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## Democratic and constitutionalist elements in Khomeini's *Unveiling of Secrets and Islamic Government*

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### ABSTRACT

This is a study of Khomeini's two main pre-revolutionary political works: one, *Islamic Government*, in which he urges his audience to accept that Islam is a political religion and jurists of Islamic law have a crucial role in government; and a second, *The Unveiling of Secrets*, of which only short excerpts have been translated into English and which has received scant attention by scholars outside of Iran. This latter work is crucial to study because in this work, he elaborates his view on democratic and constitutionalist principles, subjects he had treated only vaguely and briefly in *Islamic Government*. Contrary to much of the secondary literature produced on Khomeini, which claims that Khomeini's theory is simply a theory of guardianship, antithetical to participatory government, the article claims that in *The Unveiling of Secrets*, and (though more ambiguously) in *Islamic Government*, Khomeini appeals to democratic and constitutionalist principles to argue that the views of common citizens, and not just experts in Islamic law, must be heeded by an *Islamic government*. Recognizing the complexities and ambiguities of Khomeini's thought both in his earlier and later works allows us to understand and engage in dialogue with the scholars who inherit and critique his ideas today.

### Introduction

The political thought of Ruhollah Khomeini has attracted the interest of countless scholars. In particular, there has been much focus on the lectures on Islamic government that he delivered in Najaf in 1970, since these lectures helped to mobilize the popular movement that would lead to the Islamic Revolution of 1979 and would serve as a theoretical resource for the drafters of the Islamic Republic's first constitution. Khomeini authored another political work, however—one that was more removed from the political scene, since it was written decades earlier, but one that was equally rich with political concepts and arguments. This article examines this early work, *The Unveiling of Secrets*, along with his Najaf lectures. A central theme in both works is that the Islamic jurist should be given a role in government that allows him to keep it from violating the religious law, but in both works,

Khomeini recognizes that jurisprudents may govern unjustly. Moreover, in *The Unveiling of Secrets*, more clearly than in his Najaf lectures, Khomeini describes an important role in government for ordinary citizens.

Many scholars argue that in his political writings, Khomeini called for jurisprudents, or sometimes mystics or philosophers, to be given unconditional political power. Hamid Dabashi says that Khomeini's political leader was the 'the philosopher king in the platonic understanding of the term ... Khomeini maintained that people do not know what is good for them.'<sup>1</sup> Similarly, Abbas Amanat says that Khomeini's guardian has a charismatic authority, an authority which has 'a mysto-philosophical core colored on the outside by Shi'ite legal trappings.'<sup>2</sup> Vanessa Martin says that in Khomeini's thought, 'ideally it is the philosopher-jurist who understands both the *shari'a* and its hidden meanings and is thus most qualified to rule,'<sup>3</sup> though she says in a different work that Khomeini's theory was a 'juxtaposed and interactive' merging of rule by Islamic law and rule by a guardian.<sup>4</sup> Said Amir Arjomand says that 'there is reason to believe that Khomeini considered the Islamic republic to be the appropriate form of government only for the period of transition to the truly Islamic government,'<sup>5</sup> a government in which a hierarchy of religious clerics rule single-handedly 'on behalf of God.'<sup>6</sup> Much more radically, Gregory Rose says that 'the jurisprudent is positioned to guarantee institutional conformity to the agenda for restructuring consciousness.'<sup>7</sup>

In what follows, I argue that all of these authors, whether they claim that in Khomeini's view a philosopher or a jurisprudent should have sovereign political power, skim over the constitutionalist and democratic elements of Khomeini's political thought. In his Najaf lectures, which were later published in book form under the title *Islamic Government*, we find that at times, Khomeini's argument opens up space for democratic and constitutionalist principles, whereas in *The Unveiling of Secrets*, a work he wrote in 1943,<sup>8</sup> we find direct support for these principles. Though in both texts, Khomeini holds that government can legislate and act only within the boundaries of Islamic law, where jurisprudents determine when government has violated the divine law, he also recognizes limitations on the jurisprudent's capacity to govern and political prerogatives reserved for ordinary citizens. Drawing on a centuries-long tradition of Shi'a Islamic political theory, in *Islamic Government*, Khomeini recognizes the moral and intellectual fallibility of the jurisprudent and therefore implicitly calls for the jurisprudent to be held accountable by others. While Khomeini never proposes, in this text, a mechanism by which the jurisprudent may be forced to step aside, nor states in explicit terms that certain governors should have the ability to force him to step aside, he says that the position may indeed be 'usurped.' Moreover, Khomeini speaks of the divine law not as a code to be rigidly implemented by a jurisprudent or mystic, but as 'progressive' and 'evolving.' Finally, Khomeini compares his theory of government to the constitutionalist scholar Mirza Muhammad Husayn Na'ini's theory (d. 1936). Na'ini had held popular consent and an elected parliament, operating within the bounds of Islamic law, to be the most desirable form of government in the absence of divine guidance. This evidence indicates that Khomeini's thought is less averse to constitutionalist and democratic principles than secondary scholarship has claimed.

In *Islamic Government*, Khomeini leaves important questions unanswered. More specifically, *Islamic Government* does not answer questions such as the following: Who is to cause this 'progressive' Islamic law to 'evolve?'; who is to hold the guardian accountable? and by what means is he to be held accountable? It is in *The Unveiling of Secrets* that we find stronger support for constitutionalist and democratic Islamic themes. In *The Unveiling of Secrets*,

Khomeini says that the 1906 constitution should finally be brought to life, a constitution which had provided for a parliament of elected representatives, that representatives should be evaluated and held accountable by citizens, that the *shari'a* can and must be supplemented by law that serves general ethical principles, and that popular consent to government is vital. Here, we find evidence that Khomeini believed that though the jurisprudent had a powerful role in government because of his expertise in Islamic law and his outstanding moral character, he could not assume this role unless ordinary citizens gave their consent. Furthermore, these citizens would elect representatives to draft law in parliament, law not included in the *shari'a* but deemed necessary for promoting a conception of the public good that these representatives, in the process of drafting legislation, define. These democratic and constitutionalist principles are recognized only vaguely in *Islamic Government*, if at all, but they are not explicitly refuted.

Does the absence of support for these principles in *Islamic Government* simply indicate that after nearly three decades, Khomeini had changed his mind? Khomeini again defends these principles, however, in his speeches, statements and correspondence after the Islamic Revolution in 1979, which date to his death in 1989. These writings, like *The Unveiling of Secrets*, are only infrequently studied in the literature in English, but provide evidence against the claim that the trajectory of Khomeini's thought, as time passed, tended towards an authoritarian view of government, and that *The Unveiling of Secrets* is an early work unrepresentative of Khomeini's more mature, developed views. In his post-revolutionary writings, he emphasizes that an Islamic government cannot be considered legitimate if the public has not consented to it and prescribes a robust role in government for a parliament—though he continues to argue for a powerful role for the jurisprudent.<sup>9</sup> Though some scholars have argued that these post-revolutionary writings are hopelessly contradictory,<sup>10</sup> they have been differently interpreted in contemporary Iran by conservatives who claim that these writings support a stronger role for the jurisprudent, and by reformists who interpret these writings in a different way, arguing that Khomeini envisioned an expansive sphere of prerogatives for citizens and their elected representatives.<sup>11</sup>

The theoretical overlap between Khomeini's post-revolutionary writings and *The Unveiling of Secrets* makes it important for scholars not to neglect this early work, which can influence interpretations of his later thought. In this overlap, there is evidence against the claim that Khomeini's support for democratic and constitutionalist principles in his post-revolutionary writings was merely superficial or opportunistic. More generally, *The Unveiling of Secrets* includes additional material that we may study in order to comprehend Khomeini's view of the role of the public in a government that aims to implement the *shari'a*, a role that he continued to elaborate in his writings after the Revolution. Because *The Unveiling of Secrets* remains untranslated, however, interpretations of *Islamic Government*—the work that is referenced most frequently in studies of his political thought—as well as interpretations of his post-revolutionary writings, often take little or no account of Khomeini's discussion of government in *The Unveiling of Secrets*.

