**CHAPTER 6**

**Legitimizing Politics:**

**Ibn al-Jawzī’s Reassessment of Ruler-Scholar Relations**

Although Ibn al-Jawzī’s biographical accounts of Muslim rulers detail a given ruler’s justice and kingly virtues, they emphasize the ruler’s pious and learned qualities, as is consistent with his attention to asceticism, the fear of God, being mindful of death and the afterlife, and devotion to scripture and ritualistic piety. Given Ibn al-Jawzī’s commitments in this respect, how does he think ideal rulership can be achieved? In light of his principled emphasis on piety and knowledge, we might expect him to push rulers to adopt these values in an absolutist fashion and to express harsh criticism of any shortcoming. Yet I argue that his overall approach to the moral reform of rulers, which I call “ameliorative,” can, in fact, be characterized as mediatory, moderate, pragmatic, and affective. Framed in light of Ibn al-Jawzī’s attempts to navigate the tumultuous politics of his day, an ameliorative approach to politics aims to temper harsh political realities by ensuring that rulers incline toward righteous rule—with righteousness, in this case, being understood to accommodate moderation and mediation. Key to this approach is the reformation of the hearts of rulers along “ameliorative” lines, which will be treated in Chapter 7.

Insofar as the “reform of the heart” constitutes the main ingredient for Ibn al-Jawzī’s ameliorative politics, the agents responsible for fulfilling it are the religious scholars (*ʿulamāʾ*). This chapter, then, addresses Ibn al-Jawzī’s reassessment of the ideal relationship between rulers and scholars. It argues that unlike most scholars who adopted a cynical view of this relationship, he envisions a greater role for scholars in the moral reform of rulers. This view culminates in his suggestion that scholars who embody the *sharīʿa* ought to dictate the ruler’s use of his coercive and punitive powers.

The Crisis of Political and Religious Authority in the Age of *Shawka* (Brute Force)

As described in Chapter 1, the rise of the Seljuq Turks marked a turning point in Islamic history. Their successful conquests across the Islamic Middle East and Central Asia, as well as the militarized rule that followed, drove home the point that brute force (*shawka*) based on raw military power could carry the day. Moreover, their rivalry and military conflicts with the Abbasid caliphs took a heavy toll on Baghdad, especially during Ibn al-Jawzī’s formative years in the second quarter of the sixth/twelfth century. While the Seljuqs did not hesitate to besiege and plunder Baghdad, the populace were called on to defend the city and ransack Seljuq properties on behalf of the Abbasids when tensions erupted into outright hostility. The plight of the common folk was exacerbated by the presence of the *shiḥna*, a military governor who acted as a representative of the Seljuq sultan in Baghdad. Tasked with the maintenance of public security, most *shiḥna*s ended up achieving quite the opposite. They imposed new taxes which proved unpopular and carried out public punishments in a brutal and arbitrary fashion, all of which caused feelings of insecurity to fester. Although the Abbasid caliphs usually had the Baghdad populace on their side, they, too, contributed a fair amount to social anxiety. During the reign of al-Muqtafī (r. 530–55/1136–60), for instance, several jurists were arrested for conspiring against him. His vizier, Ibn Hubayra (d. 560/1165), levied higher taxes to increase the revenues of the caliphate.[[1]](#footnote-1) The socio-political upheaval during the late Abbasid period as well as the Abbasid-Seljuq conflict left an imprint on Islamic political thought. Most notably, in their attempts to accommodate the Seljuq Turks into the Sunni discourse on the caliphate, scholars like al-Juwaynī (d. 478/1085) and al-Ghazālī (d. 505/1111) began to posit raw power and military force, encapsulated by the term *shawka*, as the imam’s (leader of the Muslim community) basis of authority.[[2]](#footnote-2)

On top of socio-political upheaval, Seljuq rule precipitated a crisis in political and religious authority. Much has already been written about the Seljuqs’ relationship with Sunni Islam, ranging from sponsoring religious institutions and cultivating ties with scholars and holy men to personal acts of piety in the private sphere.[[3]](#footnote-3) Yet their claims to religious legitimacy also emboldened them to encroach on religious matters. Works by Christian Lange and Felicitas Opwis have shown this to be the case in the realm of law.[[4]](#footnote-4) For one, the jurisdiction of the *maẓālim* courts of grievances—over which the ruler or his officials presided—expanded beyond redressing the abuse of power by government officials to covering matters of criminal law, which were theoretically the preserve of the Islamic judge (*qāḍī*). This resulted in a “conflict of jurisdiction” between two spheres of authority—the ruler’s political expediency versus the *sharīʿa*-based precepts of the *qāḍī*’s court.[[5]](#footnote-5)

Underlying the crisis of political and religious authority was the conceptual tension between *siyāsa* and *sharīʿa*. In early Islam, *siyāsa* bore the meaning of “statecraft” or “governance.” By the late Abbasid period, the term’s semantic scope had narrowed to mean “the discretionary authority of the ruler and his officials, one which they exercise outside the framework of the *Sharīʿa*.” This later meaning of *siyāsa* extended to criminal punishments meted out by the ruling authorities on the basis of public order and *raison d’état*, as distinct from the punishments sanctioned by scriptural sources (*ḥudūd*; singular: *ḥadd*).[[6]](#footnote-6)

In his monograph *Politics, Law, and Community in Islamic Thought*,Ovamir Anjum maps out two opposing positions on *siyāsa*: “*siyāsa* as a friend” and “*siyāsa* as evil.”[[7]](#footnote-7) The “*siyāsa* as a friend” camp featured a more diverse range of viewpoints among scholars. Among them were those who regarded *siyāsa* and *sharīʿa* as independent of each other but with *siyāsa* bolstering the legal ordinances of *sharīʿa*. One such example is the Andalusian Mālikī jurist al-Ṭurṭūshī (d. 520/1126), who stated that state policies (*siyāsāt*) were instituted for the maintenance (*iltizām*) and defense (*dhabb*) of legal ordinances (*aḥkām*).[[8]](#footnote-8) Similarly, al-Māwardī (d. 450/1058) in his legal treatise on government, *al-Aḥkām al-sulṭāniyya*, considered the foremost function of the caliphate or imamate to be “*ḥirāsat al-dīn wa-siyāsat al-dunyā*” (guarding the faith and managing the affairs of this world).[[9]](#footnote-9) Then there were those who deemed the *sharīʿa* deficient in dealing with matters of this world and therefore in need of *siyāsa* to ensure public order. This line of reasoning seemed to be popular among the ruling elites, while a statement from the Persian litterateur Abū Ḥayyān al-Tawḥīdī (d. 414/1023) hints at a milder expression of this view: “the *sharīʿa* devoid of *siyāsa* is deficient (*nāqiṣa*), and *siyāsa* divested of the *sharīʿa* is [similarly] deficient.”[[10]](#footnote-10)

The opposing “*siyāsa* as evil” camp directed most of their criticisms against those who regarded the *sharīʿa* as insufficient in relation to real-world matters. The crux of their criticisms centered on the issue of punishments, especially those that did not conform to the standards established by Islamic jurisprudence (*fiqh*). As punishments became more arbitrary and brutal amidst the socio-political tumult of the late Abbasid period, *siyāsa* began to acquire a bad taste among the *ʿulamāʾ*. Ibn al-Jawzī fell squarely within this camp. A brief passage from the *Muntaẓam* attests to what he and his like-minded peers thought to be a lamentable political trend:

The greatest error of the rulers (*al-salāṭīn* *wa-l-umarāʾ*)[[11]](#footnote-11)is that they consider their predecessors’ policies (*siyāsāt*) and their own deeds on the basis of exigency (*bi-muqtaḍāhā*), without looking into what has been revealed by divine law (*al-sharʿ*). They err by calling their acts which stray from divine law *siyāsa* [i.e., governance]. [But] the divine law is *siyāsa* (*al-sharʿ huwa al-siyāsa*), not that which the ruler carries out according to his opinion and desire (*bi-raʾyihi wa-hawāhi*). One instance of their error is their saying, “Since the divine law is not sufficient for governance, we need to supplement it with our judgment (*raʾy*).” On that basis, they execute those who should not be executed and commit deeds which are not permissible. And they label all of this *siyāsa*.[[12]](#footnote-12)

These lines capture the two issues many pro-*sharīʿa* scholars found repugnant about *siyāsa*. First was the notion that the divine law or *sharīʿa* was incomplete and that it required *siyāsa*, rooted in the ruler’s personal discretion, to manage human affairs. We find these sentiments echoed decades later in the writings of Ibn al-Jawzī’s grandson, Sibṭ b. al-Jawzī (d. 654/1256), who insists that it is erroneous to conceive of the *sharīʿa* as incomplete and in need of *siyāsa* because “the *sharīʿa* is *siyāsa* perfected.”[[13]](#footnote-13) Secondly, political authorities conveniently latched onto *siyāsa* to justify arbitrary punishments without first consulting with established jurisprudential guidelines.

A crucial question underlying the *siyāsa*-*sharīʿa* tension, as Anjum puts it, was “whether the Sharīʿa could be identified with the jurists’ enterprise (*fiqh*) or whether there was room left within the Sharīʿa but outside of *fiqh*.” For most anti-*siyāsa* scholars, including Ibn al-Jawzī and Sibṭ b. al-Jawzī, *sharīʿa* was narrowly defined as the legal ordinances formulated in accordance with the principles of *fiqh*.[[14]](#footnote-14) This conception of *sharīʿa* aimed at subsuming all of human reality under the hermeneutic framework of *fiqh*.[[15]](#footnote-15) While the anti-*siyāsa* scholars found *siyāsa* to be a convenient catchword for arbitrary punishments, their opponents viewed scholarly *fiqh* as overly formalistic and the *qāḍī* courts as inefficient in dealing with crime.

