A History of Muslim Philosophy

by themselves or by the people of other States. This is the best State among all the States of the ignorant.

The State of the dominant people tries to overpower others in power and wealth; they shed blood, subjugate others, and indulge in all sorts of pleasures. The State of the dominant excels the State of the generous in showing power. As for the social State, everybody is free in it to do whatever he likes, and believes that no man has any superiority over the others by any means. But independence often leads to extremes, and, therefore, there arise in this State different rites and rituals, customs and manners; and people are misled by evil propensities. Thus, this State splits into different groups and parties.

In all these States there is always unrest prevailing among the people, as everybody tries to become the chief and, by virtue of his wits, to lead the State to prosperity and happiness.

The evil-doing States differ from the States mentioned above in so far as the people of these States believe in the principles held and the forms of happiness conceived by the people of the excellent State, and also invite others to do the same, but they themselves do nothing to achieve their object, nor do they try by action to attain the happiness they believe in. On the contrary, they incline to their own whims and propensities, that is to say, they like to enjoy power, nobility, and dominion, and direct their actions towards their achievement. In activities these States are like the States of the ignorant. In manners their peoples resemble the peoples of the said States. The peoples of these two sets of States differ only in belief. None of these States ever achieve happiness and prosperity.

The astray-going States are those whose people suffer from some delusion. They adopt such principles, actions, and deeds as appear to them to be those of the excellent State, but in fact are not. The same is true of their goal of happiness and prosperity which they conceive to be so but which actually is not so.

The offerings of the societies which develop in these States are of various types and all of them aim at personal gain and victory and no at real happiness and true prosperity.

J

CONCLUSION

According to al-Fārābī, the chief of the State should be physically free from all defects, and should have a sharp intellect, memory, and wit. He should be devoted to sciences, truth-loving, and not easily upset by difficulties, contented, without greed for things to eat, and inclined towards serious pleasures. He should shun falsehood and lies, be ambitious with lofty ideals, a lover of justice, without thought of wealth or worldly position, and should have strong resolution, boldness, and courage. Plato's philosopher-king has also been described as truth-loving, fond of the knowledge of existence, one who keeps away from vice, is free-thinking, intelligent, sagacious, witty, and ambitious. But the State of al-Fārābī is international in character. While the State of Plato is only a City-State, that of al-Fārābī can be as vast as a World-State. Plato wants to entrust the affairs of the State to a group of philosophers and names the organization "aristocracy." Al-Fārābī not only calls the Head of the State Imām but identifies him with a prophet. It is in the absence of the Imām or the second chief who has the necessary qualities to follow the tradition of the Imām that he entrusts the affairs of the State to a group of individuals who between themselves possess most of the qualities of the chief. It is, therefore, not true to say that al-Fārābī has based his theory entirely on the Republic of Plato, or that he is simply Aristotelian in his thought.

BIBLIOGRAPHY


Chapter XXXVI

AL-MĀWARDI

A

LIFE AND WORKS

Abo al-Īṣāṣan al-Māwardi was born in Bāṣrah (c. 364/974) which was then one of the principal seats of learning and education in the Muslim world. He, therefore, got all his education there and rose in literary renown at an early age. He specially prepared himself for the judicial profession and obtained an

117
Al-Māwardi

B

POLITICAL THEORY

Al-Māwardi’s main political thought is embodied in his al-Abhīm al-Sulṭānīyyah. Only a small portion of the work is, however, devoted to political theory, the rest of it discusses the details of public administration and rules of government. But this small portion is extremely important because it is the first attempt in Muslim history to evolve a comprehensive theory of the State, and because it has left an enduring influence on the course of Muslim political thought up to our own day.

Further, although we know that al-Māwardi profited a good deal from previous sources in the elaboration of his theory, for he says that it is the epitome of the views of various schools of jurisprudence, we do not possess in our hands today any source discussing comprehensively the problem of the Caliphate dating back beyond the fifth/eleventh century. The Urūq al-Dīn of ‘Abd al-Qāhir al-Baghdādī gives thematically a more copious discussion of the imamite theory than al-Māwardi’s book, but al-Baghdādī (d. 429/1037) was a contemporary of al-Māwardi. Hence the conclusion is that most of al-Māwardi’s ideas are partly a heritage of the past and partly a clever manipulation of the opinions current in his own time.