Khomeini wrote *The Unveiling of Secrets* in response to a pamphlet, entitled *Thousand-Year Secrets (Asrar-i Hizar Sala)*, written that same year by the secularist critic of Shi'a Islam, Ali Akbar Hakamizadeh. Contrary to Hakamizadeh's claims, Khomeini says that Islam is a religion that encourages the use of reason and intellect, as well as allegiance to the state, and finds evidence for this in the democratic and constitutionalist principles of Islamic political theory. Citizens must be able to comprehend, through reason that is unclouded by cultural

habits of thinking, the reprehensible nature of political tyranny. They must also use their reason to assess the law passed by their representatives, as well as the ethical characters of their representatives, and based on these assessments, vote their representatives in and out of office. These representatives must draft law in parliament that responds to the needs of the modern day, but also serves the principles that underlie the divine law, principles they discern through their reason. Finally, Khomeini says that citizens will develop a sense of allegiance and loyalty towards the government when they determine that representatives serve their interest and respect the law that they pass. In other words, in pointing to democratic and constitutionalist principles of Islamic political theory, Khomeini seeks to convince his reader that Islam values both intellect and devotion to the state.

## Space for democracy and constitutionalism in *Islamic Government*

### *Historical context of Islamic Government*

Almost three decades after writing *The Unveiling of Secrets*, in January and February 1970, Khomeini delivered a series of 19 lectures to his seminary students in Najaf that outlined his vision of Islamic government. Khomeini had been exiled to Najaf in 1965, having first been exiled to Turkey in 1964 after commencing, in 1963, political activity against the Shah. The decade preceding his 1970 lectures had been a particularly difficult one for Iran; parliamentary elections were rigged or tightly controlled, and when parliament was in session (often it was not, since several times the Shah dissolved parliament), it functioned largely as a rubber stamp. In addition, the Shah attempted to pass unpopular programmes designed to undercut Islamic aspects of the law, such as his famous 'White Revolution,' proposed in 1963, which featured a land re-distribution programme that some clerics, including Khomeini, condemned because they claimed that it undermined property rights in a way that violated Islamic law. These and other laws that were widely perceived to be designed to solidify the Shah's political control spurred massive protests on several occasions, protests which the Shah then crushed violently.<sup>12</sup> In addition, in 1968, the Ba'ath Party came to power in Iraq for the second time and began constricting the intellectual freedoms of scholars in Najaf.<sup>13</sup>

Khomeini's *Islamic Government* was delivered during a period of great political duress and in resistance to the political pressures of both the Iranian and Iraqi regimes, and it was addressed to theology students he hoped would be spurred into political action against political regimes that were becoming increasingly hostile to traditional Islam. His audience was one that perhaps Khomeini thought would be won over—and driven to political action—not by images of constitutionalism and democratic government, but by images of the renewed relevance of Islamic law and the political role of the jurisprudent.

### *Structure of Islamic Government*

Though *Islamic Government* is by far the most frequently referenced of Khomeini's works in scholarship on his political thought, the purpose of the book is narrower than to 'offer either a complete scheme of Islamic political philosophy or a detailed plan for the establishment and functioning of an Islamic state.'<sup>14</sup> Because of its narrow focus on the political relevance of Islamic law and jurisprudent's political role, the book provides no conclusive evidence that Khomeini envisioned – or did not envision – his government to include constitutionalist or

democratic elements. Khomeini seems unconcerned with theorizing how to constrain the jurispudent's power and instead concentrates on making the argument that the jurispudent should be given power in the first place.

Khomeini begins the lectures by arguing why Islam concerns itself with government: its principles oppose tyranny, monarchy, imperialism and colonial government, and it features a legal system that must be implemented, including provisions related to taxation, criminal punishment and the upkeep of a military. If Islamic law is implemented, the state will be safe from foreign intrusion and exploitation and internal disorder, poverty will decrease, ethical corruption will be discouraged, and a social environment favourable to spiritual growth will be fostered.<sup>15</sup> It is only because imperialist powers have spread propaganda that Islam is an apolitical religion, and it is only because Muslims glorify the wealth of Western states, and in pursuit of this wealth, seek to reproduce their political institutions, that Muslims have not yet established an Islamic state.<sup>16</sup>

Khomeini then moves on to provide some discussion—though much detail is left out—on the form of Islamic government. He is very particular about the forms of government he believes are illegitimate, but he is not specific about what institutions he does believe to be legitimate. Monarchy cannot be compatible with Islam, nor Western constitutionalist government that is not bound by Islamic law, nor government with excessive bureaucracy, he says. He is, of course, clear that the jurispudent is to have political power, although as will be argued in what follows, he recognizes that the jurispudent may abuse his power. He spends much time discussing *hadith* (narrations from either the Prophet or the imams) that he furnishes as evidence for the political power of the jurispudent, *hadith* that he says have been misinterpreted or neglected by past scholars.<sup>17</sup> Finally, to conclude the series of lectures, Khomeini addresses how the clergy may help to bring about Islamic government, involving themselves both in educating others and reforming themselves.<sup>18</sup>

### **The content of Islamic Government**

As a political theorist educated in the Islamic seminaries of the Iranian cities of Arak and Qom, Khomeini was educated in a centuries-long tradition of Shi'a political theory, and he draws upon this tradition in *Islamic Government* as well as *The Unveiling of Secrets*. Scholars who can be considered thinkers within this tradition all share a belief that in the absence of infallible, divinely inspired authority, experts in Islamic law, the Islamic jurisprudents [*fuqaha*], collectively, are to exercise religious and sometimes political authority. According to Shi'a belief, after Prophet Muhammad's death, a series of 12 'imams,' or leaders, served consecutively as successors to the Prophet's political and spiritual leadership, inheritors of the same, perfect understanding of Islam possessed by the Prophet. The last of these imams, Muhammad al-Mahdi, disappeared in 941 C.E.<sup>19</sup> While scholars of the Shi'a tradition of political theory held onto the notion that just as the Prophet needed a political successor, so did the imams, and scholars in the law would be best suited to fill this role, they theorized the nature of this post very differently. Constitutionalist scholars at the turn of the 20<sup>th</sup> century envisioned the political dimension of the jurisprudents' leadership to be integrated into the institutions of a parliamentary monarchy, whereas other scholars envisioned a more exclusive political role for the jurisprudents, and still others envisioned only a very limited political role, where jurisprudents were subordinate to state law.<sup>20</sup> Like the Shi'a political



theorists who came before him, Khomeini insists that Islamic law has political relevance, and that it should be implemented by those who best understand it—the jurists.