Predictably, much of the tension between *sharīʿa* and *siyāsa* manifested in the realm of *taʿzīr*, discretionary punishments for crimes for which the revealed texts have not prescribed specific penalties.[[16]](#footnote-16)Although the authority to implement *taʿzīr* lay with the *qāḍī* in theory, political authorities during Seljuq rule—such as the *shiḥna*, *shurṭa* (police force), and *muḥtasib* (market inspector)—gradually usurped the prerogative of *taʿzīr* and carried out its related punishments under the pretext of political expediency or *siyāsa* with no regard for *sharīʿa­*-backed ordinances. So much so that from the sixth/twelfth century onward, in Lange’s words, “*taʿzīr* and *siyāsa* became the backdoor entry for the imposing, for policy reasons (*siyāsatan*), of severe punishments by the authorities, from torture and punishment to capital punishment.”[[17]](#footnote-17) Indeed, Ibn al-Jawzī’s criticism that ruling authorities “amputate limbs which the *sharīʿa* does not permitto be amputated and execute people who ought not to be executed” attests to the arbitrary nature of these punishments during his time.[[18]](#footnote-18)

By Ibn al-Jawzī’s day,the Sunni learned community had developed several mechanisms to deal with the tension between political and religious authority. On the issue of *taʿzīr*, some jurists, such as the Shāfiʿī Abū Isḥāq al-Shīrāzī (476/1083) and Ḥanafī Abū al-Ḥasan al-Sughdī (d. 461/1069), granted that the authority of *taʿzīr* lay with rulers and government officials.[[19]](#footnote-19) Some who did not wish to concede that much, including Burhān al-Dīn al-Marghīnānī (d. 593/1197), upheld *taʿzīr* for the *qāḍī* but claimed that he did so “as an agent of the state, not of the divine law.”[[20]](#footnote-20)

Others, while refusing to legitimize the ruling authorities’ encroachment into the religious sphere, acknowledged the futility of challenging them on this front, given the extent to which the increasingly repressive nature of the Seljuq regime had dampened the capacity of the *ʿulamāʾ* to remedy the crisis of political and religious authority through political action. Although the Abbasids enjoyed symbolic religious prestige in the eyes of the *ʿulamāʾ*, theyproved to be no less coercive and arbitrary in their dealings with scholars. When Abbasid-Seljuq tensions reached fever pitch, scholars occasionally became scapegoats and targets of repression in Abbasid attempts to flex their political muscle vis-à-vis the Seljuqs.[[21]](#footnote-21)

What the jurists forfeited in reality, they made up for in intellectual terms. According to Lange, although the Sunni jurists of the late Abbasid period had ceded the administration of criminal punishment to the temporal powers, they still managed to claim “a measure of discursive hegemony over the public sphere” by “[carving] out a space of individual freedom from arbitrary punishment.”[[22]](#footnote-22) This can be observed in Ḥanafī works of substantive law (*furūʿ al-fiqh*), where jurists circumscribed the scope of criminal law falling under *ḥadd* and *taʿzīr*. With regard to the latter, they argued that only offenses committed in public were punishable by *taʿzīr*, in effect protecting the private sphere of individual Muslims from intrusion by the state.[[23]](#footnote-23) Another strategy, identified by Opwis, involved shifting the basis of legal rulings from the precedent of the early caliphs, which allowed room for political expediency and a ruler’s discretionary opinion (*raʾy*), to the textual authority of scriptural texts established through legal analogy (*qiyās*), over which the *ʿulamāʾ* had more say. The shift of authority from rulers to scripture was most evident in matters on which scripture was silent, such as the punishment for wine drinking.[[24]](#footnote-24)

Parallel to this discursive development was the repurposing of *maṣlaḥa*, a term usually rendered as “public interest,” “common good,” “well-being,” or “welfare” in English. As Opwis observes, while scholars writing during Seljuq ascendancy “associated considerations of *maṣlaḥa* primarily with secular authority and *siyāsa*,” later scholars wrested *maṣlaḥa* away from political rulers and appropriated it within the realm of *fiqh* by redefining it in religious terms as “the purpose of the *sharīʿa*.” Doing so allowed them to assert that the *sharīʿa* encompassed all aspects of human welfare, including those not explicitly addressed in the scriptural texts. This effort provided jurists, as guardians of the *sharīʿa*, with intellectual arsenal to challenge the ruler’s prerogatives over human affairs.[[25]](#footnote-25) When it came to the issue of punishments, *maṣlaḥa* became the jurist’s weapon to edge out the ruler’s *siyāsa* at the discursive level.

Sunni Attitudes toward Ruler-Scholar Relations: An Overview

Putting things in a wider perspective, the debates surrounding *taʿzīr*, *siyāsa*,and *sharīʿa* largely hinge on the role of the *ʿulamāʾ* in politics. The circumscribing of criminal laws, as outlined above, can be read as a triumph for the *ʿulamāʾ* in claiming “discursive hegemony” over the legal sphere and hence protecting it from encroachment by the political authorities. But this discursive triumph also masked a tacit recognition that the public and political sphere had become a lost cause. Faced with repressive regimes and the fear of arbitrary punishments, the room for actual action aimed at political reform on the part of the scholars narrowed significantly, while the textual and discursive realm remained the only space in which they could maneuver to assert some semblance of authority.

Anjum diagnoses this phenomenon as symptomatic of “the mainstream classical ulama’s deliberate flight from politics.”[[26]](#footnote-26) Rather than seek pragmatic political solutions to political problems, medieval Muslim scholars resorted to legal fictions—the circumscribing of criminal punishments can be considered as such—to guard the religious sphere from tyrannical rulers. If religious doctrines guaranteeing salvation in the hereafter were already protected in the discursive realm, why even bother with reforming rulers, especially when they were oppressive tyrants? An “unrelenting legal formalism” went hand in hand with the depoliticization of the Muslim community (*umma*).[[27]](#footnote-27) A turning point came about during the Mamluk period when Ibn Taymiyya (d. 728/1328) subjected this paradigm of political thought to a total critique from within. He achieved this by envisioning a greater role not only for the *ʿulamāʾ* but also for the Muslim community at large in government. Through mutual cooperation (*taʿāwun*), the rulers and the ruled complete each other (*istikmāl*) in ensuring that political rule is based on the *sharīʿa*.[[28]](#footnote-28)

Although the overall trend of the *ʿulamāʾ*’s flight from politics generally bears out in the sources, Anjum might have overstated its case for the period before Ibn Taymiyya as there were indeed scholarly and Sufi groups in the twelfth-century western Islamic world that espoused radical forms of political activism and reform. Two such movements even resulted in the creation of ruling regimes.[[29]](#footnote-29) But even if we concede that radical movements by scholars pushing for political change were largely confined to the Islamic west, in the Islamic east before Ibn Taymiyya, the *ʿulamāʾ*’s flight from politics was not total either, as I shall demonstrate later using the case of Ibn al-Jawzī.

To be sure, the *ʿulamāʾ*’s flight from politics did find expression in late Abbasid Sunni views toward ruler-scholar relations, albeit in different ways. On one end of the spectrum, we find those who disavowed the political sphere and deemed it illegitimate altogether. One such figure was the dissident scholar, jurist, and Sufi, ʿAyn al-Quḍāt al-Hamadhānī (d. 525/1131), who castigated scholars serving the Seljuqs in the harshest terms possible.[[30]](#footnote-30) Not only did service to the Seljuq court symbolize attachment to worldly desires, it was also tantamount to turning away from Islam. ʿAyn al-Quḍāt refers to these scholars as adherents of “the religion of Satans” and treading “the path of Satans,” and even claims that their proclamation of the Islamic faith, the *shahāda*, was no longer valid.[[31]](#footnote-31) ʿAyn al-Quḍāt’s criticisms did not stop at scholars, however; he also called into question the legitimacy of the Seljuq state by leveling harsh critiques at its very core foundation, the *iqṭāʿ* system.[[32]](#footnote-32) Instead of recognizing it as a land grant to state and military officials, he saw it as nothing but plunder and considered its proliferation during Seljuq times as akin to the condition of the pre-Islamic Age of Ignorance (*Jāhiliyya*).[[33]](#footnote-33)

On the other end, there were those to whom politics and government were irrelevant and best avoided. This group included the renunciant ascetics (*zuhhād*)and Sufis, many of whom associated rulers with illegal taxation, usurped land, worldly pleasures, and immorality. However, rather than openly criticizing the ruling regime as ʿAyn al-Quḍāt did, they tried their best to stay away from it and excise its relevance from their lives. Refusing governmental appointments, avoiding food and drink from rulers, and refraining from inhabiting government-owned land were among such efforts.[[34]](#footnote-34) For inspiration, these individuals need look no further than the eponymous founder of Ibn al-Jawzī’s Ḥanbalī school, Aḥmad b. Ḥanbal, who strove to lead an apolitical life in which he refused to confront or work with the ruling authorities.[[35]](#footnote-35)

More commonly encountered in the scholarly tradition were scholars who maintained a delicate balancing act between rulers and scholars, an act which also resulted in an ambivalent view of ruler-scholar relations. This ambivalence plays out in the writings of al-Ghazālī (d. 505/1111). Unlike ʿAyn al-Quḍāt, al-Ghazālī did not deem government to be illegitimate or irrelevant since a ruler is still needed to ensure that worldly affairs are kept in order. Insofar as well-ordered worldly affairs (*niẓām al-dunyā*) are required for well-ordered religious affairs (*niẓām al-dīn*), religion serves as the foundation of the state.[[36]](#footnote-36) In several of al-Ghazālī’s writings, this interdependent relationship between the political and religious spheres translates into advice for rulers to consult religious scholars. In *Naṣīḥat al-mulūk*, a mirror for princes likely dedicated to the Seljuq sultan Sanjar (d. 552/1157), al-Ghazālī writes that “the ruler should know that he will find safety in always being with devout *ʿulamāʾ* who will instruct him in the way of justice” and that he “should be always thirsting to meet devout *ʿulamāʾ* and ask them for advice.”[[37]](#footnote-37) Similarly, he insists in the *Faḍāʾiḥ al-bāṭiniyya wa-faḍāʾil al-Mustaẓhiriyya*—written at the behest of the caliph al-Mustaẓhir (r. 487–512/1094–1118) to refute Ismāʿīlī doctrines—that the quality of knowledge (*ʿilm*) exists in al-Mustaẓhir by virtue of him consulting the *ʿulamāʾ* and seeking their help.[[38]](#footnote-38)

