VII

AL-JUWAYNĪ AND AL-GHAZĀLĪ: THE SULTANATE

Following the example of al-Māwardī a number of jurists in the 5th/11th and 6th/12th centuries continued to wrestle with the problem of how to assert the supremacy of the caliphate. They were all concerned to a greater or less degree with the caliph's mission as the vicegerent of the prophet, his duty to defend Islam and to administer the affairs of the community. Among them were the traditionists, Abū Ya'lā b. al-Farrā', the Ḥanbalī (d. 458/1066), who defends the legitimacy of the caliphate in his *Kitāb al-aḥkām al-sulṭāniyya* in broadly the same terms as al-Māwardī,[1] the Imām al-Ḥaramayn al-Juwaynī, and, most important of all, al-Ghazālī. Their main interest, however, was dogmatic theology rather than politics. Traditionism was dominant in Baghdād though Mu'tazilism was still sporadically active, ceasing to be a living issue only on the public recantation of Ibn 'Aqīl in 465/1072. Between 450/1058 and 484/1091 there was much strife between the traditionists and the Ash'arīs.[2]

Meanwhile further changes had taken place in the political scene. Ibrāhīm Ïnal, Ṭoghrïl Beg's half-brother, who had been left in Mawṣil in 449/1058, entered into communication with al-Basāsīrī with a view to obtaining support in wresting the sultanate from his brother, and also sent a messenger to al-Mu'ayyid al-Dīn, who had gone back to Aleppo, promising that the *khuṭba* would be read in the name of the

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[1] Laoust, 'La pensée et l'action politiques d'al-Māwardī, 60.

[2] See further Makdisi, 'Remarks on traditionalism in Islamic religious history' in *The conflict of traditionalism and modernism in the Muslim East*, ed. with an introduction by Carl Leiden from papers delivered March 29-31 1965, The University of Texas, Austin, Texas, 81ff. In this article Professor Makdisi advances the thesis that, contrary to the generally accepted view, the traditionists were dominant in Baghdād in the 5th/11th century against both Mu'tazilīs and Ash'arīs.

Fatimids. Al-Basāsīrī and Quraysh b. Badrān reoccupied Mawṣil, which Ibrāhīm Īnal had meanwhile abandoned. Al-Basāsīrī then returned to Raḥba. Ṭoghrïl Beg marched north and reconquered Mawṣil. Ibrāhīm Īnal, proclaiming open rebellion, set out for the Jibāl, pursued by Ṭoghrïl. Al-Basāsīrī thereupon seized the opportunity to re-enter Baghdād, which he did on 8 Dhu'l-Qa'da 450/27 December 1058, accompanied by Quraysh and on 13 Dhu'l-Qa'da 450/1 January 1059 the *khuṭba* was read in the name of al-Mustanṣir, the Fatimid. On 1 Dhu'l-Ḥijja 450/19 January 1059 the caliph's palace was pillaged. The caliph meanwhile left Baghdād with Quraysh b. Badrān, who entrused him to his cousin Muhārish. Ṭoghrïl, having defeated Ibrāhīm Īnal in Jumādī II 451/July 1959, prepared to return to Baghdād. He offered to leave al-Basāsīrī in Baghdād provided he restored al-Qā'im to the throne and read the *khuṭba* in his (Ṭoghrïl's) name. in which case he (Ṭoghrïl) would not return to 'Irāq. Al-Basāsīrī instead attempted without success, to persuade the caliph to break with the Saljūqs. Ṭoghrïl then marched on Baghdād and the caliph. who had been freed by Muhārish at Ṭoghrïl's request, met him at Nahrawān·and they entered the capital together on 24 Dhu'l-Qa'da 451/3 January 1060. Al-Basāsīrī fled but was overtaken by Ṭoghrïl's cavalry and killed.[3] With the defeat of al-Basāsīrī, the Fatimid threat to the 'Abbasid caliphate lost its urgency. Shī'ī activity, however, did not come to an end. The rise of the Bāṭinīs towards the end of the 5th/11th century posed a new and serious threat to the established order (see further Chapter XVI).

Al-Juwaynī was born in 419/1028 in the village of Juwayn near Nīshāpūr. He taught in Nīshāpūr and had the distinction of being one of al-Ghazālī's teachers. He belonged to the Ash'arī school of *'ilm al-kalām*. When Ṭoghrïl Beg's wazir, 'Amīd al-Mulk al-Kundurī, had the Ash'arīs as well as the Rawāfiḍ denounced from the pulpits in 445/1053. two years before Ṭoghrïl Beg's entry into Baghdād, al-Juwaynī went to Baghdād and thence to the Ḥijāz. He taught in Mecca and Madīna, hence his title Imām al-Ḥaramayn. On the death of Ṭoghrïl Beg in 455/1063, Niẓām al-Mulk, who had been wazir to Alp Arslān when he was *walī 'ahd*, had al-Kundurī put to death and himself became wazir to the new sultan. He favoured the Ash'arīs and invited those who had dispersed to come back. Among them was al-Juwaynī, who

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[3] M. Canard, 'al-Basāsīrī in *EI²* and 'La pensée et l'action politiques d'al-Māwardī', 77ff.

returned to Nīshāpūr and died in the village of his birth in 499/1105. In his *al-Irshād*, he gives a brief exposition of the imamate. He states categorically that the imamate was based on the traditions and that the attribution of the imamate rested on the infallibility of *'ijmā'*. Prior to a consideration of the imamate an examination of the traditions and their relative value was therefore necessary.[4]

The claim of the Imāmī Shī'a that the prophet had designated 'Alī as his successor is rejected by al-Juwaynī on the grounds of the *ijmā'* of the community, who, the Imāmiyya excepted, held that there had been no designation in favour of 'Alī. On the same grounds he refutes the possibility of there having been, as some of the Imāmiyya claimed, a secret designation (*naṣṣ*) in favour of 'Alī. He points out that there was in the first place no means of knowing this and secondly such a claim was demonstrably false because *ijmā'* supported a contrary view.[5] In the absence of designation there remained only election. This, he asserts, was proved by *ijmā'*: election had been practised for a long period without its principle having been denied by any learned man (*'ālim*).[6]

Al-Juwaynī does not demand unanimity for an election to be valid and like al-Māwardī permits election by one elector.[7] He accepts the possibility of two *imāms* holding office simultaneously provided that they were in widely separated areas.[8] In his chapter on the imamate he skates over the question of the deposition of the *imām*. He allows resignation on the part of the *imām* if he commits sin or iniquity (*fisq wa fajr*) as a result of which he ceases to possess the qualities demanded of an *imām*. It is also possible, he states, not to depose him but to force him to mend his ways 'if one finds the means to do so,'[9] and in a chapter on enjoining the good and forbidding evil he states that if the ruler of the day (*walī al-waqt*) was an oppressor and his injustice and evil actions were manifest and he could not be turned from his evil ways by words, it was for the *ahl al-ḥall wa 'l-'aqd* to agree to deter him, if necessary by force and war.[10]

As for the qualities required of the *imām*, al-Juwaynī states that he must be a *mujtahid*; he must also be capable of organising armies and defending the frontiers, and have good judgement in managing the affairs of the Muslims. In short he must have competence (*kifāya*) for

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[4] *El-Irchad par Imam el-haramein Vᵉ siècle (hégire)*, ed. and trans. by J.-D. Luciani, Paris, 1938, Arabic text, 231ff.