A closer examination of his work, however, discloses that he is not a mere reciter of facts handed down to him but a shrewd statesman and diplomat. There is enough historical data to sanction the view that on many fundamental questions al-Māwardi’s opinions were dictated by the exigencies of his time and the special circumstances of his life. In the preface to his al-Abhīm al-Sulṭānīyyah he writes, “Since these principles of royalty are mainly concerned with the conduct of rulers, and since the direct application of these principles to the entire business of government prevents the rulers from an inquiry into their true nature, and because these rulers are too much engrossed in State affairs and diplomacy, I have brought out a separate book discussing all of them, in obedience to the behest of one whose allegiance is essential in order that he may be informed of the different schools of law and may know what the people owe to him so that he may demand its fulfilment, and what he owes to them so that he may try to fulfill it. (And he has asked to be informed about these things) out of love for justice in his enactments and decisions, and for the sake of equity in his impose and rewards.” The mention of authority in this passage refers to the Caliph, especially because al-Māwardi had been raised to the high office of Agūr al-Qādir, 3 and represented the Caliph in his negotiations with the Buwahids.

Further, it is necessary to point out that the declining power of the Buwahids...

1 Al-Māwardi, al-Abhīm al-Sulṭānīyyah, p. 1.
2 Literally “the greatest Judge,” but paradoxically enough the office was subordinate to that of the Qādir al-Qādir, the Chief Justice (Yaqūt, Vol. V, p. 407).
A History of Muslim Philosophy

hides in the beginning of the fifth/eleventh century, because of internal conflicts and insurrections in the army and because of Mahmud of Ghaznah's solicitations for the 'Abbasids, made the Caliph al-Qadir and his son al-Qaim aspire to regain the lost glory of their forefathers. The first step in this direction was the legal definition and exposition of the powers and prerogatives of the Caliph which had well-nigh been forgotten and had fallen into oblivion.

The historical situation explains al-Mawardi's efforts to propound a theory of the Caliphate in which everything depends on the authority of the Caliph, in an age in which the prestige of the Caliphate had fallen to its lowest ebb. Al-Mawardi's endeavours have been supposed to be directed to the theoretical discussion of an ideal State. This view, however, is untenable on account of the fact that al-Mawardi is, truly speaking, not a philosopher, and is least interested in abstract thinking. He is a jurist and builds on the opinions of his forbears, gives a wider scope to these opinions, and uses his own wisdom to apply them intelligently to the special conditions of his own times. His greatest merit, therefore, lies in the fact that he abstains from abstract speculation, and correlates the opinions of the jurists to the historical perspective of his age. Similarly, as already remarked, he is not a mere compiler or interpreter of the opinions of his predecessors, but often shows independence of opinion and expressive views opposed to the views of earlier authorities, or gives out opinions altogether original.

Now, it will be useful to pick up the main points in al-Mawardi's theory and compare them with the contents of the ancient jurists, on the one hand, and with the contemporary political conditions, on the other. This will give us a true estimate of al-Mawardi's achievements.

1. The institution of the Imamate is a necessary requirement of the Shariah and one of the utmost importance. The appointment of an Imam is the cornerstone of the Muslim community and an obligation. There is a similar passage in al-Baghdadi,

2. The Imamate is instituted by means of election. The electoral college shall consist of persons with special qualifications. Also, the candidates for the Imamate must fulfill certain conditions. This elective principle of the Imamate is obviously opposed to the Shariah's claim of bequestal or divine nomination. Al-Mawardi, however, does not discuss the election of a licentious person as Imam. Al-Baghdadi says that his election will be void, even if it has taken place through a properly constituted electoral college. Al-Mawardi's

omission is deliberate, being a concession to the Buwayhid, who appointed the Caliphs to suit their selfish ends.