A more ambivalent tone regarding ruler-scholar relations, however, can be detected in al-Ghazālī’s *magnum opus*, *Iḥyāʾ ʿulūm al-dīn*. For example, just in its “Kitāb al-ʿIlm” (“The Book of Knowledge”) alone, we find statements stressing the mutual dependence between rulers and scholars as well as statements cautioning scholars against associating with rulers for the sake of maintaining their spiritual integrity.[[39]](#footnote-39) The overall tone of the *Ihyāʾ* tilts toward the latter, however. Al-Ghazālī’s most scathing critique of the practice of associating with rulers comes in a chapter on the legality of associating with tyrants (*al-salāṭīn al-ẓalama*).[[40]](#footnote-40) In this chapter, he writes that there are three possible relationships open to scholars with respect to despotic rulers and officials: (1) the worst relationship, that is to visit these men of power; (2) being visited by the rulers, which is less harmful for scholars; and (3) the safest option, that is to avoid them completely.[[41]](#footnote-41) The harshest criticisms are leveled against those who engage in the first type of relationship. Although despotic rulers seem to be the focus of the chapter, al-Ghazālī’s criticisms are in fact directed at scholars who associate with just about any ruler. His criticisms are conveyed through a string of Prophetic *ḥadīth*s as well as sayings from early Muslim scholars. Taken together, these statements can be categorized into two broad categories: (1) those that categorically condemn scholars who visit rulers and (2) those that warn scholars of the dangers and temptations that await them when they visit rulers. Those in the first category include:

1. Prophetic *ḥadīth* on the authority of Abū Hurayra: “The most detested of Qurʾān reciters (*qurrāʾ*) to God are those who visit rulers.”
2. Prophetic *ḥadīth* on the authority of Anas b. Mālik: “Scholars are the trustees (*umanāʾ*) of the messengers over those who worship God as long as they do not mix with rulers. If they do so, they would have betrayed [the trust of] the messengers. Beware of [such scholars] and keep away from them.”
3. Saying by Sufyān al-Thawrī: “In hell there is a valley inhabited only by Qurʾān reciters who used to visit kings.”
4. Saying by Awzāʿī: “There is nothing more hated by God than a scholar who visits a governor.”
5. Saying by al-Fuḍayl b. ʿIyāḍ: “No man draws closer to a holder of power (*dhū sulṭān*) without becoming more distant from God.”
6. Saying by Muḥammad b. Salama: “Flies on dung are more becoming than a Qurʾān reciter at the doors of the authorities.”[[42]](#footnote-42)

Reports belonging to the second category include:

1. Prophetic *ḥadīth*: “There will be rulers after me who will deceive and oppress. Anyone giving credence to their lies and assisting in their oppression neither belongs to me, nor do I to him. And he will not pass by the Pool of Abundance (*al-ḥawḍ*).”
2. Statement from Ḥudhayfa: “Beware of the places of trial (*mawāqif al-fitan*)!” When asked what those places were, Ḥudhayfa replied, “The doors of the rulers. You might enter the presence of the ruler and find yourself giving credence to his lies and saying things about him that are untrue.”
3. Statement from Samnūn: “How revolting it is for a scholar to be sought at his assembly but not be found, and to have this said about him: ‘He is with the ruler.’ I used to hear it said that if you see a scholar in love with the world, do not trust him in matters of your faith until you have tested him. I have never visited a ruler without having to be on guard for my soul, regardless of how harshly I spoke to him or opposed his desires.”
4. Statement from Ibn Masʿūd: “A person may enter the presence of the ruler with his faith and exit without it.”[[43]](#footnote-43)

The reports in the first category condemn scholars who attend rulers in the harshest terms, deeming them to be detested by God and destined for hell. Those in the second category are not at all forgiving, but they are slightly milder in comparison to the first as the focus is on the ruler’s court as a site of temptation where scholars might forsake their piety if they are not steadfast in faith. In the rest of the chapter, al-Ghazālī discusses the many moral dangers that loom overhead when associating with rulers, including setting foot on usurped property and offering unlawful praise to them.[[44]](#footnote-44)

The different manifestations of the *ʿulamāʾ*’s flight from politics notwithstanding, they share a pervasive sense of cynicism toward politics and government. Much of this cynicism was rooted in the “problem of counsel”—the impossibility of offering sincere and virtuous advice to rulers, given that they were constantly surrounded by corrupt men.[[45]](#footnote-45) The sayings and *ḥadīth*slisted above lend credence to a deep-seated fear among scholars that they might even be influenced by such men or pressured by the ruler to flatter or give unlawful advice, compromising their morals and faith in the process.The scholars’ fear of the intoxication of power was nothing new during al-Ghazālī’s time. Anecdotes of scholars declining government appointments or refusing to attend rulers abound in medieval biographical dictionaries, with towering figures like Abū Ḥanīfa and Aḥmad b. Ḥanbal numbering among the classic cases.[[46]](#footnote-46) The period of Seljuq dominance was no exception. With the proliferation of *madrasa*sunder the Seljuqs, political patronage extended informally to professorships as well, especially when a particular *madrasa* was endowed by a member of the ruling elite. As the ruling authorities impinged more and more on the religious sphere, some of these professorial appointments, too, were viewed with suspicion by the pious-minded.[[47]](#footnote-47) Meanwhile, the increasing corporatization of the *ʿulamāʾ* gave rise to a sense of elevated social status and, along with that, a disdain toward the common folk (*al-ʿawāmm*). Mingling with people in the streets and markets was thought to be unbecoming of a scholar.[[48]](#footnote-48) As much as scholars should avoid rulers to protect their moral and spiritual integrity, they also ought to maintain their distance from the commoners so as to not upset the social hierarchy.

The Ameliorative Approach to Ruler-Scholar Relations

Having mapped out the different attitudes toward ruler-scholar relations among the Sunni *ʿulamāʾ*, I now come to Ibn al-Jawzī’s intervention in this debate. I have labeled his intervention “ameliorative” in light of his attempt to ameliorate and temper the turbulent politics of his time through a mediatory, moderate, pragmatic, and affective approach to power. In doing so, I have taken as my cue the humanist political discourses of Renaissance Italy,[[49]](#footnote-49) captured under the term “virtue politics” by James Hankins. Inspired by “virtue ethics,” an approach to moral philosophy that “emphasizes the need to develop, through reflection and practice, excellent patterns of conduct (the virtues) so as to achieve the human good and human flourishing (*eudaimonia*, or happiness),” Hankins defines “virtue politics” as follows:

“Virtue politics,” by analogy with virtue ethics, focuses on improving the character and wisdom of the ruling class with a view to bringing about a happy and flourishing commonwealth. It sees the political legitimacy of the state as tightly linked with the virtue of rulers and especially their practice of justice, defined as a preference for the common good over private goods—their “other-directedness” as a modern might put it.[[50]](#footnote-50)

In this conception of politics, the moral character of the ruler mattered for the health of the polity. Having lost faith in the efficacy of the laws and legal reform in bringing about virtuous rulership, humanist political thinkers stressed the need to appeal directly to the will and character of the ruler, thus placing more emphasis on soulcraft than on statecraft. The key to political reform, according to them, lay in surrounding the ruler with wise and virtuous individuals who could “promote justice in the heart of the ruler” using the arts of persuasion. Eloquence, often channeled through the authors of classical antiquity, acquired a political function owing to its ability to move the hearts and minds of rulers toward virtuous rule without the use of violence.[[51]](#footnote-51)

In concluding his study of the Renaissance Italian humanists, Hankins draws out the resemblances between humanist virtue politics and Confucianism in premodern China, particularly with regard to the central role of scholar-officials in promoting virtuous rule.[[52]](#footnote-52) It is worth noting, however, that Confucianism is not the only tradition that shares parallels with virtue politics; these parallels can be extended as well to medieval Islam in the case of Ibn al-Jawzī’s political thought. For instance, the humanist program of using eloquent speech to change hearts and minds is quite analogous to Ibn al-Jawzī’s conception of homiletic exhortation (*waʿẓ*) as a means to reform, or even soften, hearts.[[53]](#footnote-53) Like the humanist Francesco Patrizi of Siena (d. 1494) who described eloquence as a “medicine for the soul, repressing vice and arousing the torpid,”[[54]](#footnote-54) Ibn al-Jawzī also conceived of *waʿẓ* in medicinal terms as the antidote to sins and vices.[[55]](#footnote-55)

Ibn al-Jawzī’s ameliorative approach to politics is mediatory in that he viewed the religious scholars as mediators between rulers and subjects in the pursuit of an ideal Islamic polity. In his political vision, a just and pious ruler guaranteed the general welfare of the Muslim community; conversely, an unjust and impious ruler naturally led to societal disorder. Because the morality of the ruler mattered for the common good, counsel and advice were required to reform rulers whenever they veered off the moral path, an approach with which the Italian humanists would find much to agree. But unlike the humanists, who considered this task of counsel and advice mainly to be the responsibility of learned men outside the religious hierarchy—including teachers, poets, chancery officials, bureaucrats, and statesmen—Ibn al-Jawzī placed its onus on the religious scholars.