[5] Ibid., 236ff.   [6] Ibid., 239.   [7] Ibid., 239.
[8] Ibid.   [9] Ibid., 240.   [10] Ibid., 211.

the exercise of power, piety and probity. He does not, however, make membership of the Quraysh obligatory. He admits that there were divergent opinions in this matter and expresses the view that it was permitted not to make a categorical statement on the subject: God knew best. The *imām* had also to be of free status, male and a Muslim.[11] He refutes the Imāmī doctrine concerning the immunity of the *imām* from sin and like al-Baghdādī states that such a pretension would force those who held it to admit the immunity of governors, *qāḍī*s and tax-collectors also.[12]

Like al-Bāqillānī, al-Juwaynī was also concerned about the problem of the imamate of the less excellent, *al-mafḍūl*, but he refuses to give a clear statement on the subject. The majority of Sunnīs, he maintains, held that the most excellent man of his time must be chosen as *imām* provided that this did not give rise to disorders; if it did, it was permitted to appoint the less excellent provided that he was worthy of the imamate. Al-Juwaynī was doubtful as to whether this provided certain guidance and he thought that there was not in any case certain proof of the superiority of one *imām* over another.[13]

With the establishment of Saljūq power, there was a reaffirmation of the fundamental thesis that the function of the state was to defend the Muslim community and Muslim lands and its purpose to create conditions in which the Muslim could live the good life. Religion (*dīn*) and temporal power (*dawlat*) were two sides of one coin. Non-conformity and political opposition were still inseparable. At the same time, however, certain changes were taking place in the conception of the state. The theory of the caliphate, as formulated by al-Baghdādī and others no longer corresponded – if it ever had – with practice. Al-Māwardī, in his discussion of *wizāra* and *imāra*, had prepared the way for a new relationship between the caliphate and the sultanate.

In the early Saljūq period there had been not merely a reassertion of Sunnism after a time of Shī'ī supremacy under the Buyids, but also a reaffirmation of the caliph's position as the head of the Islamic community, together with the incorporation of the sultanate as a necessary element in the ideal of Islamic government.[14] From this

[11] Ibid., 240.   [12] Ibid., 244.   [13] Ibid., 242.

[14] There is, however, no sign of this reformulation in the creed of Najm al-Dīn Abū Ḥafṣ al-Nasafī, the Māturīdī, who died in 537/1142-3. This is concerned primarily to represent the faith of the community in opposition to the Shī'a, who were seen to be, at the time when he was writing, the main threat to the security of the state. It reads '. . . The most excellent of mankind after the

stemmed a new system of administration composed of a series of interconnected jurisdictions, whose stability depended, not as formerly upon a separation of the civil arm from the military, but upon orthodoxy or 'right religion' and the personal loyalty of the sultan to the caliph and of subordinate officials to the sultan. This is reflected in al-Ghazālī's elaboration of the relationship between the caliphate and the sultanate.

Al-Ghazālī was born in Ṭūs in 450/1058, the year when al-Basāsīrī took Baghdad. He studied in Nīshāpūr from 471/1078 to 478/1085 under the Imām al-Ḥaramayn al-Juwaynī, who had returned to Nīshāpūr after al-Kundurī's death. During this period al-Ghazālī was initiated into Sufism, which had by the 5th/11th century begun to play an important part in the Sunnī schools.[15] In 478/1085 he became attached to Niẓām al-Mulk, then Malikshāh's wazir, who, like himself, was a Shāfi'ī, an Ash'arī and a man of Ṭūs. In 484/1091 he became *mudarris* of the Niẓāmiyya *madrasa* in Baghdad, where he taught Shāfi'ī law. He remained in Baghdad until 488/1095, when he withdrew from public affairs. During the period when al-Ghazālī was in Baghdad great rivalry

Prophets are Abu Bakr, the Very Veracious (*as-Siddiq*), then Umar, the Divider (*al-Faruq*), then Uthman, he of the Two Lights (*Dhu-n-Nurayn*), then Ali–the goodwill of God be upon them! Their Khalifates were in this order, and the Khalifate extended to thirty years; then, thereafter, came kings and princes.

'The Muslims cannot do without a leader (*Imam*) who shall occupy himself with the enforcing of their decisions, and in maintaining their boundaries and guarding their frontiers, and equipping their armies, and receiving their alms, and putting down robberies and thieving and highwaymen, and maintaining the Friday services and the Festivals, and removing quarrels that fall between creatures, and receiving evidence bearing on legal claims, and marrying minors, male and female, and those who have no guardians, and dividing booty. And it is necessary that the leader should be visible, not hidden and expected to appear (*muntazar*), and that he should be of the tribe of Quraysh and not of any other. And he is not assigned exclusively to the sons of Hashim nor to the children of Ali. And it is not a condition that he should be protected by God from sin (*isma*), nor that he should be the most excellent of the people of his time, but it is a condition that he should have administrative ability, should be a good governor and be able to carry out decrees and to guard the restrictive ordinances (*hadds*) of Islam and to protect the wronged against him who wrongs him. And he is not to be deposed from the leadership on account of immorality or tyranny.

Prayer is allowed behind anyone whether pure or a sinner, and we give the salutation of Peace to the pure and to the sinner. . . ' (Macdonald, *Development of Muslim theology, jurisprudence and constitutional theory*, 313–14).

[15] Laoust, *La politique de Ġazālī*, Paris, 1970, 26. See also Makdisi, *Ibn 'Aqīl et la résurgence de l'Islam traditionaliste au XI siècle*, 376ff.

and faction between the various rites and sects prevailed. Al-Ghazālī, after leaving Baghdād, spent some time in Damascus and went on the pilgrimage in 489/1096 and returned via Damascus and Baghdād to Ṭūs. In that year he vowed never to take money from any sultan or to go to the court of any sultan or to dispute (*munāẓara kardan*),[16] but in 499/1106 under pressure from Fakhr al-Mulk b. Niẓām al-Mulk, Sanjar's wazir, he emerged from retirement and became *mudarris* of the Niẓāmiyya *madrasa* in Nīshāpūr. He died on 505/1111.

The writings of al-Ghazālī range over the fields of jurisprudence, religion and ethics and include polemics against the Bāṭinīs and the philosophers and epitomise the whole range of Muslim political and religious thought. So far as the former is concerned he holds an intermediary position between al-Māwardī, whose aim is to justify the caliphate as it developed historically and thereby to maintain the political unity of the caliphate, and whose theory is characterised by a passive submission to the state, and Ibn Taymiyya, who advocates a kind of political pluralism involving participation in the state.[17] Laoust points out that for al-Ghazālī politics was a necessary extension of religion and morals. It was the art of conduct adapted to the concrete circumstances of life to which every man must apply himself within the limits of his own position and status in order that his own affairs and those of the state might be properly ordered. Politics, for him, rested on theology (*uṣūl al-dīn*), juridical methodology (*uṣūl al-fiqh*), and a theory of man as a social animal.[18] But overarching all was the eschatological destiny of man: this world was a field in which the seed for the future life was broadcast, and the object of all politics was to prepare man for final happiness in the next world.[19] The Sasanian maxim that *dīn* (religion) and *dawlat* (temporal power) were twins, which had been taken over by Islam, was accepted by al-Ghazālī: if religion was the base, *dawlat* (temporal power) was its guardian and charged with its preservation.[20] Men lived, or had to live, in society and were exposed incessantly to quarrels and conflict. They needed a principle of power (*sulṭān*) to guide them and to arbitrate in their disputes. Such a principle required a norm, a canon (*qānūn*), to enable differences to be solved and decisions based on law to be imposed.

[16] *Faḍā'il al-anām*, ed. 'Abbās Iqbāl, Tehran 1333/1954, 45.
[17] Laoust, op. cit., 21. See further Chapter IX.
[18] Laoust, op. cit., 213–14.
[19] Cf. Ibid., 227–8.
[20] Ibid., 73–4.

