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of possibility. By the time al-Mawardī was writing the caliphate had ceased to exercise effective political power. The issue was no longer the substitution of a just for an unjust caliph. There was no question of the caliph re-imposing sharī'ī government: he did not dispose of the necessary power to do so. The problem with which al-Mawardī wrestled was how to bring the holders of power within the general framework of Islamic law. It was an intractable problem, but if the ideal of Islamic government was to be maintained and Islamic institutions were to be preserved, it demanded a solution. Accordingly, al-Mawardī, constrained by necessity and expediency, contrived new ways to bring existing conditions within the framework of the law while, in fact, disregarding the law. He recognised the problem and met it with decision. That he wrote with a full sense of responsibility cannot be denied, but whether the solution he proposed was wise or conducive to the wellbeing of the Muslim community in the long term, is a more doubtful matter. From now on the political obligation of the caliph as the executor of the sharī'ī was not only in practice, but also in theory, limited by the possibility of fulfilment.

VII

AL-JUWAYNĪ AND AL-GHAZĀLĪ: THE SULTANATE

Following the example of al-Mawardī 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'qūb b. al-Farrā', the Ḥanbalī (d. 458/1066), who defends the legitimacy of the caliphate in his Kitāb al-aḥkām al-sultāniyya in broadly the same terms as al-Mawardī,1 the Ḥanāfī 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 Īnāl, Ṭogrīr Beg's half-brother, who had been left in Mawsīl in 449/1058, entered into communication with al-Basāṣīfī 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 khurba would be read in the name of the

1 Laoust, 'La pensée et l'action politiques d'al-Mawardī, 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-Basāṣirī and Quraysh b. Badrān reoccupied Mawṣil, which Ibrāhīm Ināl had meanwhile abandoned. Al-Basāṣirī then returned to Raʾsba. Ťoghṛl Beg marched north and reconquered Mawṣil. Ibrāhīm Ināl, proclaiming open rebellion, set out for the Jībāl, pursued by Ťoghṛl. Al-Basāṣirī thereupon seized the opportunity to re-enter Baghādād, which he did on 8 Dhuʾl-Qaʿda 450/27 December 1058, accompanied by Quraysh and on 13 Dhuʾl-Qaʿda 450/1 January 1059 the khaṭaba was read in the name of al-Mustaʿṣir, the Fatimid. On 1 Dhuʾl-Hijja 450/19 January 1059 the caliph’s palace was pillaged. The caliph meanwhile left Baghādād with Quraysh b. Badrān, who entrusted him to his cousin Muḥāfrīs. Ťoghṛl, having defeated Ibrāhīm Ināl in Jumādī I 451/July 1559, prepared to return to Baghādād. He offered to leave al-Basāṣirī in Baghādād provided he restored al-Qāʾim to the throne and read the khaṭaba in his (Ťoghṛl’s) name, in which case he (Ťoghṛl) would not return to ‘Irāq. Al-Basāṣirī instead attempted without success, to persuade the caliph to break with the Saljuqs. Ťoghṛl then marched on Baghādād and the caliph, who had been freed by Muḥāfrīs at Ťoghṛl’s request, met him at Nahrāwān and they entered the capital together on 24 Dhuʾl-Qaʿda 451/3 January 1060. Al-Basāṣirī fled but was overtaken by Ťoghṛl’s cavalry and killed. With the defeat of al-Basāṣirī, the Fatimid threat to the ‘Abbāsid caliphate lost its urgency. Ťiḥṣī’s activity, however, did not come to an end. The rise of the Bāṭinīs towards the end of the 9th/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 Ashʿārī school of ‘ilm al-kalām. When Ťoghṛl Beg’s wazir, Āmid al-Mulk al-Kundurī, had the Ashʿārīs as well as the Rāvawīs denounced from the pulpits in 445/1053, two years before Ťoghṛl Beg’s entry into Baghādād, al-Juwaynī went to Baghādād and thence to the Hījāz. He taught in Mecca and Madīna, hence his title Imām al-Ḥaramayn. On the death of Ťoghṛl Beg in 455/1063, Nīṣām al-Mulk, who had been wazir to Alp Arslān when he was wālī ‘ahd, had al-Kundurī put to death and himself became wazir to the new sultan. He favoured the Ashʿārīs and invited those who had dispersed to come back. Among them was al-Juwaynī, who returned to Nīshāpūr and died in the village of his birth in 499/1105. In his al-Iṣḥād, he gives a brief exposition of the imāmato. He states categorically that the imāmat was based on the traditions and the attribution of the imāmat rested on ‘the infallibility of ‘imāma’. Prior to a consideration of the imāmat an examination of the traditions and their relative value was therefore necessary.