To the extent that religious scholars contributed to their respective communities by transmitting religious knowledge and providing legal guidance to those around them, they could potentially benefit an entire polity by guiding its ruler toward virtuous rule. “The foremost among those who would benefit from knowledge (*ʿilm*),” Ibn al-Jawzī claims, “is he for whom this benefit surpasses [all others]. The benefits that knowledge brings to the ruler (*al-sulṭān*) extend beyond him, and thus it is necessary to guide and instruct him.”[[56]](#footnote-56) This stress on the ruler’s morals in the pursuit of societal reform can be distinguished from the prevalent juridical approach of redefining the boundaries of legality when faced with rulers who fell short of the ideal—what some modern scholars would refer to as the construing of legal fictions. The willingness to legitimize usurpers and to accept an inferior candidate (*al-mafḍūl*)for leadership is characteristic of such juridical efforts.[[57]](#footnote-57) When viewed in light of today’s emphasis on institutions and checks and balances in government, Ibn al-Jawzī’s anchoring of his ideal polity on the scholar’s moral reform of a monarch might sound naïve to our modern sensibilities. It would have also sounded equally impossible to many jurists of his time who thought that “the world [was] not so enchanted that the piety of the ruler would in itself ensure prosperity and piety of the ruled,” to borrow from Anjum’s assessment of al-Juwaynī’s political thought.[[58]](#footnote-58) Regardless of its practicalities, the idealism animating Ibn al-Jawzī’s ameliorative politics is palpable.

In order for the scholars to serve in a mediatory capacity vis-à-vis rulers and subjects, the political sphere had to be reimagined as a site of reform instead of corruption, and this is where the moderate aspect of Ibn al-Jawzī’s ameliorative politics becomes apparent. While most of his peers would agree that rulers should surround themselves with wise and learned scholars, they remained largely skeptical of the political sphere, as shown in the case of al-Ghazālī.[[59]](#footnote-59) To be sure, Ibn al-Jawzī did not embrace the political sphere wholeheartedly either. A fear of the court’s intoxicating potential can in fact be detected in several of his writings. In *Talbīs Iblīs*, he writes that Satan has deceived certain groups of jurists into intermingling with rulers and flattering them for worldly gain, without calling out their wrongdoings despite having the ability to do so.[[60]](#footnote-60) Likewise, warnings about corrupting one’s faith when visiting rulers are quite common refrains in *Ṣayd al-khāṭir*, as are criticisms of the brutality of rulers and their illegal sources of wealth.[[61]](#footnote-61) These sentiments, when coupled with his close relationship with the caliphal court during the height of his preaching career, might read like yet another ambivalent approach to ruler-scholar relations, and this is indeed a common conclusion among modern scholars.[[62]](#footnote-62)

However, this was not all there was to Ibn al-Jawzī’s political thought. The problem, according to him, also lay with scholars who kept away from rulers to devote themselves to worship and faith but yet readily mounted their moral high horses to malign scholars who attended rulers.[[63]](#footnote-63) Moreover, as I will show below, his other writings display a more sustained commitment to conceptualize scholars as agents of political reform. Rather than upending the state through revolutionary action, deeming it illegitimate, or avoiding it altogether, he viewed the political sphere in moderate terms as a site of societal reform in which scholars can play a crucial role. Even if the court should not be fully embraced, it could be approached carefully by sincere-minded scholars with genuine intentions to reform rulers for the better.

The last two characteristics of the ameliorative approach to politics, the pragmatic and the affective, concern how religious scholars should deal with rulers. They also bear the imprint of Ibn al-Jawzī’s public career as a hortatory preacher (*wāʿiẓ*). As much as scholars were tasked with reforming rulers for the sake of the common good, a high level of pragmatism was required to navigate the rough, strongman politics of late Abbasid society in which punishments, including for dissidents, were meted out in a harsh and arbitrary manner. In such an unpredictable political environment, a scholar who did not tread carefully in administering counsel to rulers would not only see his efforts go to waste but would end up endangering his own life as well. In Ibn al-Jawzī’s political framework, these circumstances call for an eloquent scholar-preacher who is sensitive to rhetorical subtleties and the affective responses of his audience, and with the ability to apply his homiletic skills to the business of political admonition.[[64]](#footnote-64)

Compared to a jurist or theologian, a preacher is better suited to deal with the unpredictable nature of late Abbasid politics due to his ability to modulate his speech according to a ruler’s personality and mood. It is important to note, however, that this pragmatism differed from the pragmatism of jurists who were willing to compromise on the ideal qualifications for rulership and make juridical concessions when faced with political circumstances that fell short of the ideal, as seen in Chapter 3. For Ibn al-Jawzī, the justice and piety of the ruler were not to be compromised, though the means to achieve these moral ideals could be altered based on the circumstances at hand.

Given the importance of gauging moods, be it of rulers or mass audiences, my discussion of political admonition would be remiss if it did not include a discussion of emotions, which now brings us to the affective component of Ibn al-Jawzī’s ameliorative politics. Insofar as virtuous rule remains the ultimate goal in the ameliorative approach to politics, a crucial step would be for the scholar-preacher to steer the ruler’s will toward justice and piety using the arts of eloquence and persuasion. This belief in the power of speech to reform hearts has parallels in humanist virtue politics, as mentioned earlier. In her work on Arabic oratory, Linda Jones identifies several rhetorical strategies used by medieval Muslim orators and preachers to boost the emotive efficacy of their sermons, including rhymed prose (*sajʿ*), exhortation, narrative elements, and varying linguistic registers.[[65]](#footnote-65)

These strategies are at play in Ibn al-Jawzī’s advice on admonishing rulers and in his mirrors for princes. As will be seen in the next chapter, his book of advice dedicated to his patron-caliph al-Mustaḍīʾ (r. 566–75/1170–80) is organized in such a way that would put the caliph through a range of emotions in making him realize the importance of justice. Key to this effort are narrative elements such as laudatory anecdotes (*manāqib*)about past rulers as well as Prophetic *ḥadīth*s and sayings from eminent scholars of early Islam. The dialectical discourses of the jurist might engage with one’s reason, but anecdotes and stories have the ability to appeal to one’s moral and emotional sensitivities and thus possess a higher efficacy in softening the heart (*riqqat al-qalb*).[[66]](#footnote-66) In the remaining sections of this chapter, I will flesh out the mediatory and moderate characteristics of Ibn al-Jawzī’s ameliorative approach to ruler-scholar relations, whereas the other two—the pragmatic and the affective—will be illustrated in Chapter 7.

Rethinking the Relationship between Rulers and Scholars

It is opportune to return to al-Ghazālī’s *Iḥyāʾ* to begin our discussion of Ibn al-Jawzī’s reassessment of ruler-scholar relations, especially since he wrote a reworked abridgement of the *Iḥyāʾ* entitled *Minhāj al-qāṣidīn wa-mufīd al-ṣādiqīn*. The impetus for writing the *Minhāj*, states Ibn al-Jawzī, stemmed from the fabricated *ḥadīth*s and misleading Sufi teachings he detected in the *Iḥyāʾ*.[[67]](#footnote-67) While he had already composed a separate work pointing out the errors in the *Iḥyāʾ*, titled *Iʿlām al-Iḥyāʾ bi-aghlāṭ al-Iḥyāʾ*, the *Minhāj* is intended as an improved version of the *Iḥyāʾ* minus al-Ghazālī’s blunders.[[68]](#footnote-68) Since the *Minhāj* adheres to the original structure of the *Iḥyāʾ*, any departure from it, however subtle, is quite indicative of what Ibn al-Jawzī thought about al-Ghazālī’s views on a given issue.

Recall that al-Ghazālī’s harsh critique of scholars associating with rulers consists mainly of two groups of *ḥadīth*s and sayings: the first categorically condemns scholars who attend rulers and considers them irredeemable in the eyes of God, whereas the second focuses on the moral temptations associated with the ruler’s court. In the corresponding chapter in Ibn al-Jawzī’s *Minhāj al-qāṣidīn*, all of the harsh reports belonging to the first category are omitted. His account consists almost entirely of reports in the second category, that is, those that depict the ruler’s court as a site of temptation and trial for the visiting scholar.[[69]](#footnote-69) Several of al-Ghazālī’s reports from the second category are retained, while Ibn al-Jawzī adds a couple of his own that express similar sentiments:

1. *Ḥadīth* on the authority of Abū Hurayra: “Whoever comes to the door of the ruler is tested (*man atā abwāb al-salāṭīn iftatana*), and no worshipper draws closer to the ruler (*al-sulṭān*) without becoming more distant from God.”[[70]](#footnote-70)
2. Someone once said to ʿAlqama: “If you enter the presence of the rulers, they will acknowledge your noble rank (*sharaf*).” ʿAlqama said in reply, “[But] I fear that what they take from me will be greater than what I take from them.”
3. A ruler once asked an ascetic, “Why do you not visit me?” The ascetic replied, “I fear that I will be subject to temptations once you draw me close and will feel deprived once you drive me away. You do not have anything that I yearn, and I do not have anything that might strike fear in you. Those who come to you seek to satisfy themselves with what you can offer, but I am satisfied with that which [God] has provided me in order to not be in need of you.”[[71]](#footnote-71)

For Ibn al-Jawzī, the act of visiting rulers does involve being subjected to the temptations of worldly pleasures, which rulers are ever ready to offer and which scholars often find difficult to refuse. Yet scholars who visit rulers are not expressly condemned as godforsaken. Ibn al-Jawzī’s focus is more on the corrupt effects of the ruler’s court and less on condemning the scholar’s act of visiting rulers in and of itself. Although the remaining parts of the chapter are largely abridged from the *Iḥyāʾ* with hardly any variation, Ibn al-Jawzī’s reorganization of *ḥadīth*s and famous sayings has the effect of softening al-Ghazālī’s harsh stance toward scholars who associate with rulers. Nevertheless, the fact that the *Minhāj* takes its cue from the *Iḥyāʾ* means that Ibn al-Jawzī has to adhere to the contours set by al-Ghazālī and is therefore left with little room to expound his views. To fully grasp his stance on ruler-scholar relations, we have to look elsewhere.