3. The right of franchise is enjoyed not only by the people living in the capital. The Caliph is, however, traditionally elected in the capital because the death of the previous Caliph is first known there, and political considerations require the immediate appointment of a new Caliph, and also because most of the people possessing the necessary qualifications for the Imamate generally reside there. This principle was hotly contested by the Khwarizm who believed in complete democracy and universal franchise.

4. Among the seven conditions which according to al-Mawardi must be fulfilled by a candidate, the seventh one, that is, the Qur'anic descent, is very important. Al-Mawardi lays great stress on it and says that if anyone objects to it on the ground that it excludes non-Qur'ainites from the Caliphate, such an objection would not be considered, because it was this Qur'anic descent that was presented by Abu Bakr as an argument for preference in the election of Saad ibn Abi Waqqas.

5. The Imam is elected in one of the two ways: (a) He may be elected by the electoral college; (b) he may be nominated by the ruling Imam.

In the first case some scholars say the Imam must be elected by all the members of the electoral college in all the cities. Others oppose this view and say that Abu Bakr was elected only by the citizens of Medina. Still others assert that only five persons are sufficient to elect the Imam, as happened in the case of Abu Bakr and Umar. In al-Mawardi's opinion, even one person is enough to elect the Caliph. He cites the tradition of 'Abd ibn 'Abbás as evidence. 'Abd said to Ali, "Stretch your hand, I will swear my allegiance to you, and when people come to know that the Prophet's uncle has sworn his allegiance to his nephew, nobody would object to your Imamate." This opinion has also been corroborated by al-Aghāri.

6. The above extreme opinion has been denounced by al-Mawardi to advance another important opinion given in the next section, where he discusses the case of two candidates equally qualified for the Imamate. He says that the electoral college may nominate anyone of the two as Imam without assigning any reason.

7. The election of a less qualified person in the presence of a more qualified person is perfectly legal, provided the former fulfills all the conditions of the Imamate. It was this principle under which most of the worthless Caliphs took refuge. It was also directed against the 'Abbas, who believe that an

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7 Al-Mawardi, op. cit., p. 2.
4 Al-Baghdadi, Upl al-Din, p. 172.
5 These qualifications are three: justice with all the conditions pertaining to it; knowledge of religion and of the interests and policy of the nation; and wisdom (al-Mawardi, op. cit., p. 4).
6 These conditions are: justice, learning, integrity of physical sense, wisdom, bravery, and Qur'anic descent (Ibid., p. 5).

1392
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Al-Mawardi's second argument in support of his thesis that the limited college of electors proposed by 'Umar had the sole right of nominating the new Caliph, is nothing but a deliberate effort to interpose ancient practice to justify later historical phenomena. In fact, 'Umar did nominate the limited council at the suggestion of 'Aliy to prevent civil strife after his death. He knew fully well that the probable candidates for the Caliphate were the very persons whom he had nominated for it. Not only that he was perfectly sure that either 'Uthman or 'Ali would be elected. Therefore, to facilitate the new election he fixed a procedure that was least pregnant with evil and the best guarantee against civil discord. The stern warnings which he gave to the dissentient members of the electoral college and the strict directions which he issued about the conduct of the election, were but the last symbols of his great overruling authority over the hearts and minds of people, by means of which he so wonderfully ruled half the world for twelve years. But he did not lay down a permanent principle of Islamic policy for this he could not do, since there was no warrant for it in the Qur'an or the Sunnah. Even 'Abdu Bakr could not devise the theoretical foundations of the Caliphate, for during the last moments of his life he said that the one great regret he had was that he could not ask the Prophet to enlighten him on three problems. Regarding two of these, he said, "I should have asked: who would succeed him in political power after him? If he nominated anyone, nobody could challenge his nominee on this issue. And I should have asked him whether the Ameer were entitled to any share in political power."39

'Umar's arrangement was, therefore, dictated by purely prudential considerations. A proof of this assertion is that he categorically declared that the Ameer were not entitled to any share in the sovereign power, although 'Abdu Bakr was doubtful on this issue, and although many of the later jurists did not accept 'Umar's ruling on this point. The truth is that 'Umar took this extraordinary step for the defence of the State and not for the defence of a principle, for there was no clear principle before him. Hence the construction of a political theory out of his ruling can be neither justified nor appreciated as an achievement in political thought.