The claim of the Imām Shīʿa that the prophet had designated ‘Ali as his successor is rejected by al-Juwaynī on the grounds of the imāmat of the community, who, the Imāmīyya excepted, held that there had been no designation in favour of ‘Ali. On the same grounds he refutes the possibility of there having been, as some of the Imāmīyya claimed, a secret designation (naṣṣ) in favour of ‘Ali. He points out that there was in the first place no means of knowing this and secondly such a claim was demonstrably false because ‘imāma’ supported a contrary view. In the absence of designation there remained only election. This, he asserts, was proved by ‘imāma’: election had been practised for a long period without its principle having been denied by any learned man (uṣūm).

Al-Juwaynī does not demand unanimity for an election to be valid and like al-Māwarī permits election by one elector. He accepts the possibility of two imāms holding office simultaneously provided that they were in widely separated areas. In his chapter on the imāmat he states 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 ṣafir) 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’, and in a chapter on enjoining the good and forbidding evil he states that if the ruler of the day (wālī al-waqq) 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-bayt wa-taqdīr to agree to deters him, if necessary by force and war.

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

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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 inām had also to be of free status, male and a Muslim. He refute the Imamī doctrine concerning the immunity of the inām from sin and like al-Baqillānī states that such a pretension would force those who held it to admit the immunity of governors, qādīs and tax-collectors also.

Like al-Baṣrī, al-Juwaynī was also concerned about the problem of the inamante of the less ex- cept, al-nafzūdī, but he refuses to give a clear statement on the subject. The majority of Sunnis, he maintains, held that the most excellent man of his time must be chosen as inām 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 inamante. 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 inām over another. With the establishment of Saljuq 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 (išrā) 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-Baqillānī and others no longer corresponded — if it ever had — with practice. Al-Mawardī, in his discussion of wizarāt and ināra, had prepared the way for a new relationship between the caliphate and the sultanate.

In the early Saljuq period there had been not merely a reassertion of Sunnism after a time of Shī‘i 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. From this

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 538/1142, the year when al-Baṣrī took Baghdad. He studied in Nishāpūr from 471/1080 to 478/1085 under the Imam al-Ḥaramayn al-Juwaynī, who had returned to Nishāpūr after al-Kundur’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 Sunni schools. In 478/1085 he became attached to Nizām al-Mulk, then Malikshāh’s wazir, who, like himself, was a Shī‘ī, an Ash‘arī and a man of 538. In 484/1091 he became mudarris of the Nizāmīyya madrasa in Baghdad, where he taught Shī‘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 Venerable (as-Siddīq), then Umar, the Divider (al-Fārūq), then Uthman, he of the Two Lights (Dhu-unn-Nuṣayr), then Ali, the goodwill of God be upon them! Their Khalifates were in this order, and the Khalifates extended to thirty years; then, thereafter, came kings and princes. The Muslims cannot do without a leader (imār) who shall occupy himself with 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 (muṣṭa‘īr), 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 (īṣa‘), 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 (ḥadd) of Islam and to prevent 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).

and faction between the various rites and sects prevailed. Al-Ghazâlî, after leaving Bâghdâd, spent some time in Damascus and went on the pilgrimage in 489/1096 and returned via Damascus and Baghdaδ to Tûs. In that year he vowed never to take money from any sultan or to go to the court of any sultan or to dispute (mudâraša kardan), but in 499/1106 under pressure from Fakhr al-Mulk b. Nizârî al-Mulk, Sanjar’s wâzir, he emerged from retirement and became mudârrîs of the Niẓâmîyya madrasa in Nshapûr. He died on 505/1111.21

The writings of al-Ghazâlî range over the fields of jurisprudence, religion and ethics and include polemics against the Bâṭînîs and the philosophers and epitomise the whole range of Muslim political and religious thought. So far as the former is concerned he holds an intermediatory position between al-Mâwardî, 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.22 Laoust points out that for al-Ghazâlî 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 (usul al-dîn), juridical methodology (usul al-fiqh), and a theory of man as a social animal.23 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.24 The Sasanian maxim that dîn (religion) and dawlat (temporal power) were twins, which had been taken over by Islam, was accepted by al-Ghazâlî: if religion was the base, dawlat (temporal power) was its guardian and charged with its preservation.25 Men lived, or had to live, in society and were exposed incessantly to quarrels and conflict. They needed a principle of power (sultân) to guide them and to arbitrate in their disputes. Such a principle required a norm, a canon (qânûn), to enable differences to be solved and decisions based on law to be imposed.