This norm was provided by *fiqh*. The *faqīh* therefore performed an essential function in the state. Without him order and justice would not reign.[21] Behind this norm were the principles of religion, correct belief being the basis for all right individual and collective action. Consequently dogmatic theology (*kalām*) held a central place in the hierarchy of sciences,[22] and its dominant theme was, for al-Ghazālī, the full and absolute sovereignty (*rubūbiyya*) of God, even more than His unity (*tawḥīd*).[23]

The problems posed by the contemporary situation for al-Māwardī had been the usurpation of temporal power by the caliph's auxiliaries and the threat to 'Abbasid rule constituted by the activities of the Shī'īs and the Fatimids. Al-Ghazālī's political thought is dominated rather by a fear of civil war (*fitna*) and disturbance (*fasād*) leading to disorder and anarchy,[24] and he is mainly preoccupied with first the relationship of the caliph and the sultan and secondly the internal threats to the community posed by the rise of the Bāṭinīs. It is interesting that he does not discuss the problem raised by the Crusades, even though the *qāḍī* of Tripoli, Fakhr al-Dīn Abū 'Ubayd b. 'Alī, came to Baghdād in 501/1107 to demand help against the Crusaders. Al-Mustazhir and Muḥammad b. Malikshāh both promised help though none was in fact given. When Tripoli fell in 503/1109 the '*ulamā*' in Baghdād protested against the lack of action, and finally in 505/1111 (the year of al-Ghazālī's death), Muḥammad b. Malikshāh ordered the governor of Mawṣil to march on Syria.[25] In spite of this there is no hint of any threat to Islam or Islamic territory from the non-Muslim world in al-Ghazālī's works: it would seem that the universal aims of Islam had been forgotten in the face of the problems which had been raised by the fragmentation of the Islamic world.

The general development and sequence of al-Ghazālī's thought can be seen if his works are considered chronologically, starting with the *Mustazhirī*, leading on through the *Iqtiṣād al-i'tiqād* (both written when he was in Baghdād), to the *Iḥyā' 'ulūm al-dīn* (written during the period of his retirement),[26] and finally to the *Mustaṣfā* (his last great work, finished in 503/1109). Looking at political problems against the background of religion, al-Ghazālī found himself faced by

[21] Ibid., 196–7.   [22] Ibid., 209.   [23] Ibid., 212.
[24] Ibid., 376.   [25] Ibid., 135–6.
[26] There is an abbreviated Persian translation of the *Iḥyā' 'ulūm al-dīn*, made probably by al-Ghazālī, under the title *Kīmyā al-sa'ādat* (ed. Aḥmad Ārām, vol. i, 4th ed., Tehran, 1352/1973–4).

the question of the relationship of sovereignty (*ḥukm*) and temporal power (*sulṭān*) on the one hand and of religion (*dīn*) and kingship (*mulk*) on the other.[27]

In the *Mustaẓhirī*, composed for the caliph al-Mustaẓhir probably between 487/1094 and 488/1095, al-Ghazālī treats only of the *imām*. This work was composed at the request of the caliph primarily against the Bāṭinīs, but it is also partly a juristic treatise and partly a mirror for princes.[28] Its purpose is to show that al-Mustaẓhir was the legitimate *imām*, the representative of God, and that he had acceded to the imamate in conditions conformable with the divine law, and that all men owed him obedience and assistance. Al-Ghazālī maintains that the imamate was necessary both by reason and revelation, and defines the conditions required for the investiture of the *imām* and the qualities demanded of him. All legal power was delegated by him and no public function was valid unless emanating from him. He was the successor of the prophet and his mission was to watch over religion and preside over the affairs of the world. The continuity of the religious law thus rested on him, on his personal qualities and the mode of his designation.[29]

Al-Ghazālī was, however, a realist and he recognised facts as they were. In the *Iqtiṣād al-i'tiqād*, a treatise on dogmatic theology written a little later than the *Mustaẓhirī*, and his most important work from the point of view of political theory, he writes,

'There are those who hold the imamate is dead, lacking as it does the required qualifications. But no substitute can be found for it. What then? Are we to give up obeying the law? Shall we dismiss the *qāḍīs*, declare all authority to be valueless, cease marrying and pronounce the acts of those in high places to be invalid at all points, leaving the population to live in "sinfulness"? Or shall we continue as we are, recognising that the imamate really exists and that all acts of the administration are valid, given the circumstances of the case and the necessities of the actual moment? The concessions made by us are not spontaneous, but necessity makes lawful what is forbidden. We know it is not lawful to feed on a dead animal: still, it would be worse to die of hunger. Of those that contend that the caliphate is dead for ever and irreplaceable, we should like to ask: which is to be preferred, anarchy

[27] *La politique de Ġazālī*, 75.

[28] Laoust states that al-Ghazālī was indebted in the *Mustaẓhirī* to al-Bāqillānī's refutation of the Bāṭiniyya in the *Kashf al-asrār* and to his defence of the legitimacy of the 'Abbasid caliphate ('La pensée et l'action politiques d'al-Māwardī', 68).

[29] *La politique de Ġazālī*, 82–3.

and the stoppage of social life for lack of a properly constituted authority, or acknowledgement of the existing power, whatever it be? Of these two alternatives, the jurist cannot but choose the latter.'[30]

Discussing the imamate and the sultanate, in the *Iqtiṣād al-i'tiqād* al-Ghazālī breaks new ground and puts forward a doctrine based on a close association of the imamate and the sultanate. In the theory of the caliphate expounded by the Sunnī jurists before him, the source of all authority, including political authority, was the *sharī'a*, and the ultimate source of authority of the *sharī'a* was, in turn, God. The jurists in general did not feel constrained to define any more immediate source of authority and it is difficult to ascertain what this was, though there is a suggestion in the work of al-Bāqillānī and the work of al-Baghdādī that it was the *umma*, the community, and in the work of al-Juwaynī that it was the *ahl al-ḥall wa 'l-'aqd*. In a sense both the *'ulamā'* and the community were a source of authority for the *sharī'a*. The first because learning (*'ilm*) was necessary for the discovery of what the *sharī'a* was and the second because of the intimate connection of the community with *ijmā'*.[31] The *'ulamā'*, however, although the 'Abbasid caliphs went to great lengths to secure their support and to display respect for their judgements, were an undefined and unwieldy body, and neither they nor the community ever had sufficient real political power to transform their political function into that of an institution authorizing the day-to-day acts of government.[32]

The precise relationship of the caliphate to the *sharī'a* so far as the question of power is concerned is also difficult to define. During the Umayyad period and the early 'Abbasid period the caliph had been more the exponent of power than of authority, but in the later centuries of the 'Abbasid caliphate he could hardly be regarded as an exponent of power. Broadly speaking he was the executive of the *sharī'a*, the commander-in-chief of the Muslim army, and the leader in all formal religious observances prescribed by the *sharī'a*. Above all,

[30] Quoted by Levy, *Sociology of Islam*, i, 306, and by von Grunebaum, *Medieval Islam*, 168.

[31] Shāfi'ī had earlier distinguished between the knowledge of the general public (*'ilm al-'āmma*) and the knowledge of the specialists (*'ilm al-khāṣṣa*) (see further Schacht, *Origins*, 136). The *'ulamā'* were the repositories of knowledge. They knew fully the *aḥkām allāh*. In cases of dispute everyone, rulers and governors included, were to refer their problems to them. *Ijmā'* and *ijtihād* also belonged to the *'ulamā'*.