However, also like the Shi'a political theorists who came before him, Khomeini accepted that all political authority, even the authority of the jurist, is fallible, and therefore it operates—and by implication, must operate—within a limited sphere. Khomeini emphasizes in *Islamic Government* that jurists do not have the spiritual status of the imams and prophets. While the jurists' duty to implement the sacred laws of the *shari'a* 'constitute[s] a serious, difficult duty,' he says, they 'do not earn anyone extraordinary status, or raise him above the level of common humanity.'<sup>21</sup> During the absence of the last imam, jurists must try their best to apply the sacred law to the societies in which they live, but they undertake this task as human beings, and nothing more. Because they apply the sacred laws imperfectly, the laws, as soon as they are pulled out of traditional texts and applied to circumstances in contemporary society, are no longer sacred. Moreover, Khomeini argues, 'if the government were a spiritual station, nobody would be able to either usurp it or abandon it.'<sup>22</sup> The fallible jurist may come to unjustly occupy his political position, Khomeini says, or abandon it altogether, but he stops short of stating who is to determine whether his position is unjustly occupied, or how this event is to be prevented in the first place.

Scholars who claim that Khomeini's guardian is a mystic or philosopher with a profound understanding of the divine that is incomprehensible to 'common humanity,' or that Khomeini's guardian is a jurist who rules, in Arjomand's words, 'on behalf of God,' neglect elements of *Islamic Government* discussed here, where Khomeini emphasizes the fallibility of the guardian and the potential for the guardian to exercise tyranny by usurping his position. However, though Khomeini recognizes that those who govern after the last Imam, even enlightened religious scholars, are fallible, he does not make this recognition the basis of an argument for democratic or constitutionalist principles. Instead, this recognition creates the space in Khomeini's thought for these principles.

Further evidence that Khomeini's *Islamic Government* allows space for democratic and constitutionalist elements comes when Khomeini draws a comparison between his own theory of government and a constitutional theory of government. Khomeini twice cites the important 20<sup>th</sup>-century constitutionalist scholar Mirza Muhammad Husayn Na'ini,<sup>23</sup> who put forward a theory of Islamic constitutionalism in his book, *Tanbih al-Umma wa Tanzih al-Milla* [*Exhortation of the Community and Purification of the Nation*].<sup>24</sup> In both instances, he compares Na'ini's conception of the role of the jurist in government to his own, calling Na'ini's Islamic theory of constitutionalist parliamentary democracy—where a popularly elected parliament was overseen by a council of jurists—a theory of guardianship. Na'ini, he says, regarded 'all the extrinsic functions and tasks of the imams as devolving upon the *faqih* [jurist],'<sup>25</sup> an idea that he says Na'ini, like himself, derived from authoritative *hadith*. If Na'ini believed that the jurist's authority left room for constitutionalist parliamentary government, and if Khomeini compared his own theorization of the jurist's authority to Na'ini's, perhaps Khomeini also believed that government by the jurist left room for constitutionalist parliamentary government.

Finally, Khomeini further opens space for democratic government in *Islamic Government* when he says that the divine law is not simply a code to be implemented but can be molded by human beings. 'Islamic law,' he says, 'is a progressive, evolving, and comprehensive system of law.'<sup>26</sup> Thus, when Khomeini makes the radical statement in *Islamic Government* that 'the

Quran and sunna [prophetic tradition] contain all the laws man needs in order to attain happiness and the perfection of his state,<sup>27</sup> he refers to a system of law, a law that is capable of transformation and is perhaps largely, as of yet, unformulated and undefined. The Quran and sunna have all the laws that we need, not because of the literal laws they contain, but because they prescribe principles that may be the basis from which new law is derived. Because it must often be clarified by humans by means of their fallible faculty of reason, the divine law cannot be fully sovereign. Still, Khomeini's brief reference to his perspective on the law falls short of providing conclusive evidence that Khomeini envisioned non-experts to participate in the process of deriving new law applicable to the contemporary world.

## Democracy and constitutionalism in *The Unveiling of Secret*

### *Historical context of The Unveiling of Secrets*

In *The Unveiling of Secrets*, a work Khomeini wrote much prior to *Islamic Government*, Khomeini elaborates on more evidently constitutionalist and democratic themes. Though Khomeini wrote *The Unveiling of Secrets* almost 40 years after the Constitutional Revolution, the debates concerning constitutionalism had far from subsided, since constitutionalists had not yet succeeded in establishing a functional parliamentary government and the impetus for liberal political reform still existed. In *The Unveiling of Secrets*, Khomeini urges that the constitution produced by the 1906 Revolution finally be implemented, although he believed strongly in Article 2 of the 1907 Supplementary Fundamental Law,<sup>28</sup> which stipulated that the parliament should function under the supervision of jurisprudents of *Islamic law*—or, he adds, the parliament itself may be composed of experts in Islamic law capable of exercising *ijtihad*.<sup>29</sup>

Khomeini was able to express this opinion openly because the overthrow of Reza Shah's regime in 1941 by Allied forces removed restraints on public political criticism,<sup>30</sup> and during this time, parliament began to act more independently—it was no longer the rubber stamp parliament that it used to be.<sup>31</sup> It would, for example, use its power of the purse to control administrations and put into practice its right to question and control the selection of ministers.<sup>32</sup> The new king, Reza Shah's son, Mohammad Reza Pahlavi, was too young and inexperienced to rule autocratically; in addition, he was weakened by the occupation of his country by foreign powers—the Soviet Union and Britain—who had occupied the northern and southern regions of Iran, respectively, in August 1941, just before Reza Shah was forced from his position in September 1941. The occupation was prompted by the Allied powers' fear of an Iranian–German military alliance—the Shah had friendly relations with the Nazi regime—and their desire for a supply route through Iran to the USSR.<sup>33</sup> With parts of his country under occupation, his army was preoccupied by the task of establishing internal security, so that 'he could only reign, not rule.' Pahlavi, during these early years, even yielded to clerical political pressure, annulling his father's bans on Shi'a passion plays (re-enactments of the string of events that led to the martyrdom of the third Imam, Imam Hussain) and pilgrimage to Mecca. Many women, during this time, began appearing in public with their heads covered, though this aspect of Islamic dress had been banned in 1936 by Reza Shah.<sup>34</sup>

