (2013). "A Philosophico-Political Critique of the Social Contract in Rousseau's View." *Quarterly Journal of Politics*, 11(44), pp. 221-236.
- Salehi Hafsajani, Mohammad Hassan, & Khodri Kiasi, Sara (2024). "The Application of Ayatollah Misbah Yazdi's Anthropological Foundations in John Locke's Theory of the Social Contract." *Quarterly Journal of Epistemological Studies in Islamic University*, 28(98), pp. 159-178.
- Scanlon, Thomas (1998). *What We Owe to Each Other*. London: Harvard University Press.
- Shariat, Farshad (2010). "Liberalism, Secularism, and the New West." *Biannual Journal of Political Science*, 6(11), pp. 61-84.
- Talisie, Robert (2018). *The Philosophy of Rawls*. Translated by Khashayar Deyhimi. Tehran: Nashr-e No.



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