[32] Binder, 'al-Ghazālī's theory of government', 229–30.

he was the head of the religious institution in Islam, and since religion was an all-inclusive concept he was also the political institution.[33] The personal claim of the 'Abbasids to the caliphate was based upon descent from the prophet and the action of divine providence. This was acknowledged by Sunnī theory, which also recognised the sharī'a as authority for the *acts* of the caliph and the *manner* of his appointment. But the authority of the caliphate itself was primarily *circumstantial*, i.e. the caliph had authority for what he *did* rather than for what he *was*. So long as the caliph held a modicum of power, it was possible to accept this theory, but once he lost all power, he could no longer have circumstantial authority. Al-Māwardī did not come to grips with this problem. Al-Ghazālī, although he uses the same terms as his predecessors, clearly has something rather different in mind.[34]

The main feature of al-Ghazālī's exposition of the imamate and the sultanate in the *Iqtiṣād al-i'tiqād* is his association of the *imām* with the sultan and his assumption of co-operation between the *imām* and the actual holder of power.[35] The Sunnī jurists had insisted upon the sharī'a as the basis of the imamate. Al-Ghazālī accepts this view but advances a new interpretation. While admitting that the imamate did indeed have utility, he rejects the Mu'tazilī view that the obligatory character of the imamate was based on reason. He rests the proof of the shar'ī obligation of appointing an *imām* first upon *ijmā'*, which by his time had already become a source of the sharī'a in its own right, it being held that the community at large had been endowed by the grace of God with a special character. This is summed up in the words attributed to the prophet, 'My community shall never agree upon error' (though al-Māwardī in his insistence upon the supremacy of the *imām*, had tended to lose sight of the community). Secondly, and more importantly, al-Ghazālī bases the proof of the shar'ī obligation on the deduced will of the prophet, contending that the source of the consensus of the community was also to be found in the will of the prophet. The prophet's purpose had been the formal establishment of Islam. To secure this end, both life and livelihood had to be protected. The appointment of the *imām* was therefore obligatory. Al-Ghazālī also points out that only through the performance of formal religious observances could the bliss of the hereafter be achieved. He thus derives the authority for the institution of the imamate from the community, while the consensus was evidence of the fact that what

[33] Ibid.   [34] Ibid., 231ff.   [35] Ibid., 232.

the community had approved was provided for in the sharī'a.[36]

Al-Ghazālī's argument goes on to claim that the requirements of the sharī'a implied the existence of an institution of some sort to execute them, and that this institution, the form of which had been authorised by the consensus of the community, was the imamate.[37] Further, the setting up of an institution for the fulfilment of the provisions of the sharī'a, many of which were of a concrete material nature, implied the existence of a favourably disposed political power. On this basis al-Ghazālī, without further explanation, brings in the sultanate, which provided this power, and concludes that the imamate (the executor of the sharī'a) because of its relationship with the sultanate (coercive power) was required as a result of the objective of the prophet (the establishment and institutionalization of the sharī'a). He gives no clear explanation of the relationship of the bearer of power to the *imām*: but simply introduces the function of the sultanate as an essential element of the authorized imamate. His final argument for the necessity of the imamate is that without its existence no judgement of a qāḍī, no contract, no testament would be valid. Subordinate officials had no circumstantial authority: their authority was only constitutive, i.e. derived from the manner in which they were appointed. Thus, the absence of the imamate would turn every normal human relationship into sin.[38]

In al-Ghazālī's theory the imamate had three aspects: first it comprehended the necessary power to accomplish the maintenance of order, secondly it represented, or symbolized, the collective unity of the Muslim community and its historical continuity, and thirdly it derived its functional and institutional authority from the sharī'a. It was the only legitimate form of government in Islam, and its legitimacy validated all acts of a legal and political nature and established the caliphate both as the focal point of the sharī'a in the community and as the symbol of the divine guidance of the Sunnī community by virtue of its obedience to the sharī'a. It was not a coincidence that these three aspects corresponded to al-Ghazālī's three sources for the obligatory character of the imamate, namely utility, *ijmā'* and the objective of the prophet.[39]

Al-Ghazālī, while insisting on the necessity of an *imām*, accepts, like al-Māwardī, a diminution in the ideal qualifications for the office and for the method of his appointment. He states that there were three

[36] Ibid., 233–4.   [37] Ibid., 234.   [38] Ibid., 235–6.   [39] Ibid., 236.

ways in which an *imām* might be chosen: designation by the prophet, designation by the ruling *imām*, or designation by the one who actually held power; but that in his day only the last mentioned method was followed. He insists, however, on the necessity of the *bay'a*, which was to be performed by the great men and 'those who loose and bind', the *ahl al-ḥall wa'l-'aqd*. In concrete terms this meant the sultan, whose appointment of the *imām* would then be recognised by the Saljūq *maliks*, amirs, and the chief officials of the bureaucracy, and would then finally be approved by the *'ulamā'*. The constitutive process was thus a *shar'ī* process but the constituent power was the sultan.[40] The *imām* was thus different from the imamate and constituted only one of its component parts. He no longer satisfied all the requirements of the imamate in himself, although he was still the principal personal representative of the imamate. He had no power and could not therefore exercise functional authority, but no government act was valid unless performed directly or indirectly by him. On the other hand power was held by the sultan, but circumstantial authority could not legitimize his government.

Al-Ghazālī, seeking to solve this dilemma, recognises that the actual government of Islam was carried out by the sultan and includes him within the imamate. The only way in which his government could become valid and authorized was through his recognition of the *imām*. No government other than that of the *imām* was valid under the *sharī'a* and subordinate officials had only delegated authority and not functional authority. The validity of the government of the sultan was established only upon the sultan's oath of allegiance to the *imām* and the *imām*'s appointment of the sultan. The sultan for his part by his exercise of constitutive authority recognised in fact the institutional authority of the caliphate, which rested primarily on the Islamic Sunnī community, and in theory its functional authority, which rested with the *sharī'a* proper. By this compromise, recognition was obtained from the holder of power that the *sharī'a* was the organizing principle of the Sunnī community and a favourable field provided for the activity of the established Islamic institution by his establishment of order and maintenance of discipline. Even if the sultan actually ignored many of the provisions of the *sharī'a*, al-Ghazālī was, nevertheless, willing to recognize such an arrangement in order to preserve the religious life of the community.[41] The *imām* thus remained the symbol of the supremacy

[40] Ibid., 237-8.   [41] Ibid., 239.

of the *sharī'a*, while the sultan was acknowledged as the holder of coercive power.

There was a third element in the imamate, which concerned the performance of the religious and legal duties imposed by the *sharī'a*. Al-Ghazālī, by not insisting that the *imām* should possess the necessary knowledge to carry out these duties and by allowing him to enlist the aid of the most outstanding learned people of the day, singled out this third element in the caliphate and entrusted it to the *'ulamā'*. Their principal political function was the interpretation of the *sharī'a* in terms of the problems facing the community, and by their approval of the sultan's choice of *imām* in the *bay'a* (as interpreted by al-Ghazālī) and their *fatwās*, they expressed the functional authority of the *sharī'a*. In short, in al-Ghazālī's theory the imamate still stood for the whole of Islamic government, but it had been separated into three main elements, the *imām*, the sultan and the *'ulamā'*, each corresponding to some aspect of the authority behind Islamic government and each performing a function required by that authority.[42] Each of the parts of the imamate, moreover, represented not only an aspect of authority and a function of Islamic government, but also one of the major elements of political power in the Sunnī community. It is in this point, in relating the imamate to the question of political power, that al-Ghazālī's originality lies. Earlier writers had virtually ignored the problem.

Al-Ghazālī's later works make no advance on the theory of the imamate set out in the *Iqtiṣād al-i'tiqād*, but merely emphasize certain consequences following from it, and reaffirm the religious basis of his thought. His most famous work, the *Iḥyā' 'ulūm al-dīn* was written soon after his retirement from public affairs, probably between 489/1096 and 495/1101-2. It is a manual to initiate the Muslim into the contemplative life and to show those who remain in the world how to regulate their lives, and so it discusses the rules which governors and governed must follow for their common good. Nowhere is it more apparent than in the *Iḥyā' 'ulūm al-dīn* that politics for the Muslim was not a separate discipline but a department of theology. The basis on which the *umma* rested was revealed religion and there is, near the beginning of the book, a profession of faith, the *Qudsiyya*, and since the existence of the *umma* was guaranteed by the *imām*, there is also a discussion of his appointment and the qualities required of him.

[42] Ibid., 240.