But Al-Mawardi was not very much concerned about theory. He was a leading Sunnite legal doctor of the Shafi'i school, and was intimately associated with the 'Abbasids; hence his chief interest lay in emasculating the Sunnite therefore, if anyone of you swears allegiance to a person without consulting the general body of Muslims, such person shall not be deemed as elected; and the like. And in that hereafter these persons may be behelded" (Ibn Hisham, al-Tabarani, al-Masudi, etc., pp. 380-69).

39 Ibid., pp. 25.
39 Ibid., p. 35.
39 Ibid., p. 19.

Caliphate from the 'Abbasid tyranny of the Buwahids. This explains why he gave the stamp of validity to the monarchical system of the 'Abbasids. He had already before him the precedent of the Umayyads. Moreover, the jurists had, by the force of circumstances, reconciled themselves to the imperialistic order of the day, and given it the form and sanction of religious authority. Al-Mawardi, therefore, found no difficulty in taking his cue from the prevailing ideas of his time. His main contribution to Muslim political thought lies in the transformation of these ideas into a system, directly related to historical practice. He was not a visionary and idealist like the jurists or the scholastics, and like them they did not sit to speculate in vacuo. He was a man of the world; he tried to solve its problems as best as he could.

3. The nomination of a person as heir apparent becomes effective only when he declares his consent to it. The Imam cannot withdraw the nomination until there occurs in this heir apparent some important change which invalidates him legally. So also an Imam cannot be deposed until a similar change occurs in him. Now, these are only logical deductions from the fundamentals of the Shi'ah for there are no historical precedents to vouchsafe them.

4. The Imam can appoint the electoral college as well as the persons who must contest for the Imamate. This opinion is based on the election of 'Uthman by means of a limited sheikh appointed by 'Umar. Whatever might have been the political consideration before 'Umar, the derivation of a general principle out of it is certainly most dangerous to sound policy and to the stability of a State. The petty, honest, intelligentsia, and statesmanship of 'Umar could very well be relied upon. The same cannot be said of another personality after him in Muslim history. Notwithstanding this, historians have held that 'Umar was mistaken in taking this step. It is a well-known fact that most of the members of the sheikh who came out unsuccessful in the contest, at once started plotting against 'Uthman and began to aspire for the Caliphate. Apart from this historical fact, if the right of nominating the electorate as well as the candidates is conceded to the Imam, it is bound to make him absolute and despotic. In truth, it was this theory that developed into divine right with the 'Abbasids and the 'Abbasids. And it was this theory that throttled the growth of democracy in Islamic polity.

5. The Imam can nominate two or more heirs apparent to succeed him one after the other. The argument has been derived from the battle of Mautah, in which the Prophet appointed Zaid bin Hubaysheh as the Commander of the Muslim forces and said that if he fell in fighting he was to be succeeded in command by 'Abd bin 'Ali Thalibi who was to be succeeded by 'Abd Allah bin Rauhah. If Ibn Rauhah also fell, then the Muslime could choose anyone from among themselves as their Commander. Apparently, the citation of this
incident in support of a fundamental issue like that of the Caliphate is but
take reasoning.\textsuperscript{39}

This practice of appointing two or more heirs apparent proved to be the
greatest political evil in Muslim polity. It often engendered palace intrigues
and gave rise to internecine wars, and dynastic feuds.

D

DESIGNATION AND PRIVILEGES

1. When a person is duly elected as Imam the people should entrust all
their affairs to him and must give him their unquestioning obedience. The
Imam may not consult them in the affairs of the State, yet they must obey
him.\textsuperscript{44}

2. The Imam may be addressed as the Khalifat Allah, but the majority of
jurists say that this title is forbidden, for no human being can represent God
on earth, since man is mortal and imperfect. Hence the Imam may either be
called a mere Khalifat or Khalifat al-Rasul Allah.\textsuperscript{46} Once when Abu Bakr was
addressed as Khalifat Allah he exclaimed, "Do not address me as Khalifat
Allah but as the Khalifat al-Rasul Allah."