Ibn al-Jawzī squarely confronts the tension between scholars and rulers in a treatise aptly titled *ʿAṭf al-ʿulamāʾ ʿalā al-umarāʾ wa-l-umarāʾ ʿalā al-ʿulamāʾ* (*The Inclination of the Religious Scholars Toward the Rulers and of the Rulers Toward the Scholars*). The *ʿAṭf* belongs to a genre of works devoted solely to the subject of ruler-scholar relations,[[72]](#footnote-72) and was likely written during the height of Ibn al-Jawzī’s preaching career during the caliphate of al-Mustaḍīʾ.[[73]](#footnote-73) Based on its contents, one can surmise that Ibn al-Jawzī wrote the *ʿAṭf* with two purposes in mind: (1) to defend the practice of scholars associating with rulers and (2) to serve as a guide for scholars who intend to admonish rulers. I will discuss the first purpose in the remaining parts of this chapter and return to the second in the next chapter.

Ibn al-Jawzī begins the *ʿAṭf* by stating the main problem at hand underlying ruler-scholar relations during his time, starting with a sketch of the primordial order of the world. God, according to the author, has divided the leadersof humankind into two groups: the religious scholars (*al-ʿulamāʾ*), who issue legal opinions (*fatāwā*)to prevent humans from committing injustice to each other, and the rulers (*al-umarāʾ*), who are responsible for restraining those who cannot be set aright except by the sword. Despite this division of labor, both scholars and rulers are similarly tasked “to lead humankind to the most upright of morals and the clearest of paths and to guard them from error.”[[74]](#footnote-74)

This noble state of affairs did not last, however, as most scholars in this day and age are of two kinds: the righteous ones who are fearful for their faith and maintain their distance from the rulers and the hypocritical ones who associate with rulers solely to gain worldly benefits. As for the rulers, most of them do not pay any attention to scholars and are not even aware of the extent to which the scholars avoid them. Worse still, these rulers deem scholars to be no different from the laypeople in the marketplace and measure the worth of the genuine among them with that of the depraved ones. Yet rulers are the foremost of people in society who should benefit from scholarly knowledge because this benefit (*nafʿ*)does not only pertain to the ruler but is also enjoyed by others beyond his immediate circle.[[75]](#footnote-75) Herein lies the main crux of the problem underlying ruler-scholar relations, remarks Ibn al-Jawzī: “If it harms the ruler to be close to [the scholar who only comes to him for worldly benefits] while the righteous scholar keeps away, then who will enjoin him to do good and guide him to proper conduct in accordance with the Sunna and the Book?” The *ʿAṭf* is composed to resolve this problem by way of a middle-ground solution.[[76]](#footnote-76)

The *ʿAṭf*’s first chapter is addressed to scholars and begins with a defense of visiting rulers. As a prelude to this defense, Ibn al-Jawzī marks out three distinct phases in the history of ruler-scholar relations. In the first phase, rulers of early Islam possessed knowledge and were self-sufficient in regard to it. The second phase began when rulers found themselves in need of scholars who could advise them in matters related to faith and various sciences. The third and latest phase is marked by the increase of court chamberlains (*ḥujjāb*)[[77]](#footnote-77) who restrict access to the ruler. Scholars who manage to gain access to the ruler would often mix in deception with their advice in order to maintain a cozy relationship with the court. As a result, rulers are left to act according to their own whims and fancies without proper guidance.[[78]](#footnote-78)

Considering these bleak developments, Ibn al-Jawzī acknowledges that there have been *ḥadīth*s transmitted that forbid proximity with rulers as well as sayings from the pious forebears (*al-salaf*) that warn against this practice. After listing two such *ḥadīth*s[[79]](#footnote-79) and seven such sayings, Ibn al-Jawzī interjects immediately with a remark indicating that these *ḥadīth*s are not sound and that the sayings from the pious forebears are targeted at the majority of scholars who also happen to be spiritually weak. For these scholars, visiting the ruler does indeed constitute a trial because they either replace advice with flattery in order to enjoy the vanities of this world or remain silent when confronted with the ruler’s wrongdoings.[[80]](#footnote-80) Ibn al-Jawzī’s *ʿAṭf* is directed less at scholars of this sort and more at those with sincere intentions to reform rulers.

At various points in the *ʿAṭf*, Ibn al-Jawzī stresses that the act of visiting rulers and entering their presence is not reprehensible in and of itself. “There is nothing objectionable,” he asserts, “in people entering the ruler’s presence while their intentions toward the ruler is sound.”[[81]](#footnote-81) The problem arises when scholars—the majority of them, in fact—succumb to the temptations of worldly desires and vanities, especially since entering the ruler’s court inevitably exposes one to many sins (*maʿāṣin*). For instance, the ruler might be living in a property that is usurped (*dūr maghṣūba*). Scholars might be required to kneel and prostrate in front of the ruler in accordance with court protocol. One might even be bedazzled by the palaces of gold and silver and the silk clothes worn by the ruler and his officials. One might also hear words which are not permissible in Islamic law to be uttered.[[82]](#footnote-82) Yet, Ibn al-Jawzī continues, it would simply be ignorant to abandon the duty of commanding right and forbidding wrong altogether due to these potential moral hazards. The general good (*al-nafʿ al-ʿāmm*) to be gained from enjoining the ruler to do right and forbidding him from error should not be forsaken for the sake of preventing a specific harm (*ḍarar khāṣṣ*). If a scholar deems it safe physically and spiritually to enter the presence of a ruler, then it is permissible for him to associate with the ruler because this presents an opportunity for him to instruct the ruler in righteousness.[[83]](#footnote-83)

Reconceptualizing Political and Religious Authority

As we near the end of the *ʿAṭf*, it becomes increasingly clear that Ibn al-Jawzī’s solution to the crisis of political and religious authority during the late Abbasid period is not limited to defending the practice of associating with rulers. The second chapter of the treatise, which is addressed to rulers, provides additional details about his political program, especially with regard to the hierarchy of authority he envisions for ideal Islamic rule. The chapter begins with a short excursus on the noble nature of rulership by reminding the ruler that the foundation (*aṣl*) of his rule is religion (*dīn*). The knowledge (*maʿrifa*)of religion belongs to the religious scholars, whereas the ruler is tasked with protecting religion.[[84]](#footnote-84)

Ibn al-Jawzī then goes on to complicate this seemingly neat division of labor between rulers and scholars. He claims that “if the scholars order a person to carry out certain legal obligations (*wājibāt*) and forbid him from indulging in legal prohibitions (*maḥẓūrāt*), but the person refuses, then it is up to the ruler to set things right by applying discretionary punishments (*bi-siyāsatihi*).”[[85]](#footnote-85) This is in line with God’s words in the Qurʾān: “We have sent Our messengerswith clear proofs (*al-bayyināt*), and sent down the Book and the Balance with them, so that people would uphold justice. And We sent down iron (*al-ḥadīd*), wherein are great might and benefits for mankind, and so that God may know those who will help Him and His messengers unseen. Truly God is strong and mighty” (57:25). After mentioning the verse, Ibn al-Jawzī proceeds to provide a short exegesis of it:

“Clear proofs” (*al-bayyināt*) means the clear indications of the truthfulness of the messengers (*al-dalālāt al-wāḍiḥāt ʿalā ṣidq al-rusul*). If their truthfulness is well established, then it is obligatory to obey their commands and accept the scriptures that came with them. Know that justice (*al-ʿadl*) is meant for those whom scripture cannot reform. [After all], the sayings of the messengers have been put in order by iron (*al-ḥadīd*), that is, the sword (*al-sayf*).[[86]](#footnote-86)

This brief exegesis is quite suggestive of Ibn al-Jawzī’s ideal hierarchy of authority. What appears to be a mutual dependence between political and religious authority is in fact a rather lopsided dependence. Insofar as the words and commands of scripture do require political authority or coercive force to be implemented among humankind, the ruler’s sword—or more generally, *siyāsa*—only enters the picture when the messengers’ teachings and commands prove ineffective in reforming hearts and minds. The primary responsibility for guiding the people toward legal obligations and away from prohibitions remains with the religious scholars.

Taking his reassessment of ruler-scholar relations one step further, Ibn al-Jawzī goes on to state the case for the primacy of religious scholars over rulers even in the sphere of punishments:

If the ruler understands the value of knowledge and the scholars, he will make sure that he is at their disposal like the *shiḥna* and [that his power] issues from their authority (*ayqana annahu bayna aydīhim ka-l-shiḥna yaṣduru ʿan amrihim*). Therefore, if [the scholars] order [the ruler] to kill someone, he will do as they say. If they order him to strike someone, he will do so as well. For if he acts according to his caprice, he no longer acts as the deputy of God and His messenger (*lam yakun nāʾiban ʿan Allāh wa-lā ʿan rasūlihi*); his authority (*wilāya*)is tyranny (*jawr*) and not legitimate rule (*imāra*).[[87]](#footnote-87)

This loaded statement suggests that in Ibn al-Jawzī’s ideal hierarchy of authority, it is the religious scholars who define the limits of the ruler’s coercive and punitive policies. The crisis of political and religious authority owing to increasing Seljuq encroachment in the religious sphere is now turned on its head with scholars dictating the punishments and rulers functioning as the scholars’ executive punitive arm. It is only by acting according to the scholars’ precepts in the realm of punishments can a ruler’s polity be considered legitimate. Given this hierarchy of authority, Ibn al-Jawzī continues, it is required for rulers to “exalt the scholars, be close to them, and learn from them.” Since the noble rank of the scholars is exactly what inclines rulers to them (*yaʿṭifu al-umarāʾ ʿalā al-ʿulamāʾ*), rulers should not foster contempt toward scholars and place them on an equal level with the common folk. Similarly, it is required for scholars to appreciate the role of the ruler and not shun him because they would not be able to pursue knowledge safely if it were not for his supervision of worldly affairs and his guardianship of the community.[[88]](#footnote-88)

Having examined Ibn al-Jawzī’s reconceptualization of ruler-scholar relations, we can now relate it to the debates surrounding *siyāsa*, *sharīʿa*, and *taʿzīr*. To do so, let us return to his critique of *siyāsa* in the *Muntaẓam*. Recall thathe condemns rulers who were quick to justify their arbitrary punishments by simply labeling them *siyāsa* and, in so doing, accuse the *sharīʿa* of being deficient in dealing with political matters. His pessimistic evaluation of the relationship between *siyāsa* and *sharīʿa* was very likely colored by the increasing intrusion of rulers into the religious sphere, especially with regard to the *ʿulamāʾ*’s prerogatives over criminal punishments.