By the time al-Ghazālī wrote the *Ihyā' 'ulūm al-dīn* he had apparently reached the conclusion that almost all the property of which the state disposed had been illegally acquired and was arbitrarily used, but he was also convinced of the dangers of civil war and the need for stability. Consequently he recommends support for and submission to the state. An unjust and ignorant ruler, who disposed of military force (*shawka*), could not be easily deprived of power, and then only at the cost of civil war (*fitna*); and the disorders resulting from such a source of action would be worse than the evils which the overthrow of the ruler was intended to bring to an end. Therefore, obedience was to be rendered to such a ruler who disposed of military force. The imamate belonged to the Banī 'Abbās, but *de facto* power belonged, in the different regions, to amirs who had recognised the *imām*. The maintenance of this equilibrium, precarious though it might be, was preferable to its breakup. To hold that no public functions (*wilāyāt*) were lawful because the holders of power did not fulfil the required conditions would deal a fatal blow to the social order. The exercise of all public functions implied the existence of military force (*shawka*), without which authority was powerless. The amir who held *de facto* power and obeyed the *imām* so far as he recognised his pre-eminence, allowing him the right to the *khuṭba*, i.e. mention of his name in the Friday prayers, and the *sikka*, i.e. mention of his name on the coinage, even if he did not fulfil all other conditions, was a legitimate ruler recognising the authority of the religious law in the provinces which he administered. His deposition could only be achieved by violence and would create more harm than his remaining in office.[43]

Al-Ghazālī lays down his views as follows:

'An evil-doing and barbarous sultan, so long as he is supported by military force, so that he can only with difficulty be deposed and that the attempt to depose him would create unendurable civil strife, must of necessity be left in possession and obedience must be rendered to him, exactly as obedience is required to be rendered to those who are placed in command. For in the ḥadīths regarding the duty of obedience to those invested with command and the prohibition of withdrawing one's hand from assisting them there are expressed definite commands and restraints. We consider, then, that the caliphate is contractually assumed by that member of the 'Abbāsid house who is charged with its functions, and that the office of government (wilāya) in the various lands is validly executed by sultans who profess allegiance to the

[43] Cf. Laoust, *La politique de Ġazālī*, 126-7.

caliph . . . In short, we have regard to the qualifications and stipulations regarding sultans for the sake of the interest of public welfare. For if we were to decide that all wilāyāt are null and void, all institutions of public welfare would also be absolutely null and void. How should the capital be dissipated in straining after the profit? Nay, but the wilāya in these days is a consequence solely of military power, and whosoever he may be to whom the holder of military power professes his allegiance, that person is the caliph. And whosoever exercises independent authority, while he shows allegiance to the caliph by mentioning his name in the khuṭba and on the coinage, he is a sultan, whose orders and judgements are executed in the several parts of the earth by valid wilāya'.[44]

In the *Naṣīhat al-mulūk*, a mirror for princes, written in Persian some time between 498/1105 and 505/1111,[45] al-Ghazālī sets out his conception of the sultanate as distinct from his conception of the caliphate and the relation of the two institutions to each other, which he discusses in the *Mustazhirī* and the *Iqtiṣād al-i'tiqād* respectively. In the *Naṣīhat al-mulūk* he is concerned with the practical duties of rule rather than with the underlying theory. His exposition is permeated by a strong Islamic ethic and the example of the caliph 'Umar is frequently quoted. For the rest al-Ghazālī draws many of his illustrations from Sasanian times. He mentions the tradition that the ruler was the shepherd of his people,[46] but he does not stress this picture of the ruler; he appears to look to the Sasanian tradition of absolute monarchy rather than to a patriarchal concept of rule.

Perhaps because he was addressing, not jurists or the caliph, but a Saljūq prince, al-Ghazālī does not mention the need for his rule to be validated by the caliph, but affirms in the following words that the source of the ruler's power is God: 'The author of this book declares that in all periods of time God most High manifests His power in the world by selecting certain groups of His servants, such as kings, wazirs and learned men (*'ālimān*) for the purpose of making the world

[44] Al-Ghazālī, *Ihyā' 'ulūm al-dīn*, ii, 124. Translation as in Gibb, 'Constitutional organization', 19.

[45] For a discussion of the probable date of the composition of the *Naṣīhat al-mulūk* and the question of whether it was written for Muḥammad b. Malikshāh or for Sanjar b. Malikshāh, see Laoust, *La politique de Ġazālī*, 144ff. and also *Naṣīhat al-mulūk*, ed. Jalāl Humā'ī Tehran, 1351/1972, introduction, 119ff. Professor Humā'ī considers that it was probably written between 502/1108-9 and 503/1109-10 for Sanjar.

[46] *Naṣīhat al-mulūk*, 22.

prosperous'.[47] Throughout his exposition he stresses the ethical basis of kingship and the duties of the king. The sanctions are solely moral and al-Ghazālī repeatedly reminds the ruler that he will be called to answer in the next world for his actions. It was, moreover, not enough for him to refrain from injustice himself: he must see that his slaves, servants, officials and deputies also were free from vice and must not acquiesce in the commission of tyranny by them because he would be called to account for their tyranny.[48]

The work starts with what is in effect a kind of Islamic creed, set out as the tree of faith – language reminiscent of Zoroastrian terminology[49] – in the light of which al-Ghazālī considers the duties of the ruler towards God and his fellow men. His first duty, and from this stemmed all his other duties, was to acknowledge and strengthen his Islamic beliefs and to perform those duties thereby imposed upon him. His duty towards men consisted in treating his subjects with justice and refraining from tyranny. Injustice towards them would not be forgotten on the day of judgement when he would be called to account for his actions.[50]

Drawing attention to the exalted nature of the authority entrusted to the ruler, al-Ghazālī states,

'Public function (wilāyat) is a great privilege (ni'matī) and whoever fulfils its responsibilities acquires an unsurpassed happiness, but anyone who falls short (in carrying out its responsibilities) suffers tribulation unequalled except by the tribulation of unbelief. Proof of the high nature of this privilege is that the prophet of God, upon whom be blessing and peace, said "the justice of one day of a just sultan is more excellent than the worship of sixty years."'[51]

Continuing, al-Ghazālī refers to the tradition that on the day of resurrection no shade or shelter would remain except the shade and shelter

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[47] Ibid., 183.

[48] Ibid., 36. Cf. Kīmyā-yi sa'ādat, 418. Cf. also the statement that kings must know that the heavenly decree could not be held back by armies or wealth. When fortune was reversed everything turned to nought and regret availed nothing (Naṣīḥat al-mulūk, 162).

[49] Naṣīḥat al-mulūk, 2ff. Cf. Zaehner, The dawn and twilight of Zoroastrianism, 284–5. Cf. also an address made by al-Ghazālī to Sanjar when he came to his court in or about 503/1109–10 in which he states that it was recorded in the traditions that the tree of faith was watered by devotion to God and that its root was justice (Faḍā'il al-anām, 8).

[50] Naṣīḥat al-mulūk 14.

[51] Ibid., 15. Cf. also al-Ghazālī's address to Sanjar in or about 503/1109–10 (Faḍā'il al-anām, 4) and Kīmyā-yi sa'ādat, 410.