Though the era of Reza Shah had ended, the experience of being a subject of Reza Shah's secular government had by no means been forgotten by Khomeini, and in *The Unveiling of Secrets*, he remains concerned with convincing his reader of the harmfulness of Reza Shah's



secular reforms. Through these reforms, the Shah aimed to limit the social and political authority of the clergy and reduce the influence of Islam on society and politics. Reza Shah was not only intent on discouraging Islamic morality and rituals through bans on passion plays and Islamic dress, but he also pushed for change in education and government. He established numerous universities that offered a secular education in competition with the Islamic seminaries, previously the predominant and most easily accessible educational institution in Iranian society, and he centralized state control over the courts, establishing a system of secular courts that implemented state law<sup>35</sup> and circumscribing the jurisdiction of *shari'a* courts to marriage, divorce and the appointment of trustees and guardians.<sup>36</sup> Finally, he reduced the presence of clerics in government by recruiting top state bureaucrats not from the seminaries, but from graduates of secular universities or universities abroad, and he further reduced their authority by taking away political functions that they traditionally fulfilled, such as their administration of religious endowments.<sup>37</sup> In working to diminish the power and prestige of the clergy, centralizing judicial power, creating a uniform, codified law, suppressing religious morality and ritual, and opening access to secular education, Reza Shah aimed to establish a strong, centralized state that would, more than the clergy and more than religion, secure the allegiance and loyalty of citizens. With a few exceptions, clerics did not resist Reza Shah's programme of secularization and centralization, and when there were protests, the Shah responded with great force. *The Unveiling of Secrets*, in Tabari's words, was 'the first systematic formulation of a position of the clerical opposition' to the Shah's programme.<sup>38</sup>

While, on the one hand, Khomeini argued in *The Unveiling of Secrets* that the Shah, in his efforts to make Iran less Islamic, had set Iran back, he was concerned with more than just reintroducing Islam into the institutions of government and into Iranian culture and society. He was also insistent that Iran regain another asset that Reza Shah had suppressed: constitutional government and an elected parliament. Khomeini shares Reza Shah's aim of rebuilding the central government, especially given the reality of foreign occupation, but he does not think that secularization will have this effect; instead, he sees the reintroduction of not only Islamic, but democratic and constitutionalist institutions as part of the solution.

### **Structure of The Unveiling of Secrets**

*The Unveiling of Secrets*, is not, however, focused on a critique of Reza Shah's policies, but instead it is structured by 13 questions put forward by a critic of Shi'a Islam and an advocate of the secular state, Ali Akbar Hakamizadeh, in a pamphlet he published in 1943 called *Thousand-Year Secrets*. Like Reza Shah, Hakamizadeh believed that Shi'a religious rituals and belief impede progress in Iran. In this pamphlet, he says, firstly, that Shi'a religious rituals, such as mourning ceremonies and pilgrimage to the shrines, lead people to rely upon ritual to bring them emotional—and even, they believe, physical—healing and well-being, preventing them from instead relying on their intellect and effort to resolve challenges they face in their individual lives and challenges faced by society. They are more likely to make a pilgrimage to a shrine, asking the venerated figure who is buried there for *shifaa*, or physical healing, rather than seek a medical cure. The 'West' has moved ahead of the 'East,' he says, because it has abandoned such religiously based superstitious practices; 'its attention is turned more towards work and struggle.'<sup>39</sup>

A second set of Hakamizadeh's criticisms address the tenets of Shi'a belief. Hakamizadeh says that two features of Shi'a Islam have kept people from feeling an allegiance towards government. First, he argues that Shi'a messianism, which says that the last Imam, now in occultation, will return near the end of time to establish a just government, prevents people from developing an allegiance to or affection for the currently existing state. Second, people do not feel allegiant to government because they believe—and are encouraged by clerics in this belief—that it is the jurisprudents who should have political power in the Imam's absence, and the jurisprudents must implement the *shari'a*, despite the fact that the jurisprudent has neither the knowledge nor the know-how to govern, and the *shari'a* is no longer relevant to the modern world. This causes citizens to view state law—since it is not religious law—and government—if it is not government by the jurisprudent—with diminished respect and loyalty. He emphasizes how much the 'independence and stability of the country is weakened'<sup>40</sup> when people begin to believe that because the state is not Islamic, they should not pay taxes, or they should not volunteer in the army (or exert effort when they are in the army), or that there is no sin involved in bribing a government employee when one is asked to pay the government its due. Hakamizadeh laments,

That salesperson who makes a hundred excuses to escape from [paying taxes] ... that soldier or security officer who believes that his work doesn't have value in the eyes of God (so he should avoid doing his duty as much as he can) should know that according to the sound law of reason, which is the unmediated law of God, he is a sinner and will be responsible before God.<sup>41</sup>

### **The content of The Unveiling of Secrets**

Responding to Hakamizadeh's questions one by one, Khomeini seeks, in *The Unveiling of Secrets*, to refute his claim that Shi'a religious practices and belief had evolved in such a way as to discourage reason and allegiance to state law. On the subject of Islam and reason, Khomeini says that Islam encourages rational thought insofar as Islamic political theory is constitutionalist and democratic. Citizens must exercise their reason in their political lives, he says—in assessing legislation and legislators, in drafting law that serves principles that underlie the law—and also, he says, in breaking free of a centuries-old habit of thinking that prevents them from comprehending the reprehensible nature of government without popular consent. Moreover, he says that Hakamizadeh misunderstands Shi'a religious ritual; people should not ask for divine aid for events they can bring about themselves, he says.

On the subject of allegiance to state law, Khomeini disputes Hakamizadeh's claim that Islam expects that citizens feel loyal only to a government headed by the Imam or a jurisprudent. Khomeini argues that citizens develop an allegiance to state law when they elect representatives to parliament who they believe work in their interest. Although the jurisprudents must oversee the executive and legislative branches of government, ordinary citizens are still expected to participate in free and fair parliamentary elections and assess both the law that their representatives pass and the character and ethical behaviour of their representatives. When citizens give a positive assessment of their representatives and the law that they pass, they will become obedient to state law. Before such a government is established, however, clerics must not urge citizens simply to withdraw their support from government, he says, recognizing the threat of instability and (more extensive) foreign incursion when government is weakened.

*The Unveiling of Secrets* is treated only marginally—usually, in no more than a few sentences—in texts on Khomeini's life and thought. When the content of the book is discussed, authors neglect to discuss, or explicitly deny that it has, constitutionalist and democratic elements. One group of authors neglect to discuss constitutionalist and democratic elements in *The Unveiling of Secrets* and emphasize instead one crucial difference between this book and Khomeini's 1970 lectures—in *The Unveiling of Secrets*, he is accepting of monarchical government, whereas in 1970, he flatly rejects it. These scholars, including Adib Moghaddam, Shahrough Akhavi and Ervand Abrahamian, focus their argument on the fact that in 1943, Khomeini was more accommodating of existing institutions than he was in 1970, when he calls for revolution. However, these authors do not discuss the fact that Khomeini is more accepting of monarchical government in 1943 because he wishes to revive major provisions of the 1906 constitution, which had created a *constitutional* monarchy, one in which the monarch was limited significantly by a constitution and democratically elected parliament.<sup>42</sup>

A second group of scholars do address the subject of constitutionalism and parliamentary government in Khomeini's thought, but they take the position that Khomeini opposed it. Some of these scholars say that in *The Unveiling of Secrets*, Khomeini holds that it is impossible for constitutional, representative government ever to be a desirable form of government because parliamentarians will never faithfully and fairly represent their constituents. Vanessa Martin cites Khomeini's criticism of parliamentary elections, in which he complains that 'members of the assembly are elected by force' and 'money is disbursed to collect the votes of ruffians,' and claims that Khomeini therefore rejected any system of representative government. She fails to recognize that Khomeini proposes the improvement of the existing system—he proposes fair elections and representatives elected on behalf of the public at large—rather than the elimination of popular elections entirely. Ghamari-Tabrizi, too, says that Khomeini believes legislators to be 'deceitful and cunning.'<sup>43</sup> However, these authors mistake Khomeini's criticisms of the then-existing system of representative government—to the extent that it existed at all—for a rejection of representative government in its essence.