Over time, Sunni scholars devised different solutions to deal with the *siyāsa*-*sharīʿa* conundrum. Those like al-Ṭurṭūshī and al-Tawḥīdī saw *siyāsa* and *sharīʿa* as independent spheres but in need of each other in the realization of an ideal socio-political order. Others were less generous to the ruling authorities and advocated for the primacy of juridical doctrines. One way to ensure the primacy of religious scholars over rulers was for scholars to act as guides to the rulers, as proposed by al-Ghazālī in a rare instance in the *Iḥyāʾ* where he displays a more friendly attitude toward ruler-scholar relations:

Men are overwhelmed by undisciplined desires leading to mutual rivalries, hence there is a need for a Sultan to manage them, and the Sultan needs a law (*qānūn*) by which to administer. A *faqīh* is the scholar of the law of politics (*al-faqīh huwa al-ʿālim bi-qānūn al-siyāsa*)and the way to mediate between men if they disagree owing to their undisciplined interests. Thus, a *faqīh* is the teacher and guide of the Sultan (*fa-kāna al-faqīh muʿallim al-sulṭān wa-murshidahu*)in ways of administering and controlling men.[[89]](#footnote-89)

For al-Ghazālī, *siyāsa* has no independent existence beyond the laws formulated by the jurist (*faqīh*). It then comes down to the jurist to ensure that the ruler governs according to these laws for his rule to be considered legitimate. These sentiments found resonance with the Mamluk-era scholar Tāj al-Dīn al-Subkī (d. 771/1370), who warns rulers against ruling “through the exercise of personal opinion and *siyāsah* (*bi-rayihi wa-siyāsatihi*)” andgoing beyond the limits of “the doctrines set by the schools of law.”[[90]](#footnote-90) Not all rulers were willing to fall in line, however; in fact, most of them did not. When rulers came up short, most scholars sought relief in texts by circumscribing criminal justice—especially *taʿzīr* and *ḥadd* punishments, as discussed above—in the hope of protecting the legal ordinances from political encroachment.

An effort to harmonize *siyāsa* and *sharīʿa* came in the Mamluk period with the Ḥanbalī scholar Ibn Taymiyya (d. 728/1328). Finding the *qāḍī* courts to be too weak due to its focus on legal formalities and the ruling authorities too arbitrary given their frequent recourse to personal opinion in persecuting criminal cases, Ibn Taymiyya did not believe in reducing *siyāsa* to a *fiqh*-based *sharīʿa* articulated by the jurists. Rather, observes Anjum, he made the *sharīʿa* more inclusive by reconceptualizing it as “not merely a law limited to jurisprudence (*fiqh*) that the ulama preserve and pass on as *madhhab* doctrines, but inclusive of just policies of rulers as well as fair judgments of *qāḍī*s.” Furthermore, he framed justice as “the spirit of the specific laws of the *Sharīʿa*,” so aslong as the ruler’s policies were just they were considered part of the *sharīʿa*; hence the title of his famous treatise on governance, *al-Siyāsa al-sharʿiyya* (*Governance Based on the Sharīʿa*).[[91]](#footnote-91) Justice could in turn be ensured if the rulers, religious scholars, and commoners maintained a cooperative relationship (*taʿāwun*), which entailedconsulting with each other and offering mutual advice and criticism for the sake of the common good.[[92]](#footnote-92) Anjum argues that Ibn Taymiyya’s reformulation of *siyāsa* and *sharīʿa* had the effect of not only reimagining politics as a morally and religiously legitimate realm, but it also accorded a political role to the scholars and the lay community, thus going against the current of the *ʿulamāʾ*’s flight from politics.[[93]](#footnote-93)

Ibn al-Jawzī leans closer to al-Ghazālī in his approach to ruler-scholar relations. He was not a harmonizer like Ibn Taymiyya given his negative views of *siyāsa* and his insistence on the completeness of the *sharīʿa*. The *sharīʿa* as interpreted by the religious scholars, in his view,is already self-sufficient and stands in no need of *siyāsa* to deal with matters of political expediency. After all, the Qurʾān states clearly that “We have neglected nothing in the Book” (6:38) and “None repeals His judgment” (13:41).[[94]](#footnote-94) Yet although scholars like al-Ghazālī would extrapolate from this framework of *siyāsa* and *sharīʿa* the view that scholars have a duty to admonish rulers and guide them to the path of righteous rule, they pay lip service to it at most due to their harsh condemnation of scholars who associate with rulers.

With Ibn al-Jawzī’s ameliorative approach to politics, we can discern a strand of Islamic political discourse that upholds a more moderate view of the political sphere and ruler-scholar relations while still maintaining a cautious stance toward the ruler’s court. Moreover, his statements in the *ʿAṭf* give the sense that scholars could also have mediatory political roles in addition to acting as arbiters of legality. He even suggests that they could dictate the punitive policies of the ruler.[[95]](#footnote-95) Or he might be hinting at an arrangement whereby the authority to implement criminal punishments is restored to the *qāḍī* not as an agent of the ruler but of the *sharīʿa*.

That said, Ibn al-Jawzī arguably contributed to what Anjum calls the “revival of the political sphere in Islam” which he attributes to Ibn Taymiyya more than a century later.[[96]](#footnote-96) This chapter has demonstrated that Islamic political thought did not have to wait until Ibn Taymiyya to start calling into question and challenging the *ʿulamāʾ*’sflight from politics. Nevertheless, it is important to note that Ibn al-Jawzī does not go as far as Ibn Taymiyya in calling for mutual cooperation between rulers, scholars, and commoners. Considering the harsh and arbitrary politics of his time, rulers cannot seem be trusted to uphold a cooperative relationship with the ruled; if at all, they need to be tamed. In that respect, Ibn al-Jawzī’s ameliorative approach to politics is still one that prioritizes *sharīʿa* over *siyāsa* and scholars over rulers. As for the commoners, Ibn al-Jawzī does not have a high enough regard for them to place them in a consultative capacity in relation to rulers and scholars; they are better left out of the equation altogether.[[97]](#footnote-97) These caveats notwithstanding, Ibn al-Jawzī’s effort to reimagine the political sphere as a site of reform instead of corruption and to grant religious scholars a political role already constitutes a noteworthy step in the direction of Ibn Taymiyya’s model of *al-siyāsa al-sharʿiyya*.[[98]](#footnote-98)

Conclusion

The late Abbasid period was a period of great political flux compounded by a crisis of political and religious authority. This crisis was engendered by the increasing encroachment of rulers into the religious sphere and revolved around the issue of punishments and the role of the religious scholars in politics. As harsh and arbitrary politics became more entrenched in late Abbasid society, scholars pursued different solutions to deal with this crisis. With respect to criminal punishments, some legitimized the ruler’s prerogatives in administering the criminal punishments traditionally reserved for the *qāḍī*. Those who refused to do so acknowledged that it was futile to challenge the rulers on this front and proceeded instead to limit the ruler’s punitive authority in juridical doctrines. As scholars escaped from the realm of politics to the realm of doctrine and discourse, politics was increasingly viewed with suspicion as corrupting and intoxicating, resulting in a widening gap between rulers and scholars.

Ibn al-Jawzī’s ameliorative politics was an attempt to bridge this gap. This chapter has introduced the moderate and mediatory aspects of the ameliorative approach to politics by focusing on his reassessment of ruler-scholar relations. In the *ʿAṭf*, Ibn al-Jawzī posits the scholars as mediators between rulers and their subjects and redefines the political sphere as a site of moral reform with which scholars can legitimately engage. His view of the political sphere is moderate when compared with that of scholars who would rather avoid it altogether and of scholars who viewed it as a platform of revolutionary action against the state. If scholars attend rulers with a sincere heart and admonish them to rule righteously, the well-being of the community can be ensured. But how should scholars go about admonishing rulers? As we shall see in the following chapter, Ibn al-Jawzī’s response to this question is illustrative of the pragmatic and affective aspects of his ameliorative politics. It also brings to fore the crucial role of the scholar-preacher in the project of political reform.