22 Laoust, op. cit., 21. See further Chapter IX.
24 Cf. Ibid., 227-8.
25 Ibid., 73-4.
26 Ibid., 196-7.
27 Ibid., 209.
28 Ibid., 376.
29 Ibid., 135-6.
the question of the relationship of sovereignty (hukm) and temporal power (sultan) on the one hand and of religion (ilm) and kingship (mulk) on the other.27

In the Mustazhir, composed for the caliph al-Mustazhir probably between 487/1094 and 488/1095, al-Ghazali treats only of the imam. This work was composed at the request of the caliph primarily against the Batiuts, but it is also partly a juristic treatise and partly a mirror for princes.28 Its purpose is to show that al-Mustazhir was the legitimate imam, the representative of God, and that he had excelled the imamate in conditions conformable with the divine law, and that all men owed him obedience and assistance. Al-Ghazali maintains that the imamate was necessary both by reason and revelation, and defines the conditions required for the investiture of the imam 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-Ghazali 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 Mustazhir, 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 qādis, 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 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-Ghazali 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 Sunnite jurists before him, the source of all authority, including political authority, was the shari‘a, and the ultimate source of authority of the shari‘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-Baṣillān and the work of al-Baghdādī that it was the umma, the community, and in the work of al-Juwainī that it was the ahī al-hall wa-taqdī. In a sense both the ‘ulama‘ and the community were a source of authority for the shari‘a. The first because learning (ilm) was necessary for the discovery of what the shari‘a was and the second because of the intimate connection of the community with imām,31 The ‘ulama‘, 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 authorising the day-to-day acts of government.32

The precise relationship of the caliphate to the shari‘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 shari‘a, the commander-in-chief of the Muslim army, and the leader in all formal religious observances prescribed by the shari‘a. Above all,

27 La politique de Ghazali, 76.
28 Laoust states that al-Ghazali was indebted in the Mustazhir to al-Baṣillān’s refutation of the Batiuts in the Kashf al-aṣrār and to his defence of the legitimacy of the ‘Abbasid caliphate (‘La pensée et l’action politiques d’al-Mawardi’, 68).
29 La politique de Ghazali, 52-3.
31 Shāhīd had earlier distinguished between the knowledge of the general public (ilm al-‘umma) and the knowledge of the specialists (ilm al-khāṣṣa) (see further Schacht, Origins, 136). The ‘ulama‘ were the repositories of knowledge. They knew fully the aylko al-‘ulā. In cases of dispute everyone, rulers and governors included, were to refer their problems to them. ‘ilm and ištihād also belonged to the ‘ulama‘.
he was the head of the religious institution in Islam, and since religion was an all-inclusive concept he was also the political institution. 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 recognized the sharīʿa 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.

The main feature of al-Ghazālī’s exposition of the imām and the sultanate in the Ḥaṣbā’al-ṭābiʿūn is his association of the imām with the sultan and his assumption of co-operation between the imām and the actual holder of power. The Sunnī jurists had insisted upon the sharīʿa as the basis of the imāmate. Al-Ghazālī accepts this view but advances a new interpretation. While admitting that the imāmate did indeed have utility, he rejects the Muʿtazilī view that the obligatory character of the imamate was based on reason. He rests the proof of the sharīʿa obligation of appointing an imām first upon ijmaʿ, which by his time had already become a source of the sharīʿa 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 sharīʿa 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 imām from the community, while the consensus was evidence of the fact that what the community had approved was provided for in the sharīʿa.

Al-Ghazālī’s argument goes on to claim that the requirements of the sharīʿa implied the existence of an institution of some sort to execute them, and that this institution, the form of which had been authorized by the consensus of the community, was the imamate. Further, the setting up of an institution for the fulfilment of the provisions of the sharīʿa, 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 sharīʿa) 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 sharīʿa). 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 qādī, 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.