Other authors who claim that Khomeini opposed constitutionalist and parliamentary government in *The Unveiling of Secrets* argue that Khomeini saw a political role for the clergy that ultimately precluded constitutionalism or parliamentary government. Ghamari-Tabrizi goes so far as to claim that in *The Unveiling of Secrets*, 'Khomeini followed the anticonstitutionalist position of Sheikh Fazlollah Nuri, who called the notion of legislative power blasphemous,'<sup>44</sup> while Tabari says that Khomeini argues that the laws of the country should simply be the laws of Islam and the public should be obedient to *mujtahids* and *faqih*s.<sup>45</sup> Rahimi says that the parliament was simply a place where the *shari'a* was enforced,<sup>46</sup> and finally, Adib-Moghaddam argues that in *The Unveiling of Secrets*, we find what is a 'constant in [Khomeini's] political thought and praxis': an interest in recreating Al-Farabi's Virtuous City, placing a philosopher-cleric at the head of government.<sup>47</sup> However, when Khomeini says that parliaments lack legitimacy and the laws they approve are harmful,<sup>48</sup> his broader argument is that the legislative branch should be *overseen* by jurisprudents, and legislation should be circumscribed by the divine law instead of, as he says, borrowed from European law; a parliament that operates without this oversight is the kind of parliament that Khomeini says Islam cannot accommodate.

None of these authors mention that Khomeini saw an important place for a parliament even in a government that implemented Islamic law. In *The Unveiling of Secrets* (unlike in

*Islamic Government*), Khomeini uses strong words to criticize what he believes is a defunct parliamentary system, one that has never fulfilled the aims of the 1906 Constitutional Revolution. A parliament, he says, can be just as tyrannical as a single leader, and in Iran, 'parliamentary representation has never occurred on the basis of justice and freedom.'<sup>49</sup> He says that if just an ordinary, unelected individual wrote a book of law and attempted to impose this law on the people, he would be called a criminal and his law would be considered 'opposed to reason and justice.'<sup>50</sup> We do not, however, issue the same judgement on

the individual who, using force or money, gathered together a number of forged votes and became a representative, and the hundred other people who, through means with which we are all familiar, brought themselves [to occupy] a representative seat, and whatever law they pass is opposed to the preferences of their constituents or is meant to plunder their property, violate them, or humiliate them. [Despite this], the law [issued by the representative] is one that is [considered] rational and fair, and opposing it is a crime.<sup>51</sup>

In other words, Khomeini argues that it is our inability to see past what we have come to accept through habit and culture that has led us to resign ourselves to the laws of our so-called representatives in parliament. If we allowed ourselves to reason freely, we would recognize the corruption of the political system, recognize that to acquiesce to the laws of our representatives is as if we are acquiescing to the laws of a random individual who has conjured up a book of law and decided to impose it upon us. 'Ask [your] reason, free from ignorant habits, what the difference is [between the every-day individual seeking to impose his own law and today's parliamentary representatives];'<sup>52</sup> Khomeini says, and you will find that there is no difference.

Khomeini here expresses agreement with Hakamizadeh—if people do not reason in a way that is unrestrained by religious culture and habits of thinking, the consequences for the political development of the country will be dire. Unlike Hakamizadeh, however, Khomeini laments the consequences of lack of rational thought for a parliamentary government. Hakamizadeh is concerned that Iranians prefer religious ritual over rational thought when they encounter uncertainties and challenges, resulting in stagnation in multiple dimensions of human life—personal, scientific, legal—but Khomeini focuses on an effect of a ritualistic worldview that Hakamizadeh doesn't mention: the stagnation that will occur in the political realm, insofar as citizens, accustomed to faithfully engaging in cultural practices without subjecting them to rational critique, will be less likely to criticize a political culture that is more accommodating of political corruption.

Khomeini further emphasizes the need for a fair system of representative government when he insists that it is the absence of such a system that keeps citizens from developing allegiance to state law. Against concerns Hakamizadeh had raised in his pamphlet, Khomeini argues that the existence of religious law does not make citizens indifferent to state law, that it is not the case that citizens who adhere to a religious tradition cannot grow to respect any law but the law they hear pronounced by religious scholars, so that, in Hakamizadeh's words, any law pronounced by the state will be no more than 'a paper tree which looks like a tree on the outside, but is blown over with one gust of wind.'<sup>53</sup> He reassures Hakamizadeh that he shares his aim—people must feel allegiant to the state—but it is not religion but the lack of responsiveness of government to the opinions and needs of the people that keep them from becoming loyal citizens. Khomeini says that citizens can come to respect state law when, firstly, they judge the legislator favourably, and secondly, they judge the law itself favourably.

People will come to respect the law when they are assured that the legislator is righteous, concerned for the well-being of the people, not driven by his own desires or his interest in retaining power, and finally, not willing to exempt himself from the law. People must have determined their representative to have,

good character, [to] in his legislating, not consider anything but the well-being of the country and its people ... but if they see that [these representatives] are not above committing any crime to occupy a ministerial or parliamentary position, naturally people will not develop faith in their law, and we shouldn't expect that they would develop this faith.<sup>54</sup>

Likewise, the people can and should assess the law. If we are to expect the masses to respect and obey the law, Khomeini says, they must judge the law to be 'rational,' and to have been enacted with a view to the good of the country; as a result, they will have 'belief and faith' in it.<sup>55</sup> Importantly, this means that even when law passed by parliament has been approved by a council of jurists—as was the arrangement mandated by the constitution of 1906–1907 that Khomeini wished governors would implement—ordinary citizens still have the right to assess and take issue with this law. Only when people have come to accept the law rationally and discern sound ethical qualities in legislators will the law become 'rooted in their hearts.'<sup>56</sup>

In making this argument, Khomeini says that he agrees in part with Hakamizadeh—citizens should make use of their reason—but unlike Hakamizadeh, he says that they should use it to assess the work of their legislators. Khomeini reassures Hakamizadeh that people are not unthinking creatures, who cannot respect any law that sounds the least bit unfamiliar to them. Citizens can and should use their reason to consider the law that has been passed, and to consider the character of the legislator who has passed it, so they can determine whether they will obey the law, or whether it was enacted for purposes contrary to their good, and stands so outside the pale of rationality that they cannot obey it. He also shares Hakamizadeh's concern that citizens should feel allegiant to the law of the state, but he disputes Hakamizadeh's claim that religion is to blame for their lack of affection towards the state; instead, he argues that citizens can only feel allegiant to the state when they have come to believe that the legislator and the law have their interests in mind.