1. For a more detailed account of the developments outlined in this paragraph, as well as references, see Chapter 1. [↑](#footnote-ref-1)
2. See Chapter 3. [↑](#footnote-ref-2)
3. George Makdisi, “Muslim Institutions of Learning in Eleventh-Century Baghdad,” *Bulletin of the School of Oriental and African Studies* 24, no. 1 (1961): 1–56; Daphna Ephrat, “The Seljuqs and the Public Sphere in the Period of Sunni Revivalism: The View from Baghdad,” in *The Seljuqs: Politics, Society and Culture*, ed. Christian Lange and Songül Mecit (Edinburgh: Edinburgh University Press, 2011), 139–56; Omid Safi, *The Politics of Knowledge in Premodern Islam: Negotiating Ideology and Religious Inquiry* (Chapel Hill: University of North Carolina Press, 2006), 90–100, 125–57; D. G. Tor, “‘Sovereign and Pious’: The Religious Life of the Great Seljuq Sultans,” in Lange and Mecit, *The Seljuqs*,39–62; A. C. S. Peacock, *The Great Seljuk Empire* (Edinburgh: Edinburgh University Press, 2015), 211–15, 250–56. [↑](#footnote-ref-3)
4. Christian Lange, *Justice, Punishment, and the Medieval Muslim Imagination* (New York: Cambridge University Press, 2008), 179–243; Felicitas Opwis, “Shifting Legal Authority from the Ruler to the *ʿUlamāʾ*: Rationalizing the Punishment for Drinking Wine during the Saljūq Period,” *Der Islam* 86 (2011): 65–92. [↑](#footnote-ref-4)
5. Daphna Ephrat, *A Learned Society in a Period of Transition: The Sunni ʿUlamāʾ of Eleventh-Century Baghdad* (Albany: State University of New York Press, 2000), 127. See also Ann K. S. Lambton, “The Internal Structure of the Saljuq Empire,” in *The Cambridge History of Iran, Vol. 5: The Saljuq and Mongol Periods*, ed. J. A. Boyle (Cambridge: Cambridge University Press, 1968), 269–70; Lange, *Justice*, 40; and Opwis, “Shifting Legal Authority,” 73. On the *maẓālim* courts, see J. S. Nielsen, “Maẓālim,” in *Encyclopaedia of Islam*, 2nd edn.; and Mathieu Tillier, “Courts of law, historical,” in *Encyclopaedia of Islam*, 3rd edn. [↑](#footnote-ref-5)
6. The literature on *siyāsa* is quite extensive. See C. E. Bosworth, I. R. Netton, and F. E. Vogel, “Siyāsa,” in *Encyclopaedia of Islam*, 2nd edn.; Fauzi M. Najjar, “*Siyasa* in Islamic Political Philosophy,” in *Islamic Theology and Philosophy: Studies in Honor of George F. Hourani*, ed. Michael E. Marmura (Albany: State University of New York Press, 1984), 92–110; Bernard Lewis, “Siyāsa,” in *In Quest of an Islamic Humanism: Arabic and Islamic Studies in Memory of Mohamed al-Nowaihi*, ed. A. H. Green (Cairo: The American University in Cairo Press, 1986), 3–14; Muhammad Khalid Masud, “The Doctrine of *Siyāsa* in Islamic Law,” *Recht van de Islam* 18 (2001): 1–29; Lange, *Justice*, 42–44, 180–81; Kristen Stilt, *Islamic Law in Action: Authority, Discretion, and Everyday Experiences in Mamluk Egypt* (Oxford: Oxford University Press, 2011); Yossef Rapoport, “Royal Justice and Religious Law: *Siyāsah* and Shariʿah under the Mamluks,” *Mamluk Studies Review* 16 (2012): 71–102; Ovamir Anjum, *Politics, Law, and Community in Islamic Thought: The Taymiyyan Moment* (New York: Cambridge University Press, 2012), 59–60, 95–107; Tengku Ahmad Hazri, “Conceptions of the Political in Islamic Thought: Reconciling Legal and Philosophic Approaches to *Siyāsah*,” *Islam and Civilisational Revival* 5, no. 2 (2014): 162–82; Shahab Ahmed, *What is Islam? The Importance of Being Islamic* (Princeton: Princeton University Press, 2016), 456–82. [↑](#footnote-ref-6)
7. Anjum, *Politics, Law, and Community*, 98–107. See also Tarif Khalidi, *Arabic Historical Thought in the Classical Period* (Cambridge: Cambridge University Press, 1994), 193–231. [↑](#footnote-ref-7)
8. Abū Bakr Muḥammad al-Ṭurṭūshī, *Sirāj al-mulūk*, ed. Muḥammad Fatḥī Abū Bakr (Cairo: al-Dār al-Miṣriyya al-Lubnāniyya, 1994), 1:8. See also Anjum, *Politics, Law, and Community*, 99–102, where he refutes Tarif Khalidi’s argument (*Arabic Historical Thought*, 193–95) that al-Ṭurṭūshī made the case for a “secular state” in suggesting a contradiction between *siyāsa* and *sharīʿa*. [↑](#footnote-ref-8)
9. Abū al-Ḥasan al-Māwardī, *al-Aḥkām al-sulṭāniyya*, ed. Aḥmad Jād (Cairo: Dār al-Ḥadīth, 2006), 15; Anjum, *Politics, Law, and Community*, 102. On al-Māwardī’s distinction between *siyāsa* and *sharīʿa* in his other work, *Adab al-dunyā wa-l-dīn*, see Rushain Abbasi, “Did Premodern Muslims Distinguish the Religious and the Secular? The *Dīn-Dunyā* Binary in Medieval Islamic Thought,” *Journal of Islamic Studies* 31, no. 2 (2020): 218. [↑](#footnote-ref-9)
10. Abū Ḥayyān al-Tawḥīdī, *al-Imtāʿ wa-l-muʾāsana*, ed. Haytham Khalīfa al-Ṭaʿīmī (Beirut: al-Maktaba al-ʿAsriyya, 2011), 2:180. See also Lewis, “Siyāsa,” 7. [↑](#footnote-ref-10)
11. In Ibn al-Jawzī’s writings, the term commonly used to refer to the ruler is *sulṭān*, followed by *amīr*. By itself, *sulṭān* originally meant “power” or “authority” in an abstract sense. Beginning in the fourth/tenth century, it came to denote the holder of power or authority and was often used to refer to the caliph. The term was used as a title beginning with the Seljuq Turks in the fifth/eleventh century and eventually passed on to petty rulers and chieftains who had assumed *de facto* power alongside the caliph in the central Islamic lands. *Amīr* often referred to military commanders or governors who represented the caliph or sultan in a specific region and were usually tasked with organizing the army, maintaining peace and order in a city through appointed agents, and issuing instructions on financial policy. See J. H. Kramers and C. E. Bosworth, “Sulṭān,” in *Encyclopaedia of Islam*, 2nd edn.; A. A. Duri, “Amīr,” in *Encyclopaedia of Islam*, 2nd edn. It is often vague to whom specifically Ibn al-Jawzī is referring when these terms appear in his writings as he uses them interchangeably, but there is no doubt that he had in mind individuals who held some degree of political, military, and punitive power. For the sake of prose and convenience, I shall translate these terms, as they arise, collectively as “rulers” or “ruling authorities.” [↑](#footnote-ref-11)
12. Abū al-Faraj ʿAbd al-Raḥmān Ibn al-Jawzī, *al-Muntaẓam fī tārīkh al-mulūk wa-l-umam*, ed. Muḥammad ʿAbd al-Qādir ʿAṭā and Muṣṭafā ʿAbd al-Qādir ʿAṭā (Beirut: Dār al-Kutub al-ʿIlmiyya, 1992), 1:117. In his *Talbīs Iblīs*, a polemical work attacking various groups he perceived to have been misled by Satan, this situation is framed as one of Satan’s wiles leading rulers to believe that they could mete out arbitrary punishments under the pretext of *siyāsa*. To illustrate his point, Ibn al-Jawzī supplies an anecdote in which the Buyid *amīr* ʿAḍud al-Dawla (d. 372/983) ordered the drowning of a slave girl with whom he was infatuated, lest this infatuation distracted him from political affairs. See Ibn al-Jawzī, *Talbīs Iblīs*, ed. Zayd b. Muḥammad b. Hādī al-Madkhalī (Jeddah: Dār al-Minhāj, 2010), 191, 508. [↑](#footnote-ref-12)
13. Sibṭ b. al-Jawzī, *al-Jalīs al-ṣāliḥ wa-l-anīs al-nāṣiḥ*, ed. Fawwās Ṣāliḥ Fawwāz (London: Riad El-Rayyes Books, 1989), 55; translated in Khalidi, *Arabic Historical Thought*, 195–96 n. 33: “What many rulers neglect to observe is that they order what the *shariʿa* does not permit such as the execution of one who should not be executed or the cutting off of the limbs of another who should not be so punished, calling this *siyasa*. But this is the height of error. For in saying that this is *siyasa* they are in effect asserting that the *shariʿa* is incomplete and needs to be supplemented with our own opinion. This is the root of the error, for the *shariʿa* is perfect *siyasa*.” See also Stefan Leder, “Sultanic Rule in the Mirror of Medieval Political Literature,” In *Global Medieval: Mirrors for Princes Reconsidered*, ed. Regula Forster and Neguin Yavari (Boston: Ilex Foundation, 2015), 105–6. [↑](#footnote-ref-13)
14. Anjum, *Politics, Law, and Community*, 105–6; Frank E. Vogel, “Tracing Nuance in Māwardī’s *al-Aḥkām al-sulṭāniyyah*: Implicit Framing of Constitutional Authority,” in *Islamic Law in Theory: Studies on Jurisprudence in Honor of Bernard Weiss*, ed. Kevin Reinhart and Robert Gleave (Leiden: Brill, 2014), 345–46. The idea of *fiqh* being the most important of the Islamic religious sciences is a recurring theme in Ibn al-Jawzī’s writings. In several instances, he castigates ascetics and Sufis, as well as al-Ghazālī, for privileging excessive Sufi practices over the teachings and knowledge of *fiqh*. See Ibn al-Jawzī, *Ṣayd al-khāṭir*, ed. ʿAbd al-Qādir Aḥmad ʿAṭā (Beirut: Dār al-Kutub al-ʿIlmiyya, 1992), 97–99, 166–67, 220–25, 347, 438; *Laftat al-kabid ilā naṣīḥat al-walad* (Ḥamāh: Dār al-ʿAwda, 1971), 11; *Talbīs Iblīs*, 376, 456–63. [↑](#footnote-ref-14)
15. Aziz al-Azmeh, “Islamic Legal Theory and the Appropriation of Reality,” in *Islamic Law: Social and Historical Contexts*, ed. Aziz al-Azmeh (London: Routledge, 1988), 250–65; idem, “Chronophagous Discourse: A Study of the Clerico-Legal Appropriation of the World in an Islamic Tradition,” reprinted in idem, *The Times of History: Universal Topics in Islamic Historiography* (Budapest: Central European University Press, 2007), 67–100. [↑](#footnote-ref-15)
16. Christian Lange, “Public Order,” in *The Ashgate Research Companion to Islamic Law*, ed. Peri Bearman and Rudolph Peters (Farnham: Ashgate, 2014), 170. See also M. Y. Izzi Dien, “Taʿzīr,” in *Encyclopaedia of Islam*, 2nd edn.; Wael Hallaq, *Sharīʿa: Theory, Practice, Transformations* (Cambridge: Cambridge University Press, 2009), 322–23. [↑](#footnote-ref-16)
17. Lange, “Public Order,” 170. This is not to say that *qāḍī*s did not have any role in criminal punishment. They still retained their right to *ḥudūd* (divinely sanctioned punishments) and *qiṣāṣ* (retaliatory punishments). However, as Lange notes, the fact that *qāḍī*s were appointed by and beholden to the sultan renders questionable their independence even in these two fields.See Lange, *Justice,* 44–48. [↑](#footnote-ref-17)
18. Ibn al-Jawzī, *Talbīs Iblīs*, 191. [↑](#footnote-ref-18)
19. Lange, *Justice*,217. [↑](#footnote-ref-19)
20. Ibid., 47. [↑](#footnote-ref-20)
21. For more details about Abbasid and Seljuq treatment of religious scholars, see Chapter 1. [↑](#footnote-ref-21)
22. Lange, *Justice*, 10 and 218. [↑](#footnote-ref-22)
23. Ibid., 19–20, 179–243. [↑](#footnote-ref-23)
24. Opwis, “Shifting Legal Authority,” 85–88. [↑](#footnote-ref-24)
25. Ibid., 90–92. For a more in-depth study of *maṣlaḥa*, see idem, *Maṣlaḥa and the Purpose of the Law: Islamic Discourse on Legal Change from the 4th/10th to 8th/14th Century* (Leiden: Brill, 2010). [↑](#footnote-ref-25)
26. Anjum, *Politics, Law, and Community*, 135. [↑](#footnote-ref-26)
27. In Anjum’s account of the history of Islamic political thought, the depoliticization of Islam was already underway long before the advent of the Seljuqs. Beginning in the Umayyad period, the community-centered vision of Islam, based on the egalitarian, activist, and consultative ethic of the Qurʾān, had to contend with the ruler-centered vision, which emphasized the God-sanctioned absolute power of the ruler (ibid., 50–74). As the Islamic empire expanded and came into contact with Near Eastern models of kingship, the ruler-centered vision took precedence over the community-centered vision because it “had the decisive advantage of being practical and of interest to the wielders of power” (ibid., 74). The expansion of the *umma* also meant that it could no longer function as a unified body, further contributing to the erosion of the community-centered vision. Hereon, the task of maintaining doctrinal coherence lay with the emerging class of scholars who championed the Sunna of the Prophet as the crucial building block of Islamic law and jurisprudence (*fiqh*). In this “Sunna-centered vision,” authority was vested not in the community at large but in scriptural texts and “great models of the past” (ibid., 85), giving rise to the early trappings of legal formalism in Islamic thought. Legal formalism was further entrenched in later centuries when Sunni dialectical theology (*kalām*) adopted an elitist principle of interpretation (*qānūn al-taʾwīl*) which “undermined, even abhorred, the commonsense and practical reasoning of ordinary people” (ibid., 166). [↑](#footnote-ref-27)
28. Anjum, *Politics, Law, and Community*, 228–65. [↑](#footnote-ref-28)
29. ## Maribel Fierro, “Spiritual Alienation and Political Activism: The *Ġurabāʾ* in Andalusī Spain during the Sixth/Twelfth Century,” *Arabica* 47, no. 2 (2000): 230–60; Ali Humayun Akhtar, *Philosophers, Sufis, and Caliphs: Politics and Authority from Cordoba to Cairo and Baghdad* (New York: Cambridge University Press, 2017), 178–237. See also Michael Cook, *Commanding Right and Forbidding Wrong in Islamic Thought* (Cambridge: Cambridge University Press, 2000), 385–90.