E

DUTIES AND FUNCTIONS OF THE IMAM

The Imam has the following ten principal duties to perform:

1. The safeguard and defense of the established principles of religion as
understood and propounded by the consensus of ancient authorities. If anyone
innovates an opinion or becomes a sceptic, the Imam should convince him of
the real truth, correct him with proper arguments, and make him obey
the injunctions and prohibitions of the Shari'ah, so that the people at large
may be saved from the evil effects of heresy.

This is undoubtedly the foremost duty of the Imam under the Shari'ah.
But unfortunately it is under the cover of this pretext that throughout the
last thirteen centuries, adventurers and self-seekers have striven to carve out
political fortunes for themselves. The second civil war of Muslims was fought
by the Umayyads, the Hashimites, and the Abbasides under this same pretext.
When the 'Abbasids, the Fatimids, and the Safavids came to power they
called themselves the Defenders of Faith, and crushed every political dissident
in the name of religion. Even today there can be evinced a great effervescence
for religious revival in all the Muslim lands, but everywhere the undertone
is political, not religious.

\textsuperscript{39} Al-Mawardi, op. cit., p. 22.
\textsuperscript{44} Ibid., p. 97.
\textsuperscript{46} Ibid., pp. 37-38.

726

Al-Mawardi

Al-Mawardi's enumeration of these duties, however, was very effective and
timely, since it came out as a stern warning to the Buyahids, who had over-
powered the Caliph in Bagdad, and who professed a heretical faith.

2. The dispensation of justice and disposal of all litigations in accordance
with the Shari'ah. The Imam should curb the strong from rising over
the weak, and encourage the weak to take their due in face of the strong.

3. The maintenance of law and order in the country to make it possible
for the people to lead a peaceful life, proceed in their economic activities
freely, and travel in the land without fear.

4. The enforcement of the criminal code of the Qur'an to ensure that the
people do not outrage the prohibitions of God, and that the fundamental
rights of men are not violated.

5. The defence of the frontiers against foreign invasions to guarantee the
security of life and property of Muslims and non-Muslims alike in the Islamic
State.

6. The organization and prosecution of religious war against those who
oppose Islam or refuse to enter the protection of the Islamic State as non-
Muslim subjects. The Imam is bound by the covenant of God to establish the
supremacy of Islam over all other religions and faiths.

7. The collection of jizya and adab taxes in accordance with the laws of
the Shari'ah and the interpretation of the jurists, without resorting to extor-
tion by pressure.

8. The apportionment of allowances and stipends from the State treasury
('卞 al-Mil) to those who are entitled to them. This money should not be
 expended with extravagance or stinginess, and must not be either prepaid
or delayed.

9. The appointment of honest and sincere men to the principal offices
of State and to the treasury to secure sound and effective administration and to
safeguard the finances of the State.

10. The Imam should personally look into and apprise himself of the affairs
of his dominions so that he may himself direct the national policy and protect
the interests of the people. He should not entrust his responsibility to others
and engross himself in luxury or religious devotion.

And when the Imam has carried out all these duties efficiently, the people
must offer him two things, obedience and help.

This enumeration of the ten-fold functions of the Imam is arbitrary.
Number ten has been chosen particularly because it is an auspicious and
mystical number. The notable fact here is that, while his predecessors and
successors lay great emphasis on the first two points, viz., the safeguarding
of religious principles and the dispensation of justice, as the principal duties
of the Imam, Al-Mawardi lays the main stress on the administrative responsibility
of the Caliph. In his opinion the Caliphate is not merely a religious institution
for the carrying out of justice but also the greatest social organization to
help promote the corporate life of men. In other words, the management
of the State machinery is of basic importance to him. This explains why he devotes only one-tenth of his book to the exposition of the theory of the Caliphate, and uses the rest of his work to elaborate the detailed apparatus of government which hinges on the central authority of the Caliph. The nebulous nature of the dispersion of State power had led to the dreadful struggle between the Buwhahids and the 'Abbāsid dynasty. The Buwhahids, who had no legal claim to sovereignty, and who had not clarified their position, had long been intriguing to overthrow the Caliphate outright. Al-Mawardi's attempt, therefore, at defining in detail the responsibility and scope of Caliphal powers in relation to normal administration, was most plausible and a direct hit at the Buwhahids. Further, he made his treatise an inviolable document by reinforcing it with the arguments of earlier historical practice, dating back to the time of the Prophet, and by basing it on the opinions of the leading jurists of Islam. It is significant to note that al-Mawardi hardly quotes anywhere any of these jurists, but since he was the greatest judge of Baghorn, his declaration in the place was taken as sufficient guarantee of his veracity. There is no ground to question his bona fides, yet it would have been more commendable if he had given the actual authorities.