At this point, we may pause to ask: What room is there for representation and legislation in a government whose aim is to implement the *shari'a*? Hakamizadeh had asked a related question in his pamphlet: Can Islamic law change as time progresses and as the context in which it must be implemented evolves? If Quranic verses related to the law were abrogated even during the Prophet's lifetime, Hakamizadeh asks, in 'one environment in one small area...[and it was changed] to meet the needs of changing times, is it possible for law not to change the world over until the end of time?'<sup>57</sup>

In response, Khomeini says that there are two types of law: on the one hand, the law may contradict the *shari'a*, and this type of law cannot be considered legitimate. A law which levies a tax on an item that it is legally impermissible to buy in the first place would be an example of such a law, he says. On the other hand, a law may be passed which is not at odds with the *shari'a*—which stands outside of the *shari'a*—and which plays a role in sustaining 'the order of the system and the progress of the nation.'<sup>58</sup> Government can implement any laws, he says, 'if they are meant to secure the well-being of the country, even if they are not included in the law of Islam.'<sup>59</sup> This includes law related to property, banking or defence that may be required in the contemporary age. Of course, he says,



in the beginning years of Islam, because the Islamic state was limited [in its development], there was no need for banks and the registration of property and census and such, and the equipping of the army was different in that time from the way it is now, and there were no postal services or telegraph...but Islamic law has no fundamental opposition to instituting [and developing] these things...Islam has never opposed this kind of progress and the law of Islam is not opposed to any social or political advancement.<sup>60</sup>

This conception of the *shari'a*—as limited in its scope and, at times, in need of supplementation by human legislation—allows Khomeini to respond to Hakamizadeh's criticism that the *shari'a* was revealed in one very particular time and place and is deficient when it comes to responding to the needs of contemporary society. It also serves as further evidence that Islam values reason, Khomeini argues, insofar as legislators must use their reason to deduce new law. Khomeini accepts that the task is more complicated than simply implementing a set of laws that was drafted centuries ago, but he insists that Islamic law should not simply be put aside. Law could become responsive to contemporary legal questions because it is formulated on the basis of principles that can be discerned through our reason; it is not trapped within the confines of the written word, but instead continually recreated when it can act in the service of these fundamental principles. Because new law can be created through rational deduction, Hakamizadeh is mistaken, Khomeini argues, when he claims that Islam does not value reason.

Just as in *Islamic Government* Khomeini had said that law is progressive and evolving, here he says something similar in more concrete terms. Islamic law is neither comprehensive nor indifferent to new problems in new contexts; instead, it is underwritten by principles from which new law may be deduced through a process of deductive reasoning. In other words, law is still law even if it is written by human beings and is not included in the *shari'a*, but it is a distinct kind of law, a human law—and should be recognized as human and not divine—but it is binding nonetheless.

What if, however, citizens do not wish to implement the *shari'a*? It is clear that Khomeini believes that to make such a decision would be to eliminate any possibility of achieving a just society, but can citizens be forced to implement the *shari'a*? Though Khomeini does not address this question directly in *The Unveiling of Secrets*, he makes the more fundamental argument that for a system of government to be legitimate, the masses must have consented to it.

Just as he had tried to help his readers to understand intellectually the reprehensible nature of a corrupted system of parliamentary representation, he urges his readers to try to perceive the reprehensible nature of government without consent. Weaving again into his argument his insistence, contra Hakamizadeh's claim, that Islam values reason, he says that we can recognize the injustice of government without consent simply by using our reason. Unlike Hakamizadeh, however, he puts reason in the service of a constitutionalist principle: people do not yet perceive, fully, the tyranny of a monarch who has acquired his power through illegitimate means and keeps his position only by means of raw power. To help his reader see beyond the habits that have obscured the law of reason, Khomeini starts small, by describing tyranny in a way that is more tangible to his reader. We can easily perceive the injustice of theft, he says, when a single person steals from another, but when a government steals from its citizenry—when our government steals from us, he implies—we are less likely to be attuned to the injustice of the act. He says,



if an ordinary person forcefully takes a toman<sup>61</sup> from you or forces you to do something against your will, everyone would consider [this person] to have done wrong and [to be a] transgressor; they would consider his action to be unjustifiable by reason, and they would call him a criminal and consider him deserving of punishment.<sup>62</sup>

He then describes progressively more serious acts of violation—injuring a few people to take control of a village, killing scores of people to take control of a city—until he asks the reader to imagine a person who:

gathers together several army regiments, attacks the capital of a kingdom, captures and imprisons the residents, kills a great number of them, and [then] takes over the capital, overthrowing the king of that country and taking his place [as ruler]. In the few days after the event, the people feel bitter, but later, the invasion and killings become insignificant, and they have celebrations for [the new king] and praise him, calling him ‘Your Majesty’ and considering his law to be just as sacred as the law ordained by God, and in patriotic songs they sing, ‘what the Shah orders is what God has ordered.’<sup>63</sup>

Through this narration, Khomeini seeks to convince his readers that by force of habit and tradition, they have become accepting of governments that were founded and continue to operate without their consent. They have grown accustomed to thinking that as the scope of force becomes more expansive, the action begins to differ in kind, when in reality it differs only in scope, and they are thus led to glorify and place their destinies in the hands of an individual who is no different than a common thief. If only they were to free themselves from habit and tradition and allow their reason free reign, they would come to recognize that government should not be forced upon them, even—it must be concluded—Islamic government.

Citizens should not be, in the view that Khomeini articulates in *The Unveiling of Secrets*, passive subjects of the state. They must criticize the law that is produced by the state, law that is approved by the guardian, not by invoking the authority of religious tradition, but by assessing *rationality* and judging *morality*. In a parliament, their representatives may draft law that is responsive to context, supplementing but not violating the *shari’ā*. Finally, citizens must resist a government that imposes itself upon them against their wishes, and they must perceive the force and violation inflicted upon them by this government as easily as they perceive the force and violation inflicted by a thief. Considering all of these arguments leads to the conclusion that while jurists are the successors of the last imam, there is an important sense in which citizens are as well. Sovereignty, when it is not divine, is fractured and shared.

## Conclusion

Khomeini’s theory required the overturning of the status quo because he called for jurists to exercise a central role in government, to emerge from the seminary libraries, the civil courts and the local mosques and to ensure that government would enact and be limited by Islamic strictures. Because Khomeini seeks to bring the jurists out of their—at best, secondary, and at worst, marginalized—status in the political hierarchy of Islamic society as it had evolved through the centuries, he emphasizes the key role that jurists are to play in government. However, this cannot cause scholars to neglect to consider those elements of his writings that limit, too, the prerogatives of jurists in government.

In the more immediate pre-revolutionary context, however, when Khomeini wrote *Islamic Government*, he emphasized the most revolutionary aspect of his thought—that jurisprudents must have a political role—and not the ways in which a jurisprudent must be constrained. Still, in *Islamic Government*, there is room for democratic and constitutionalist ideas, and this has not been recognized by the secondary literature. The guardian pictured in *Islamic Government*, for all his knowledge and expertise, can be a *usurper*, since the guardian is always only ever *human*. Though in *Islamic Government*, Khomeini does not say who is to be charged with deciding when the guardian should be constrained or describe how he is to be constrained, he is clear, as he is in *The Unveiling of Secrets*, that governors, including the guardian, may be tyrannical, or the guardian may err. Moreover, he says that Islamic government is not charged with implementing a rigid legal code, but instead with managing a system of law that allows for progression and evolution in the law, though he does not say that non-jurisprudents can have a say in how the law progresses and evolves.