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 sharīʿa. 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 sharīʿa in the community and as the symbol of the divine guidance of the Sunnī community by virtue of its obedience to the sharīʿa. 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, ijmaʿ and the objective of the prophet.

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

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33 Ibid., 221ff.
34 Ibid., 221ff.
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-bayt wa-l-aqd. In concrete terms this meant the sultan, whose appointment of the imām would then be recognised by the Saljuq 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'a process but the constituent power was the sultan. 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, recognizes 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 shar'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 recognized 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 shar'a proper. By this compromise, recognition was obtained from the holder of power that the shar'a was the organizing principle of the Sunnī community and a favourable field provided for the activity of the established Islamic institution by its establishment of order and maintenance of discipline. Even if the sultan actually ignored many of the provisions of the shar'a, Al-Ghazālī was, nevertheless, willing to recognize such an arrangement in order to preserve the religious life of the community. The imām thus remained the symbol of the supremacy of the shar'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 shar'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 shar'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 shar'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. 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 respect that the term 'imamate' is still used, and where the sultan is more of a political figure than a religious one. 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-isti’ādā, but merely emphasize certain consequences following from it, and reaffirm the religious basis of his thought. His most famous work, the Ihyā’ ‘ulamā 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 governs and governed must follow for their common good. Nowhere is it more apparent than in the Ihyā’ ‘ulamā 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 Quadiyya, 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.
By the time al-Ghazâlî wrote the Ihyâ’ ‘ulûm al-dîn 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 Bani ‘Abbâs, but de facto power belonged, in the different regions, to amirs who had recognised the imâm. The maintenance of this equilibrium, precarious though it might be, was preferable to its breakdown. To hold that no public functions (wilâyât) 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 imâm so far as he recognised his pre-eminence, allowing him the right to the khutba, 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.  

Al-Ghazâlî 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 an undurable 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 hadiths 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 ‘Abbâsid house who is charged with its functions, and that the office of government (wilâyâ) in the various lands is validly executed by sultans who profess allegiance to the 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 wilâyât 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 wilâyâ in these days is a consequence solely of military power, and whosoever he may be to whom a 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 khutba and on the coinage, he is a sultan, whose orders and judgements are executed in the several parts of the earth by valid wilâyâ.

In the Naṣîḥat al-mulkî, a mirror for princes, written in Persian some time between 498/1105 and 505/1111, al-Ghazâlî 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 Mustaẓhirî and the Iqtîṣâd al-i’tiṣâd respectively. In the Naṣîḥat al-mulkî 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-Ghazâlî draws many of his illustrations from Sasanian times. He mentions the tradition that the ruler was the shepherd of his people, 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 Saljuq prince, al-Ghazâlî 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 (imâmîn) for the purpose of making the world


44 For a discussion of the probable date of the composition of the Naṣîḥat al-mulkî and the question of whether it was written for Muhammad b. Malikshâh or for Sanjar b. Malikshâh, see Laoust, La politique de Gazzîlî, 144ff. and also Naṣîḥat al-mulkî, ed. Jalîl Humâyûn Tiran, 1351/1972, introduction, 119ff. Professor Humâyûn considers that it was probably written between 502/1108–9 and 503/1109-10 for Sanjar.

45 Naṣîḥat al-mulkî, 22.

prosperous. Throughout his exposition he stresses the ethical basis of kingship and the duties of the king. The sanctions are solely moral and al-Ghazâlî repeatedly reminds the ruler that he will be called to account 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.

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—in the light of which al-Ghazâlî 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.

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

‘Public function (wilãyat) is a great privilege (ni’matt) 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.”’

Continuing, al-Ghazâlî refers to the tradition that on the day of resurrection no shade or shelter would remain except the shade and shelter 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. Al-Ghazâlî also quotes the prophet as saying that he who was nearest to God and to 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.