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of God most High, in which seven persons would be found, the first of whom would be the sultan who had treated his subjects with justice.[52] Al-Ghazālī also quotes the prophet as saying that he who was nearest to God and he whom God loved best was the just sultan and conversely the most hated and despised person in the eyes of God was the tyrannical sultan.[53]

In keeping with the importance which al-Ghazālī gives to the 'ulamā' in the Iqtiṣād al-i'tiqād, he ranks an eagerness to visit the 'ulamā' and to hear their advice as the next most important quality or characteristic of the ruler after justice.[54] The latter quality stemmed from intellectual perfection, which was, he claims, itself the secret of happiness.[55] He quotes the saying attributed to Sufyān al-Thawrī that the best king was he who associated with 'ulamā' (but he omits the second part of the saying that the worst 'ālim was he who associated with kings).[56] Kingship would remain with him who possessed religion, justice and wisdom.[57] Kings required four qualities, justice, wisdom, patience and self-control (sharm), a statement which al-Ghazālī puts in the form of a letter from Yūnān, the legendary wazir to Anūshīrawān.[58] Wisdom was, for al-Ghazālī, an all-embracing quality, from which derived restraint ('iffat), courtesy (adab), abstemiousness, trustworthiness, uprightness, self-control, mercifulness, good nature, faithfulness, patience, civility (mudārā) and clemency – all of which, he writes, were the qualities of kings.[59]

For the rest, the qualities and actions which al-Ghazālī demands of kings were mainly of an ethical nature. The king was to overcome pride;[60]

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[52] Naṣīḥat al-mulūk, 15. The other six persons were (i) the young man who grew up in the worship of God; (ii) the man who lived in the bazaar but whose heart was in the mosque; (iii) the man who made friends with another for the sake of God; (iv) the man who remembered God in his private chamber with tears streaming down his face; (v) the man who, when sought after by a beautiful and wealthy woman, said to her that he feared God (and rejected her blandishments); and (vi) the man who, when he gave ṣadaqa with his right hand, did not let his left hand know what his right hand was doing (ibid., 15–16).

[53] Ibid., 16. Cf. Kīmyā-yi sa'ādat, 410.

[54] Naṣīḥat al-mulūk, 27. Cf. Kīmyā-yi sa'ādat, 415–16, 418.

[55] Naṣīḥat al-mulūk, 38–9. Cf. Kīmyā-yi sa'ādat, 419.

[56] Naṣīḥat al-mulūk, 160.

[57] Ibid., 152.

[58] Ibid., 139. Sharm, modesty, is probably better translated here by self-control or restraint.

[59] Ibid., 160.

[60] Ibid., 39.

to imagine himself in the position of the subjects and to do nothing which he would not wish to be done to himself;[61] he should not treat with contempt those who came to him with some need;[62] he was to avoid luxury;[63] and as far as possible to show compassion in all things;[64] and acting in conformity with the *sharī'a* he was to strive to achieve the satisfaction of his subjects, but he was not to seek this contrary to the *sharī'a*.[65]

Al-Ghazālī was well aware that the ruler tended to be surrounded by sycophants and also that fear of him deterred men from telling him the truth. Accordingly he warns him against flattery in the following words, 'Do not let the holder of authority (*walī*) be deceived by the fact that everyone who comes to him praises him so that he thinks the subjects are satisfied with him. All that (flattery) comes from fear. He must appoint reliable persons to investigate affairs and to enquire from the people what they really think of him so that he may learn what his faults are from the mouth of the people.[66]

With regard to the ruler's personal habits, al-Ghazālī accepted the fact that the ruler could not be expected to devote himself exclusively to the affairs of kingship, but he warns him not to occupy himself continually in backgammon, chess, wine-drinking or polo, which would distract him from his duties. There was a proper time for everything. The kings of the past had divided their day into four parts: one for the worship of God; one for the affairs of kingship—for giving redress to the weak and seeking counsel from the wise, issuing decrees and sending envoys; one for eating, drinking and enjoyment of the things of this world; and one for hunting, polo, and such like occupations.[67]

Having established the moral basis of kingship, al-Ghazālī turns to its practical application in the world, omitting, however, any reference to the caliphate. He states,

'God sent prophets to His servants to guide them to Him and to restrain them from one another and He chose kings to whose wisdom He relegated the welfare of His servants, giving to them a high rank—as is

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[61] Ibid., 46. Cf. *Kīmyā-yi sa'ādat*, 411, and al-Ghazālī's address to Sanjar in which he urges on him care for his subjects (*Fadā'il al-anām*, 7).

[62] *Nasīhat al-mulūk*, 47. Cf. *Kīmyā-yi sa'ādat*, 411.

[63] *Nasīhat al-mulūk*, 48. Cf. *Kīmyā-yi sa'ādat*, 411.

[64] *Nasīhat al-mulūk*, 49. Cf. *Kīmyā-yi sa'ādat*, 411-12.

[65] *Nasīhat al-mulūk*, 50. Cf. *Kīmyā-yi sa'ādat*, 412.

[66] *Nasīhat al-mulūk*, 50. Cf. *Kīmyā-yi sa'ādat*, 412.

[67] *Nasīhat al-mulūk*, 136.

stated in the Traditions, "the sultan is the Shadow of God on Earth". That person to whom kingship and the divine effulgence (*farr-i īzadī*) has been given must therefore be loved and kings must be obeyed.'[68]

Quoting the Quranic verse, 'Obey God, obey the prophet and those in authority among you,' he interprets 'those in authority' to mean not those holding religious authority but those holding military authority (*amīrān*). 'Thus', he states, 'he to whom God gave religion must love kings and be obedient and know that this kingship is given by God and that God gives it to whomsoever He wills.'[69] The obligation to treat kings with respect was absolute: in no circumstances was rebellion permitted.[70]

The divine effulgence was for al-Ghazālī a compound consisting partly of virtues and partly of mental and physical attributes, not unlike the qualities demanded of the head of the good city by al-Fārābī[71] and very similar to the qualities required of the ruler by Nizām al-Mulk in the *Siyāsat-nāma*. They were wisdom, knowledge, perspicacity, the power to comprehend everything, a perfect appearance, culture, horsemanship, skill in bearing arms, manliness, courage, deliberation, good nature, the dispensing of justice to the weak and the strong, openhandedness, the showing of friendship and magnanimity, forbearance and civility, judgement and planning in the administration of affairs, much reading of the traditions, the observance of the customs of kings and diligent enquiry into the actions of former kings.[72] These special qualities were irrespective of any ability or experience the ruler may have had. He was, as it were, born to rule.

The true sultan was he who acted with justice and refrained from tyranny and corruption. Quoting the prophet, al-Ghazālī states, 'Kingship remains with unbelief but not with tyranny.'[73] To underline

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[68] Ibid., 81.   [69] Ibid., 82.   [70] Cf. ibid., 171.

[71] See F.R.C. Bagley, *Ghazālī's book of counsel for kings*, Oxford, 1964, 74, 2n.

[72] *Nasīhat al-mulūk*, 127-8. Nizām al-Mulk attempts to combine something of the Islamic ideal with the Sasanian ideal in the requirements which he demands of the ideal ruler. He states that he should have a comely appearance, good nature, justice, manliness, courage, horsemanship, a knowledge of and ability to wield different kinds of arms, an understanding of crafts and skills, compassion and mercy towards the people, steadfastness in fulfilling vows and promises, a liking for right religion and right belief, and obedience to God, and he should perform supererogatory prayers and fasts, have respect for the learned, the devout, the righteous and the wise, give alms continually, treat the poor, his subordinates and servants well and restrain the tyrannical from ill-treating the subjects (*Siyāsat-nāma*, ed. C. Schefer, Paris, 1891, 7).