In *The Unveiling of Secrets*, there is more evidence that Khomeini's theory includes democratic and constitutionalist elements. Though Khomeini writes in the immediate aftermath of Reza Shah's reign, a period during which the Shah worked to drain Iranian culture, law and politics of Islamic influence, Khomeini is not just interested in counteracting the effects of years of secularization, but is also interested in reviving democratic and constitutional institutions. In *The Unveiling of Secrets*, he elaborates on the roles of others besides the guardian in an Islamic government, arguing that citizens must come to respect and embrace a state law that is distinct from the divine law and yet just as worthy of their obedience. Citizens come to think and feel this way about the law by making rational moral judgements about the law and the legislators who write the law—crucially, even law that has been approved by a council of jurisprudents. Moreover, he recognizes that the *shari'a* as it exists, and therefore the expertise of the jurisprudent, is not, by itself, sufficient for governance; there is law that stands outside of the *shari'a* that serves general principles, and that may be drafted by parliamentary representatives. Finally, in *The Unveiling of Secrets*, Khomeini speaks strongly against political tyranny, which he says comes into existence when a government is set up over a public without its consent, resulting in a form of a thievery, but thievery on a larger and much more serious scale than the thievery that occurs on a street corner.

Khomeini's arguments for democratic and constitutionalist principles in *The Unveiling of Secrets* are part of a larger argument against Hakamizadeh's claims that Shi'a religious ritual is a symptom of a hostility in Shi'a Islam to rational thought, and Shi'a belief in the messianic return of the last imam and the political authority of the jurisprudent prevents citizens from developing an allegiance to the state. Khomeini agrees that it is unfortunate that Iranians have grown accustomed to neglecting their rationality, and that they do not feel an allegiance to the state. An Islamic view of government and politics, in fact, places great value on rational thought by encouraging citizens to engage in the democratic practice of holding parliamentary representatives accountable according to their rational assessment of whether these representatives act in their interest. Reason is also a means for representatives to understand principles that underlie Islamic law and then draft law based on these principles, as well as a means of overcoming a habituated acceptance of political tyranny. In addition, Khomeini argues that it is not religion, but the absence of democratic practice, that prevents citizens from feeling allegiant to the central government and the law that it passes—an allegiance that they develop when they are reassured that representatives do, in fact, aim to create law that serves the public interest.

Since Khomeini is attentive, in *The Unveiling of Secrets*, to topics such as political tyranny and the place of parliamentary deliberation and public political participation in a government that aims to implement *shari'a* law, this text helps us to gain further insight on questions that theorists educated in the West have asked since they began studying Khomeini's theory, and indeed, Islamic political thought more generally—in particular, questions concerning the ways in which theories of Islamic government stand in tension with, accommodate and/or encourage democratic and constitutionalist principles. While Khomeini's *Islamic Government* may vaguely address these questions, Khomeini is simply not concerned with these questions in *Islamic Government*, to the extent that he was in *The Unveiling of Secrets* and to the extent that he would become after the Revolution in 1979. Both his writings from after the Revolution, as well as *The Unveiling of Secrets*, undermine the claim that Khomeini granted the jurisprudent a sovereign role in government. Instead, both texts contain evidence that Khomeini envisioned that Islamic government would neither be democratic—because Islamic law could not simply be ignored—nor uninterested in the desires and opinions of ordinary citizens—because Islamic law was neither comprehensive, nor its interpreters infallible, nor could it be imposed upon an unwilling public. In this space in between democracy and tyranny, Khomeini erected his ideal government, though theorists have yet to describe its architecture fully.

When we discern the presence of constitutionalist and democratic concepts in Khomeini's writings, we find ourselves in a better position to engage in dialogue with scholars, now in Iran and in other parts of the Shi'a world, who inherit and draw upon his views. While Khomeini certainly cannot be called a liberal thinker, this article has demonstrated that the secondary literature on Khomeini's thought emphasizes his otherness and neglects complexities and ambiguities—and even areas of overlap—that will make this dialogue possible. Comprehending these areas of overlap, a scholar may be able to engage in dialogue with conservative scholars in contemporary Iran, such as Ayatollah Abdullah Javadi Amoli and Ayatollah Mohammad-Taqi Mesbah Yazdi, who articulate a theory of guardianship in which the guardian is to be considered an appointee of God and not the people—the popularly elected Council of Experts that appoints and oversees him becomes an instrument of God—and in which the guardian's expertise and his moral and spiritual superiority allows him to claim greater power.<sup>64</sup> These authors claim that they remain faithful to Khomeini's political theory, but this claim may be questioned by a scholar of Khomeini's political thought, and this questioning the start of dialogue.

In addition, with a more nuanced understanding of Khomeini's political theory, we will be better able to understand, ponder and contribute to the dialogues already existing between conservative scholars and reformist Iranian scholars. Many reformist scholars, such as Mohsen Kadivar, the late Ayatollah Montazeri,<sup>65</sup> and Mehdi Karroubi,<sup>66</sup> like their conservative counterparts, invoke Khomeini's writings in their arguments, whether to criticize or defend Khomeini's ideas. These reformist scholars struggle to articulate a coherent and compelling theory of Islamic government, perhaps more so than Khomeini's own theory, a theory that combines the concern not to lose Islamic law to the modern world and the concern not to lose the voices of the people to a tyrannical Islamic government. Only with thorough knowledge of Khomeini's writings can scholars engage with these Iranian scholars on fundamental questions born of the tension between divine and popular sovereignty.

## Disclosure statement

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5. S. Arjomand, *The Turban for the Crown: the Islamic Revolution in Iran* (New York: Oxford University Press, 1988), p. 149.
6. *Ibid.*
7. G. Rose, 'Velayat-e faqih and the Recovery of Islamic Identity in the Thought of Ayatollah Khomeini,' in Nikki R. Keddie (Ed.) *Religion and Politics in Iran: Shi'ism from Quietism to Revolution* (New Haven, CT: Yale University Press, 1983), pp. 166–188.
8. Scholars differ on the precise date of its publication, but it must have been published in 1943 or sometime shortly thereafter, since Hakamizadeh's *Thousand-Year Secrets* was published in that year.
9. Sussan Siavoshi argues that in Khomeini's writings from after the Revolution can be found arguments in defence of certain liberal freedoms and the importance of democratic participation. In this way, she says, he 'adjusted many of his earlier suggestions regarding the political system' (S. Siavoshi, 'Ayatollah Khomeini and the Contemporary Debate on Freedom,' *Journal of Islamic Studies*, 18 (2007) pp. 14–42). For example, she says, Khomeini declared 'the position of government vis-à-vis people to be that of a servant vis-à-vis its master, and the right of each generation to choose their form of government rather than forced inheritance of their predecessors' preferences ... In one of his statements, Khomeini goes even further by acknowledging the legitimacy of the people's vote and their right to decide the path of the country even if they are mistaken in their collective judgment' (Siavoshi, 'Ayatollah Khomeini,' pp. 39–40). She also cites a post-revolutionary statement in which Khomeini says that ordinary citizens have the right to criticize the leader, and the leader must respond to these criticisms. 'Each and every member of [this] nation has the right to directly and publicly impeach and criticize the leader, and he [the leader] is required to provide a convincing response. If he fails to do so, he has acted against his Islamic responsibility and thus automatically loses his position as the leader' (Siavoshi, 'Ayatollah Khomeini,' p. 40). Vanessa Martin, too, in her book, *Creating an Islamic State*, says that after the Revolution, Khomeini 'accept[ed] an elected assembly and the principle of popular will, provided the state was Islamic (in other words, it implemented the *shari'a*)' (Martin, 123).
10. Daniel Brumberg argues that Khomeini's theory, in his scholarly and in his post-revolutionary speeches, statements and correspondence, is ultimately contradictory, alternating between the 'belief that people should play a role in choosing their government' and a 'strong commitment to revolutionary action and clerical rule under the leader of a quasi-infallible, charismatic Supreme Leader' (D. Brumberg, *Reinventing Khomeini: The Struggle for Reform in Iran* (Chicago: The University of Chicago Press, 2001), p. 3).
11. See Siavoshi, 'Ayatollah Khomeini,' *op. cit.*, Ref. 9, who says, 'The reformists challenge the orthodox interpretation of Khomeini's ideas on politics by concentrating on aspects of his writings and declarations that address the role of the people in politics. By doing so their interpretation, without denying God as a source of legitimacy for a governing system, shifts the focus to popular sovereignty' (p. 38). On the other hand, she says, 'the supporters of the "right" tendencies see the role of the people in politics differently, and so they interpret

