

## **Abstract :**

The researches has concluded that at the end of the research there are some conclusion they are the summary of all the ideas which are mentioned in this research suchas :

Al – Mawardy surpassed all the European democratic thinking pioneers especlaly lock and Basso in his report about the relation between the ruler ‘ khaliph ‘ and the people . This relation is a mutual contract based on common satis faction between the two sides . It is based on the free choice with out obligation or compulsation . It is the right of people to ruleless design if he betrayed , did not carry out his duties , serving all the public people and catering for the affaiss of the society so as to achieve good , happiness and welfare to all the members of the society .

Islamic gury sprudence dealt with contract as a legitimate judgement requiring legit mate conditions neessarily . Islamic jury sprudence does not admit any ruling based on any thing except for law ful and legit mate power which is known as ‘ shource or consultation .

Another advantge of this research is our goal to reassure the ruler’s choice for Al- Mawardy and jhon lock and casting shadow on the contract and the relation between them .

Further more , the importance of this research appears through resisting the ruler and revoluting against him for lock and the resignation of the caliph for Al- Mawardy . We conclude our speech with , our attempt to show the nature of judgement through morality , politics and religion .

This can not be achieved except by using analytical syllabus giving us a chance to analyse the social contract according to modern thinking and Islamic thinking . one of the outcomes of this research is to reach AlMawardy’s priviledge against the pioneers of European democratic thinking especially with lock and Rosso in areport .

The relation between the ruler and the ruled is not any thing except for mutual research in cluding all the actual conditions of the contract .

Allah Glory be to Him has epplied shoura and does not make it compulsory to be a matter of choice .

Being based on contract is not the quality of political thinking for Al. ma wordy alone , but it is the quality of political thinking in is I a, in general .

The dependence of ruling on contract and shoura supported important political principles formed the doctrines of constitutional and democratic ruling . its effect appeared in the western Civilization and the evidence is the argument of western philosophers about the idea of social contract .

After several centuries of philosopher's talking about that how ever there is a great difference in the idea of social contract .

The social contract of Al- Mawardi is a true contract which has distinct parts derived of the variable political experiences of the Islamic state . It does not date back to a social contract such as the western state but the goal will which imposed a state for muslims and the style of establishing Islamic state resembles the style of the social contract in some cases and differs with it in other cases for example the two contracts of Akaba form a human contract and a social one leading to forming to the formulation of the state .

Our Apostle peace and prayers be upon him ; as the greatest leader of the Islamic state does not get his powers from this contract , and there is a similarity between the contract of Bai'at in Islam and the social contract . for example , general presidency can not be held except by choice , agreement and satisfaction according to the Bai'at contract .

Prof . Al. sanhourry sees that the ruler derives his power from the contract and nation's satisfaction not a state , So, Bai'at contract renews according to the renewal of the ruler . How ever, the social contract occurs aduration and renews for ever .

The social contract decides the ruling systems which are democratic capitalistic and dictatorial , but' islam refuses freedom of legislation for the society and its representatives and chained by morality and morals in the holy Book and jonna . It also refuses and offends man's dignity and rights for the glory and sovereignty of the state .

The social contract called by lock is imaginary and trivial one and it has no real existence . In this contract, the compulsory and moral qualities appeared It is connected with the satisfaction of people for their ruler, However the beneficial characteristic seems apparent in it . lock found out that the idea of social contract is the only means to destroy the theory of the godly right and the theory of ruling .

All that lock is indulged in is to keep private properties . He found in the theory of the social contract an effective means to achieve this result . However , we find out that Baiaa contract of Al mawordy is a true contract away from any benevolent instinct . It is a general principle of ideal ruling system . in this ideal ruling system the ruler Imam is fully responsible ahead of Allah and the nation rather than his desire to keep all the rights and liberties of the individual and the group as the source of this contract is the Holy quraan and the sunna .

**Summary :**

It is Known that muslim thinkers have the upper hand in human thinking in general and political thinking in particular . they have constructed a lot of principles , thoughts and political theories which were in fluenced by some cultures , but they developed these ideas a ccording to the islamic political reality .

This implies the significance of my choice for the social contract between Al – Mawardy and Jhon lock . It is regarded as an attempt of deepening in Islamic political thinking and its original sources for Al- Mawardy on the one hand and Jhon lock as arepres entative of the theory of social contract in modern age and comparing between the ruler and the ruled as well .

This research is fund amental as we do our ut most to reinforce all abilities to understand the fact of the social contract of Al- Mawarday and Jhon lock . This can not be carried out except by understanding the historie assets of the theory of the social contract in ancient thinking Greek thinking , Roman thinking and christion thinking .