F DEPOSITION OF THE IMĀM

Al-Mawardi has given a detailed consideration to the subject of an Imam's deposition. In the first place, arguing on the basis of legal definition from the fundamentals of the Sharī'ah he says that once a person is elected as Imam, he cannot be removed from that office until there has occurred some definite change in him.84 Then, after discussing the duties of the Imam, he returns to the subject and dilates on it at length. He says that the Imam loses his title and authority on account of one of the following reasons:

1. If there occurs a change in his moral status, technically known as 'adilah (sense of justice). The moral change is of two kinds:
   (a) The one connected with his body, that is, if he becomes a slave to his inordinate desires and flouts openly the prohibitions of the Sharī'ah. In such an event, a person can neither be elected as Imam nor continue as such.85 Abu Ya'la rejects this opinion and holds the opposite view.86
   (b) The one connected with his faith, that is, if a person holds opinions contrary to the established principles of religion, or holds such twisted opinions as amount to an abrogation of the accepted principles, he can neither be initiated as Imam nor continue to hold that office.87 In this there is a clear

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84 Ibid., p. 16.
85 Ibid., p. 31.
86 Abu Ya'la, p. 4.
87 Al-Mawardi, op. cit., p. 32.

728

Al-Mawardi
denunciation of the stand of the Buwhahids and of the Shi'ite and Fātimid claims to the Caliphate.
2. If there occurs a change in the person of the Imam. It is of three kinds: loss of physical senses, loss of bodily organs, and loss of ability to supervise and direct the affairs of the State.
(a) Among the defects which occur in the physical senses, the two most important ones which preclude a person from election to the Imamate or make him unfit to continue in office are the loss of mental faculty and the loss of eyesight. The first case is obvious and needs no comment. But the second has had a profound bearing on the course of Muslim history. The practice of putting out the eyes with hot iron to prevent a person from wearing the imperial purple was undoubtedly borrowed from the Byzantine Empire; the opinion of the Muslim jurists on the issue, however, gave it an added importance as an instrument of tyranny in Oriental lands. The dreadful effect of this foul practice can be gauged from the fact that about two dozen 'Abbāsid Caliphs were thus blinded to be dethroned from the Caliphal seat. The juridical opinion referred to above is that a blind person is disqualified to give witness or sit as a judge in a court of law; he is, therefore, much more disqualified to serve as the Head of the State.88
(b) Loss of bodily organs. It is of various kinds. If it does not hinder the performance of normal duties, and does not disfigure the features or the external beauty of the body, it will be of no account.89
In certain cases when the loss of organs renders a person helpless and makes him incapable of doing anything, he can neither be elected as Imam nor can he continue in that office. Such is the loss of the two hands or of the two feet. Al-Mawardi discusses the details of other losses too, but they are not pertinent to our purpose here.
(c) The loss of personal ability to supervise and direct is of two kinds:
(i) If the Imam is over-powered by one of his counsellors and assistants, who arrogates all authority to himself, but does not openly defy the Imam, the Imam will continue in his office, provided the usurper rules in accordance with the injunctions of the Sharī'ah, and in deference to the accepted norms of justice. This is to ensure that the functions of the Imamate should continue to be performed, and that the people do not fall a prey to the ways of evil on account of the non-enforcement of the laws of the Sharī'ah. But if his conduct is opposed to the principles of religion and justice, he will not be tolerated in that status, and the Imam shall have to seek the help of a person who can oust the usurper and restore supreme authority to the Caliph.90
This principle has been elaborated by al-Mawardi with great care and legal acumen. In the next chapter he takes it up again and discusses it in full.