In keeping with the importance which al-Ghazâlî gives to the ‘ulamã’ in the Iqãtã al-i’tiqãd, he ranks an eagerness to visit the ‘ulamã’ and to hear their advice as the next most important quality or characteristic of the ruler after justice. The latter quality stemmed from intellectual perfection, which was, he claims, itself the secret of happiness. He quotes the saying attributed to Sufyãn al-Thawrî that the best king was he who associated with ‘ulamã’ (but he omits the second part of the saying that the worst ‘ulum was he who associated with kings). Kingship would remain with him who possessed religion, justice and wisdom. Kings required four qualities, justice, wisdom, patience and self-control (sharm), a statement which al-Ghazâlî puts in the form of a letter from Yûnân, the legendary wazir to Anfîshmawrân. Wisdom was, for al-Ghazâlî, an all-embracing quality, from which derived restraint (‘if’ar), courtesy (adab), abstemiousness, trustworthiness, uprightness, self-control, mercyfulness, good nature, faithfulness, patience, civility (mutàdên) and clemency—all of which, he writes, were the qualities of kings.

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

47 Ibid., 183.
48 Ibid., 36. Cf. Kîmyâyî wa’l-’udat, 418. Cf. also the statement that kings must know that the heavenly decrees could not be held back by armies or wealth. When fortune was reversed everything turned to nought and regret availed nothing (Naṣṭãt al-mulûk, 162).
49 Naṣṭãt al-mulûk, 22. Cf. Zaehner, The dawn and twilight of Zoroastrianism, 284. Cf. also an address made by al-Ghazâlî 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 (Fâd’il al-anâm, 8).
50 Naṣṭãt al-mulûk, 14
51 Ibid., 15. Cf. also al-Ghazâlî’s address to Sanjar in or about 503/1109-10 (Fâd’il al-anâm, 4) and Kîmyâyî wa’l-’udat, 410.
55 Naṣṭãt al-mulûk, 160.
56 Ibid., 152.
57 Ibid., 139. Sharm, modesty, is probably better translated here by self-control or restraint.
58 Ibid., 160.
59 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.\textsuperscript{61} he should not treat with contempt those who came to him with some need,\textsuperscript{62} he was to avoid luxury,\textsuperscript{63} and as far as possible to show compassion in all things;\textsuperscript{64} and acting in conformity with the shart\textsuperscript{a} he was to strive to achieve the satisfaction of his subjects, but he was not to seek this contrary to the shart\textsuperscript{a}.\textsuperscript{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 (waqif) 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.\textsuperscript{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.\textsuperscript{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 stated in the Traditions, “the sultan is the Shadow of God on Earth”. That person to whom kingship and the divine effulgence (farr-i ṭadżīf) has been given must therefore be loved and kings must be obeyed.’\textsuperscript{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.’\textsuperscript{69} The obligation to treat kings with respect was absolute: in no circumstances was rebellion permitted.\textsuperscript{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\textsuperscript{71} and very similar to the qualities required of the ruler by Niẓām al-Mulk in the Siyāsah-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, open-handedness, 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.\textsuperscript{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 unbelievers but not with tyranny.’\textsuperscript{73} To underline

\textsuperscript{61} Ibid., 46. Cf. Ktmyā-yi sa‘ādat, 411, and Al-Ghazālī’s address to Sanjar in which he urges on him care for his subjects (Faṣā’il al-‘arām, 7).

\textsuperscript{62} Naṣḥat al-mulk, 47. Cf. Ktmyā-yi sa‘ādat, 411.


\textsuperscript{64} Naṣḥat al-mulk, 49. Cf. Ktmyā-yi sa‘ādat, 411-12.

\textsuperscript{65} Naṣḥat al-mulk, 50. Cf. Ktmyā-yi sa‘ādat, 412.


\textsuperscript{67} Naṣḥat al-mulk, 136.

\textsuperscript{68} Ibid., 81.

\textsuperscript{69} Ibid., 82.

\textsuperscript{70} Cf. ibid., 171.


\textsuperscript{72} Naṣḥat al-mulk, 127-8. Niẓām 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 (Siyāsah-nāma, ed. C. Schefer, Paris, 1891, 7).

\textsuperscript{73} Naṣḥat al-mulk, 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 their 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.'

Again quoting the prophet, he states

'Justice is the glory of religion and the strength of the temporal government (sulṭan) and in it lies the well-being 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.'

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.

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

'It must be known that the prosperity and desolation 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, Šāfīdīn, Bahram Gur and Anūshīhrwān. But if the king is tyrannical, the world will be depopulated as was it in the time of Žaḥḥāk, Afrāšiyāb, and Ayaḍīgūrd the Sinner. The kings of ancient times strove to make the world

prosperous because they knew that the greater the prosperity the longer their [exercise of] government (wīlūyat) 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 (khwāṣṭa) and wealth on prosperity and prosperity on justice."'