[73] *Nasīhat al-mulūk*, 82.

his point, and partly perhaps because he was writing not for the caliph but for a non-Arab ruler, he continues,

'It is recorded in the chronicles that the Magians held this world for 4,000 years and that kingship remained in their family because they maintained justice among the subjects and looked after them. According to their religion they did not consider tyranny or oppression permissible and they made the world prosperous by justice.'[74]

Again quoting the prophet, he states

'Justice is the glory of religion and the strength of the temporal government (*sulṭān*) and in it lies the wellbeing of the élite (*khāṣṣ*) and the common people ('*āmm*) . . . He who is most worthy of rank and kingship is he whose heart is the abode of justice, whose house is the resting-place of the religious and the wise, whose judgement is in accordance with the judgement of the wise and whose intercourse is with wise men and good counsellors.'[75]

Al-Ghazālī does not define justice except by reference to its opposite, tyranny and corruption. It is clear, however, that what he has in mind is not 'legal' justice.[76]

Al-Ghazālī identifies prosperity with virtue and here again his theory is reminiscent of Zoroastrianism.[77] He states,

'It must be known that the prosperity and desolation[78] of the world depend on kings. If the king is just, the world will be prosperous and the subjects secure, as it was in the time of Ardashīr, Āfarīdūn, Bahrām Gūr and Anūshīrawān. But if the king is tyrannical, the world will be depopulated as it was in the time of Ẓaḥḥāk, Afrāsiyāb, and Yazdigird the Sinner.[79] The kings of ancient times strove to make the world

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[74] Ibid.

[75] Ibid., 149–50.

[76] He is not, however, unmindful of this aspect of justice. Thus he states that justice consists in complete impartiality and the treating of an unknown man and a famous man or a rich man and a poor man with complete equality when judging between them (ibid., 121). In a letter addressed to Ḍiyā' al-Mulk b. Niẓām al-Mulk he defines '*adl* as treating the people as he would wish to be treated were he in their place (*Faḍā'il al-anām*, 34), which, as stated above, was one of the qualities al-Ghazālī demands of the ruler.

[77] Cf. Zaehner, *The dawn and twilight of Zoroastrianism*, 297.

[78] *Ābādānī* 'prosperity, being populous' and its opposite, *wayrānī* 'desolation, ruin, depopulation'.

[79] *Naṣīhat al-mulūk*, 83. Cf. also the statement that when the later Samanids committed tyranny and oppression against their subjects their dominion came to an end (ibid., 124).

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prosperous because they knew that the greater the prosperity the longer their [exercise of] government (*wilāyat*) and the more numerous their subjects. They also knew that the wise men of the world had spoken rightly when they said, "Religion depends on kingship and kingship on the army and the army on wealth (*khwāsta*) and wealth on prosperity and prosperity on justice".'[80]

Religion and kingship were twins and what a king needed most, in the view of al-Ghazālī, was right religion.

'He must look after the affairs of religion and perform the obligatory duties of religion at the proper time and shun desire (*hawā*), innovation, unseemly and doubtful things and what is disapproved of by the *sharī'a*; if it comes to his ears that in his empire someone is accused of evil religion, he should summon him and threaten him so that he would repent, or else he should be punished or exiled so that the kingdom might be purged of people having vain desires and of innovators and so that Islam might be held in honour; he should keep the frontiers in good condition by sending armies and soldiers there; and he should seek the glory of Islam and keep fresh the traditions of the prophet so that he might be praised by the people for that and held in awe by his enemies and so that his rank and dignity might be high with both friend and foe.'[81]

The king was also to be accessible. This would prevent officials committing tyranny against the subjects and the subjects committing tyranny against each other.[82] Conversely what led to the ruin of the kingdom was for the king to allow himself to be deceived by his good fortune and power or by pride in his knowledge and for him to be neglectful in taking advice, for him to give high office to men of low estate, not to employ stratagems when it was right to do so (*dāyi' kardan-i ḥīlat bi-jā-yi khwīsh*), not to take steps to deal with affairs when necessary and to be dilatory when speedy action was demanded and not to fulfil the needs of the people.[83]

Al-Ghazālī believed that the character of the subjects took after that of their kings and this not only demanded that the king should be virtuous but also that he should supervise closely not only the activities of his officials, but also those of his subjects: he was not to be a party to their evil-doing. He must honour the virtuous, reward those who did good, restrain evil-doers from their wickedness and punish them for their evil-doing without any favouritism so that the people would desire

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[80] Ibid., 100.   [81] Ibid., 106–7.   [82] Ibid., 158.   [83] Ibid., 165.

goodness and refrain from evil. If the king did not restrain evil-doers, his affairs would go to rack and ruin with theirs.[84]

Two things, in the opinion of al-Ghazālī, brought about the ruin of a country: the weakness of the king and his tyranny.[85] Coercive power was for him a very important element in kingship; what he feared most of all was civil strife and disorder.[86]

'It is necessary, for the king to exercise coercive power (*siyāsat kunad*) and to have authority (*bā siyāsat buwad*), because the sultan is the representative (*khalīfa*) of God. The awe in which he is held should be such that when the subjects see him from afar they do not dare to rise to their feet. The king of our day and age ought to possess coercive power of this sort and to be held in this kind of awe because the people of today are not like the people of former times – in these days men are shameless, mannerless and merciless and if, God forbid, the sultan in their midst should be weak or powerless, the world will undoubtedly become ruined and religion and the world will suffer injury and damage: the tyranny of a sultan for a hundred years causes less damage than one year's tyranny exerted by the subjects against each other. When the subjects indulge in tyranny, God most High will appoint over them a forceful and violent sultan.'[87]

Al-Ghazālī reiterates the need for the ruler to possess coercive power in another passage in which he recognises that the circumstances of his day were no longer what they had been in the golden age of Islam and required different measures.

'There was a time when one man (the caliph 'Umar b. al-Khaṭṭāb) kept the whole world secure and under control by means of a scourge which he carried on his shoulder – such was the skill of leaders in those days and such (the peaceable nature of) the subjects. Today were anyone to treat the subjects like that, they would not submit and corruption would ensue. The king needs to be surrounded by awe and he needs coercive power so that everyone can get on with his own affairs and so that the people may be secure from one another . . . As long as there is no fear of the coercive power of the ruler, the people will not be obedient or upright.'[88]

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[84] Ibid., 107.   [85] Ibid., 111.

[86] There are frequent references to disorder and tyranny in the *Faḍā'il al-anām*, e.g. pp. 31, 52, 53 and 58. Cf. also al-Ghazālī's hatred of Turks, *Faḍā'il al-anām*, 55.

[87] *Naṣīḥat al-mulūk*, 131-2.   [88] Ibid., 148-9.

No king should allow his tax-collectors to take anything unjustly from the subjects.[89] It was also incumbent upon him to see that his officials carried out his orders, because, al-Ghazālī alleges, ministers, chamberlains (*ḥājibs*), deputies and military governors (*shaḥnas*) were often deflected from carrying out his orders by bribes.[90] He must look after the world as he would his own house, so that it would become prosperous.[91] If the subjects were reduced to misery, he should go to their rescue, especially if there was a famine and they wanted for means of livelihood. The king must give them food and help them with money from the treasury. He must not allow his entourage to oppress the people because they would become impoverished, abandon his kingdom, leaving their taxes to be paid by others; the revenues of the sultan would be diminished, profit would accrue to storekeepers and hoarders and the sultan would be cursed and get a bad name.[92]

Discussing the wazirate al-Ghazālī states that kingship only became perfect with a worthy, capable and just wazir. No king could survive without a good wazir. Whoever acted on his own judgement would undoubtedly fall. The prophet, with all his greatness and eloquence was commanded by God to consult with his companions and the wise.[93] He states,

'The king ought to observe three principles in his treatment of the wazir: (i) not to punish him in haste when vexed with him; (ii) not to covet his wealth when he grows rich; and (iii) not to refuse him a (necessary) request when he makes one. Similarly the king ought to grant three facilities to the wazir: (i) to let him see the king whenever he wished: (ii) not to listen to talk by slanderers against him; and (iii) not to keep secrets hidden from him. For the good minister is the guardian of the king's secrets, and on him depends the orderly handling of business, the revenue, and the prosperity of the realm and of the treasury; through him the monarchy acquires adornment, prestige and power. Suggesting (courses of action) and answering questions are his constant tasks. He gladdens the king's friends and confounds the king's enemies. No man is more deserving of encouragement and esteem than such a minister.'[94]

Al-Ghazālī was under no illusions with regard to the dangers of office and its thankless nature. Putting the words into the mouth of 'a wise man', he states,

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[89] Ibid., 136.   [90] Ibid., 153-4.   [91] Ibid., 137.
[92] Ibid., 167.   [93] Ibid., 175.   [94] Ibid., 176.