88 Ibid., p. 33.
89 Ibid., p. 35.
90 Ibid., p. 37.
91 Ibid., p. 38.
A History of Muslim Philosophy

detail. This principle which had no sanction in ancient authority or in the opinions of the jurists, was dictated by the force of circumstances in which the ‘Abbasid Caliphate had been placed during the two centuries preceding the death of al-Ma’awardi. The Buwayhid usurpation in Baghdad and the falling of the Caliphal power into insignificance necessitated the evolution of a formula which suited the exigencies of the times and covered the de facto relation that existed between the Buwayhids and the ‘Abbasids. This was a clear departure from the principle of the Caliphate enunciated by al-Ma’awardi in the earlier part of his book. But he devised a new media to remove this glaring contradiction. If the absolute governor or the usurper (Andir bi al-Fatid) declares his allegiance to the Caliph and promises to maintain the unity of the Caliphate, enforces the laws of the Shi’i school, and co-operates with the Imam against the foes of Islam, the Caliph shall recognize his absolutism by conferring on him the deed of investiture formally and publicly. Though this arrangement is opposed to the established tradition, it shall be deemed perfectly legal, because it enforces the safeguard of the injunctions of the Shi’i school which cannot be let go by default, and because of the unavoidable condition created by the act of usurpation. In this theory there is, on the one hand, an overt recognition of the situation prevailing in Baghdad and, on the other, an unconditioned warning to the Buwayhids that if they transgressed their limits they could be brought to book with the help of the Ghaznavid power which was an open ally of the ‘Abbasid Caliphate. In a passage al-Ma’awardi says that in case the usurper shows an uncompromising and rebellious attitude, the Caliph can call in the help of one who can relieve him of the straits. The person referred to is none but Mahmut of Ghaznah.

There is little doubt that al-Ma’awardi was influenced by the circumstances of his environment in the enunciation of this theory, but the deviation from the original principle completely nullified the true conception of the Imamate as demonstrated in the days of the Caliph ‘Umar. Nay, it contributed directly to a political theory which encouraged adventurous and ambitious men to impose themselves on the will of the people with brute force and sheer might. Further, if it served as one of the main incentives for the camembertment of the ‘Abbasid Empire, it also very greatly influenced the supposition of democratic thought and practice in the Muslim world. Al-Ma’awardi may have been well-intentioned but the legacy he left completely changed the concept of Muslim polity in the centuries that followed. And the change that occurred was simply un-Islamic, undemocratic, and vicious.

(i) If the Imam falls a prisoner into the hands of an enemy, it will be the duty of the entire Muslim people to endeavour to emancipate him, and as long as there is any hope of his deliverance he will continue as Imam, and another person may be elected to officiate in his absence. But if all hope is

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Al-Ma’awardi

lost, he will be deemed to have relinquished his office, and a new election shall take place.

If the Imam is captured by a Muslim rebel army, and the rebels have not appointed an Imam of their own, the captured Imam shall continue to command the loyalty of the people, and an acting Imam shall be appointed by him, if possible, or by the elector college. But if the rebels have appointed an Imam of their own, the existing Imam shall forfeit his claim to the Imamate, and the responsible men (al-bul al-al-‘ajm) shall elect a new Imam according to their discretion. Al-Ma’awardi’s wording in this passage is full of meaning. He means to say that a victorious rebel leader does not automatically become the Imam.

G

CONCLUSION

Al-Ma’awardi’s great contribution to political thought was that he gave a detailed account of the administrative machinery of the Government of his time and in formulating his political theory he took full cognisance of historical facts and, unlike the jurists and the scholastics, did not indulge in empty speculation. But with all the good things that can be said about al-Ma‘awardi, he had one shortcoming—he could not evolve a philosophic conception of the State. He did not discuss the meaning, scope, jurisdiction, and obligations of the State, gave no conception of sovereignty, and was completely ignorant of the idea of a constitutional democracy. Lack of constitutional theory not only reduced the value of his work, but also adversely affected the later development of Muslim political thought.

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