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 (haywā), innovation, unseemly and doubtful things and what is disapproved of by the šari'ā; 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.'

The king was also to be accessible. This would prevent officials committing tyranny against the subjects and the subjects committing tyranny against each other. 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 (gāyi' kardam-i ḥtlat bi-išā-yi khwāṣh), not to take steps to deal with affairs when necessary and to be dilatory when speedy action was demanded and not to fulfill the needs of the people.

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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54 Ibid., 149-50.
55 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. Nizān al-Mulk he defines 'adl as treating the people as he would wish to be treated were he in their place (Faqīḥ al-arām, 34), which, as stated above, was one of the qualities Al-Ghazālī demands of the ruler.
56 Ḥabīdānī 'prosperity, being populous' and its opposite, weryānī 'desolation, ruin, depopulation'.
57 Naṣīḥat al-mulāk, 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).
58 Ibid., 100.
59 Ibid., 106-7.
60 Ibid., 158.
61 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 (ṣiyāsat kumad) and to have authority (bi ṣiyāsat biwad), because the sultan is the representative (khāli‘a) 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 are 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.\(^{88}\)

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 (hājībs), deputies and military governors (shāhīns) 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 fail. 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,

\(^{84}\) Ibid., 107.
\(^{85}\) Ibid., 111.
\(^{86}\) There are frequent references to disorder and tyranny in the Faḍīḍ il al-anām, e.g. pp. 51, 52, 53 and 58. Cf. also al-Ghazālī’s hatred of Turks, Faḍīḍ il al-anām, 55.
\(^{87}\) Naṣīḥat al-mulāk, 131-2.
\(^{88}\) Ibid., 148-9.
\(^{89}\) Ibid., 136.
\(^{90}\) Ibid., 153-4.
\(^{91}\) Ibid., 137.
\(^{92}\) Ibid., 167.
\(^{93}\) Ibid., 175.
\(^{94}\) Ibid., 176.
Wo 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 Naṣṭhat al-mulâk, al-Ghazâlî’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-Ghazâlî 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 Naṣṭhat al-mulâk was rather different from his purpose in the Iṣṭiqâḍ al-iṭiqâd: it was to restrain the ruler by impressing upon him his moral responsibility and to bring the kingdom of God nearer, by not escaping into the metaphysical world of the Șûfîs 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 Niẓâm al-Mulk, by his emphasis on the absolute power of the ruler and his accountability except to God, helped to perpetuate the fundamental disharmony between the ideal of Islam and the ideal of pre-Islamic Persia.

The Mustâṣfi, al-Ghazâlî’s last major work, which was finished in 503/1110, is primarily devoted, appropriately enough in view of his conception of state and society, to the principles of jurisprudence (usâl al-fiqh). He thus emphasizes that the law, the sharî’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 mujâhid 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 (hâkim) 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 (barâ’a asâhyya).\(^{96}\)

Recognising four sources of the law, the Qur’ân, the traditions (sunna), consensus (ijmâ’), and reason (aql), al-Ghazâlî points out that there was, in reality, only one source, the word of God (khâliq) 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 (dalîl) of the existence of an order willed by God. Similarly, ijmâ’ 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 ijmâ’, al-Ghazâlî 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 mujâhidîs belonged to those who loosed and bound (the sûd al-ḥâl wa-l-aql) and therefore were necessarily included.\(^{99}\) Al-Ghazâlî’s final definition is that ijmâ’ was the agreement of the mujâhidîs expressed explicitly in their fatwâs. The ordinary man (3immi) was implicitly excluded.\(^{100}\)

Throughout al-Ghazâlî’s works there runs, in fact, a certain distrust of the common man. This is reflected in his discussion of taqâddal and jihatî aç. He rejects taqâddal, 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 taqâddal. 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-Ghazâlî 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

\(^{95}\) Ibid., 145-6.  
\(^{96}\) Lacout, La politique de Ghâzi, 153-4.  
\(^{97}\) 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. The central problem for al-Ghazālī was the theory of sovereignty: man had only one master, God, and one law, the shari‘a, which God had given him. 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.

Al-Ghazālī accepted the belief of the main body of Sunni 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 established 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 shari‘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’. 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 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 shari‘a was the organizing principle of the Sunni 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. Saljuq rule thus rested in theory on the shari‘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 shari‘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.

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