'Woe to him who is forced to associate with kings, for he will possess no friend, no kinsman, no children, no servants and no respect. They (i.e. kings) show respect only to those whom they need, on account of either their learning or their courage, and when this need no longer exists, neither friendship nor loyalty nor a sense of obligation (*sharm*) remains.'[95]

In the *Nasīhat al-mulūk*, al-Ghazālī's theory centres on the sultan divinely endowed with justice and knowledge. The ruler is the Shadow of God – an integral part of the divine order, against whom rebellion is not permitted. Al-Ghazālī was not concerned to justify the state – that he had done elsewhere – but rather to modify the effects of its operation when in the hands of violent, and sometimes unscrupulous, men. His purpose in the *Nasīhat al-mulūk* was rather different from his purpose in the *Iqtisād al-i'tiqād*: it was to restrain the ruler by impressing upon him his moral responsibility and to bring the kingdom of God nearer, not by escaping into the metaphysical world of the Şūfīs or the theoretical world of the jurists, but by pointing the ruler to the practice of justice and care for his subjects. But in spite of his attempt to create an amalgam of Islamic and pre-Islamic ideals, he, like Nizām al-Mulk, by his emphasis on the absolute power of the ruler and his unaccountability except to God, helped to perpetuate the fundamental disharmony between the ideal of Islam and the ideal of pre-Islamic Persia.

The *Mustasfā*, al-Ghazālī's last major work, which was finished in 503/1109, is primarily devoted, appropriately enough in view of his conception of state and society, to the principles of jurisprudence (*usūl al-fiqh*). He thus emphasizes that the law, the *sharī'a*, lay at the base of his thinking and that a knowledge of religion was a prerequisite to politics. On the one hand he analyses the bases and aims of legal rules and the ways in which the *mujtahid* should apply them to the diversity of cases posed by everyday life and on the other he elaborates legal doctrine within the framework and limits laid down by the law. He starts from the principle that the only legislator (*hākim*) was God. No one had a natural right of authority over another. Before the revelation of the law no obligation rested on men. Their individual claims were set against each other in an anarchy of conflicting views and aims, and they existed in a state of legal non-subjection (*barā'a aṣliyya*).[96]

Recognising four sources of the law, the Qur'ān, the traditions

[95] Ibid., 145–6.   [96] Laoust, *La politique de Ġazālī*. 153–4.

(*sunna*), consensus (*ijmā'*), and reason (*'aql*), al-Ghazālī points out that there was, in reality, only one source, the word of God (*khitāb*) addressed to those to whom He dictated His recommendations and orders.[97] This word was transmitted by the prophet. The *sunna* had validity only so far as it furnished an indication or proof (*dalīl*) of the existence of an order willed by God. Similarly, *ijmā'* had validity only so far as it indicated the existence of a *sunna*, while *'aql* showed that if one denied the initial fact of revelation one ended by denying the existence of the law.[98] In a lengthy discussion on *ijmā'*, al-Ghazālī states that in principle it included all members of the *umma*. It was clear who, on the one hand, had full right to be included and who, on the other, was to be excluded, but between these two extremes it was more difficult to come to a decision as to who should be included. All *mujtahids* belonged to those who loosed and bound (the *ahl al-hall wa'l-'aqd*) and therefore were necessarily included.[99] Al-Ghazālī's final definition is that *ijmā'* was the agreement of the *mujtahids* expressed explicitly in their *fatwās*. The ordinary man (*'āmmī*) was implicitly excluded.[100]

Throughout al-Ghazālī's works there runs, in fact, a certain distrust of the common man. This is reflected in his discussion of *taqlīd* and *ijtihād*. He rejects *taqlīd*, the acceptance of a doctrine without proof, in principle on the grounds that it led to blind submission to the opinion of a third person and could not lead to the foundation of a system for the acquisition of knowledge in the domain of the bases of the law and their application. Nevertheless, he maintains that the ordinary man must have recourse to *taqlīd*. The reasons he gives are that first the Companions did not fail to consult the prophet or the most learned among themselves, and secondly the ordinary people were essentially engaged in the cultivation of the land or in some trade, and if they devoted themselves to a search for the truth – always a long and difficult task – they would neglect their other activities, upon which the economic life of the community depended, and this would have serious consequences for social stability and organization.[101]

For al-Ghazālī religion and power, both temporal and spiritual, were from the beginning indissolubly interrelated. The *umma*, the organization of which rested on religion and reason, was ideally a vast concourse, or brotherhood, in which all, according to the position and status allocated to them by God, co-operated in their physical, religious

[97] Ibid., 154.   [98] Ibid., 155.   [99] Ibid., 158ff.
[100] See further ibid., 160–1.   [101] Ibid., 180–1.

and moral acts, and in their acceptance of the same fundamental
beliefs. The end towards which their efforts were directed was supreme
happiness, which was to be reached by obedience to God, respect for
the prohibitions declared by Him, and the practice of the moral virtues
which derived from the law and which the law presupposed.[102] The
central problem for al-Ghazālī was the theory of sovereignty: man had
only one master, God, and one law, the *sharī'a*, which God had given
him.[103] Politics were for him closely allied to theology, eschatology,
ethics and law. They were concerned with the art of how to conduct
oneself in the community, to lead others to the community and to
administer its affairs in conformity with the law. They consisted in a
knowledge of the law and in the art of adapting the law to the changing
realities of life. Lastly, for al-Ghazālī, they involved morals. Political
reform was moral reform: whoever wanted to reform others had to
begin with himself.[104]

Al-Ghazālī accepted the belief of the main body of Sunnī Muslims
that the community always remained under divine guidance and
that the basic and essential requirement was that it must always be
headed by and recognize the authority of a religious leader—the *imām*
or caliph. But by the time of al-Ghazālī the imamate or caliphate had
long since ceased to be the keystone of the political structure. Secular
princes had emerged. Military commanders and chieftains had estab-
lished independent rule in the provinces of the caliph's empire and
made it clear that temporal rule could be and was disjoined from the
temporal government of the caliph. The imamate no longer symbolised
a political unity but merely reflected a religious and cultural unity. Al-
Ghazālī, in an attempt to preserve the religious life of the community,
accepted the factor of change (which the *sharī'a* neglected) and sought
a workable compromise, but in so doing he relinquished perhaps
unwittingly, the 'grandiose dream of a social body operating perpetually
under the immutable law which God had revealed in the fulness of
time'.[105] However, by defining the relationship of the *imām*, the sultan
and the *'ulamā'*, he justified the continuance of Islamic government.
Envisaging a new association between the *imām* and the sultan, he
assumed co-operation between them. On the one hand the *imām* was
to be designated by the sultan, who, through his exercise of constitutive
authority, recognised the institutional authority of the *imām*; and on

102 Ibid., 281–2.   103 Ibid., 366.
104 Ibid., 375.   105 Cf. von Grunebaum, *Medieval Islam*², 143.

the other hand the validity of the sultan's government was established
by his oath of allegiance to that *imām* who authorized his rule. In this
way the sultan recognised that the *sharī'a* was the organizing principle
of the Sunnī community, while the *imām* acknowledged that the
sultanate by establishing order and maintaining discipline provided
conditions in which Islamic institutions could continue and the Muslim
fulfil his true destiny. Saljūq rule thus rested in theory on the *sharī'a*
and differed from that of the Buyids, which had been usurped, and the
position of the *imām* as the symbol of the supremacy of the *sharī'a* was
assured. Further, the community and the *'ulamā'* were given or rather
allowed to retain, a political function, though since neither enjoyed
political power, they were unable to exercise such a function, except
on rare occasions.