- Khomeini's words differently. The position of the "radical right" ... asserts that Khomeini's assigned role for the people was to be the obedient and passive followers of the leader' (*Ibid.*).
12. B. Moin, *Khomeini: Life of the Ayatollah* (London: I.B. Tauris, 1999).
  13. H. Algar, *Imam Khomeini: A Short Biography* [online], available at <http://www.al-islam.org/imam biography/> (accessed 15 August 2013). The Ba'ath party had come to power once before in 1963 after staging a coup, but they were overthrown by the Iraqi military nine months later (John F. Devlin, 'The Baath Party: Rise and Metamorphosis,' *The American Historical Review*, 96 (1991), pp. 1404–1405).
  14. Hamid Algar provides this accurate assessment of the work's comprehensives and detail in the introduction to his translation of 'Islamic Government' (R. Khomeini, 'Islamic Government,' in H. Algar (Ed.) *Islam and Revolution* (Berkeley, CA: Mizan Press, 1981), pp. 25–166).
  15. *Ibid.*, pp. 40–54.
  16. *Ibid.*, p. 35.
  17. *Ibid.*, pp. 55–125.
  18. *Ibid.*, pp. 126–149.
  19. This year marks the beginning of the Major Occultation (*Ghaybat-i Kobra*), when, according to Shi'a doctrine, the last imam disappeared from the physical plane, anticipated to return to earth as a messianic figure just before the end of time. The Minor Occultation (*Ghaybat-i Sughra*) began with the death of the 11th imam, Hasan Al-Askari, in 874 C.E. During the Minor Occultation, the 12th Imam, Muhammad al-Mahdi, was in indirect communication with the human community through specific named intermediaries, but during the Major Occultation, he ceases regular communication with the community (H. Algar, 'Islam in Iran,' Course taught at UC Berkeley [online], Berkeley, CA, 2009, available at [www.al-islam.org](http://www.al-islam.org)).
  20. A.K.S. Lambton, 'Concepts of Authority in Persia: Eleventh to Nineteenth Centuries A.D,' *Iran*, 26 (1988), pp. 95–103.
  21. Khomeini, 'Islamic Government,' *op. cit.*, Ref. 14, pp. 27–168.
  22. *Ibid.*, p. 65.
  23. Khomeini taught Na'ini's and Khurasani's works on jurisprudence in Qom.
  24. It is important to note that Na'ini disowned this book after the government put to death his chief intellectual opponent, Ayatollah Fazlollah Nuri.
  25. Khomeini, 'Islamic Government,' *op. cit.*, Ref. 14, p. 82, p. 125. The two mentions of Na'ini occur on each of these pages.
  26. *Ibid.*
  27. *Ibid.*
  28. R. Khomeini, *The Unveiling of Secrets* (n.d.), p. 223.
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  38. *Ibid.*
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  40. *Ibid.*, p. 29.

41. *Ibid.*, p. 35.
42. The aim of the Constitutional Revolution of 1906 had, after all, been to limit the authority of the monarch. Among other reforms stipulated by the constitution of 1906 and the constitutional supplement of 1907, the monarch was deprived of his ability to veto legislation and required never to postpone or suspend execution of laws (*Encyclopedia Iranica*, (Online), *op. cit.*, Ref. 32).
43. B. Ghamari-Tabrizi, 'The Divine, the People, and the *Faqih*: On Khomeini's Theory of Sovereignty,' in A. Adib Moghaddam (Ed.) *A Critical Introduction to Khomeini* (New York: Cambridge University Press, 2014), pp. 211–238.
44. *Ibid.*, p. 216.
45. Tabari, *op. cit.*, Ref 37, pp. 61–62.
46. B. Rahimi, 'Contentious Legacies of the Ayatollah,' in Adib-Moghaddam (Ed.), *op. cit.*, Ref. 43, pp. 291–306.
47. A. Adib Moghaddam, 'Ayatollah Ruhollah Khomeini: A Clerical Revolutionary?' in Adib-Moghaddam (Ed.), *op. cit.*, Ref. 43, pp. 1–18.
48. S. Bakash, *Reign of the Ayatollahs*, *op. cit.*, Ref. 35, p. 61.
49. Khomeini, *The Unveiling*, *op. cit.*, Ref. 28, p. 229.
50. *Ibid.*, p. 180.
51. *Ibid.*
52. *Ibid.*
53. Khomeini, *Ibid.*, p. 380.
54. *Ibid.*
55. *Ibid.*, p. 381.
56. *Ibid.*
57. Hakimizadeh, *Thousand-Year Secrets*, *op. cit.*, Ref. 39, p. 47.
58. Khomeini, *The Unveiling*, *op. cit.*, Ref. 28, p. 295.
59. *Ibid.*
60. *Ibid.*
61. Equivalent to ten *rial*, which is the official currency of Iran.
62. Khomeini, *The Unveiling*, *op. cit.*, Ref. 28, p. 179.
63. *Ibid.*, p. 180.
64. A. Javadi Amoli, *Vilayat-i Faqih: Vilayat-i Fiqahat va Idalat* (Qom: Markaz-i Nashr-i Asra, 1379 [2000–2001]), p. 208.
65. M. Kadivar, 'Wilayat Al-faqih and Democracy,' in A. Afsaruddin (Ed.) *Islam, the State, and Political Authority: Medieval Issues and Modern Concerns* [online] (New York: Palgrave Macmillan, 2011), available at <http://en.kadivar.com/wilayat-al-faqih-and-democracy/>. In this article, Kadivar argues against the concept of guardianship by the jurisprudent altogether, holding that 'neither is jurisprudential supremacy a requirement for social management, nor can one expect Islamic jurisprudence to supply the required insight for managing society.' He also outlines the views of his teacher, Ayatollah Montazeri, who articulates a theory of elective, conditional *wilayat al-faqih*, where the guardian himself is elected and considered a party to a contract—the constitution—with the people. Supporters of this theory, says Kadivar, 'are often found amongst intellectuals and political activists.'
66. Siavoshi, 'Ayatollah Khomeini,' *op. cit.*, Ref. 9, p. 40.