    [↑](#footnote-ref-29)
30. Safi, *Politics of Knowledge*, 158–200. [↑](#footnote-ref-30)
31. Ibid., 185, 188–89. [↑](#footnote-ref-31)
32. The *iqṭāʿ* was a system of payment to military officials when money was in short supply. It came in the form of land, over which officials were granted rights to collect taxes. The *iqṭāʿ* system had already been in existence during the Buyid period, but it was greatly expanded under the Seljuqs and became the basis of their power. For a concise sketch of the Seljuq *iqṭāʿ* system, see Peacock, *The Great Seljuk Empire*, 79–80. [↑](#footnote-ref-32)
33. Safi, *Politics of Knowledge*, 183–84. [↑](#footnote-ref-33)
34. For examples from the first two centuries of Islam, see Muhammad Qasim Zaman, *Religion and Politics under the Early ʿAbbāsids: The Emergence of the Proto-Sunnī Elite* (Leiden: Brill, 1997), 79–80; Christopher Melchert, *Before Sufism: Early Islamic Renunciant Piety* (Berlin; Boston: Walter De Gruyter: 2020), 134–39. For examples closer to and during Ibn al-Jawzī’s time, see Yaacov Lev, “Piety and Political Activism in Twelfth Century Egypt,” *Jerusalem Studies in Arabic and Islam* 31 (2006): 293–94; Daniella Talmon-Heller, *Islamic Piety in Medieval Syria: Mosques, Cemeteries and Sermons under the Zangids and Ayyūbids (1146–1260)* (Leiden: Brill, 2007), 79 and 82; Vanessa Van Renterghem, *Les élites bagdadiennes au temps des Seldjoukides: Étude d’histoire sociale* (Beirut: Presses de l’IFPO, 2015), 1:107. [↑](#footnote-ref-34)
35. Cook, *Commanding*, 101–13; Saud al-Sarhan, “Early Muslim Traditionalism: A Critical Study of the Works and Political Theology of Aḥmad b. Ḥanbal” (PhD diss., University of Exeter, 2011), 194–217. [↑](#footnote-ref-35)
36. For instance, Abū Ḥāmid al-Ghazālī, *al-Iqtiṣād fī al-iʿtiqād*, ed. Muṣṭafā ʿUmrān (Cairo: Dār al-Baṣāʾir, 2009), 504–6; translated by Aladdin M. Yaqub as *Al-Ghazālī’s* *Moderation in Belief* (Chicago: University of Chicago Press, 2013), 229–31. See also idem, *Iḥyāʾ ʿulūm al-dīn* (Jeddah: Dār al-Minhāj, 2011), 1:66–68. [↑](#footnote-ref-36)
37. F. R. C. Bagley, trans., *Ghazālī’s Book of Counsel for Kings (Naṣīḥat al-mulūk)* (London: Oxford University Press, 1964), 19. [↑](#footnote-ref-37)
38. Al-Ghazālī, *Faḍāʾiḥ al-bāṭiniyya wa-faḍāʾil al-Mustaẓhiriyya*, ed. Muḥammad ʿAlī al-Quṭb (Beirut: al-Maktaba al-ʿAṣriyya, 2009), 172–73. [↑](#footnote-ref-38)
39. Al-Ghazālī, *Iḥyāʾ*, 1:66–68, 250–56. [↑](#footnote-ref-39)
40. Ibid., 3:541–80. This is the sixth chapter of “Kitāb al-Ḥalāl wa-l-Ḥarām” (“The Book of the Lawful and Unlawful”) titled “What is Lawful and Unlawful Regarding Socializing with Despotic Rulers, and Opinions on Attending Their Councils, Visiting Them, and Honoring Them.” [↑](#footnote-ref-40)
41. Ibid., 3:541. [↑](#footnote-ref-41)
42. Ibid., 3:542–45. The recurring mentions of Qurʾān reciters (*qurrāʾ*) likely alludes to the fact that many rulers in early Islam sought scholars to recite the Qurʾān to them. According to Christopher Melchert, “Perhaps it was precisely the preponderance of Qur’an recitation among services performed for rulers by men of religion that made *qāriʾ* a pejorative term, by contrast with *zāhid* and *nāsik*.” Melchert, *Before Sufism*, 137. [↑](#footnote-ref-42)
43. Al-Ghazālī, *Iḥyāʾ*, 3:542–44. [↑](#footnote-ref-43)
44. Ibid., 3:544–80. [↑](#footnote-ref-44)
45. The “problem of counsel” was not exclusive to medieval Islam. It figured prominently in Renaissance humanist political discourse among those who believed that wise and learned men would only face ridicule and mockery at the court and, as such, should not waste their time counseling princes. Rather than seek public office, they would do better to direct their wise counsel to private men (*privati*)who appreciated moral philosophy and humanistic study. See Quentin Skinner, *The Foundations of Modern Political Thought, Vol. 1: The Renaissance* (Cambridge: Cambridge University Press, 1978), 216–17; James Hankins, *Virtue Politics: Soulcraft and Statecraft in Renaissance Italy* (Cambridge, MA: The Belknap Press of Harvard University Press, 2019), 138–41. [↑](#footnote-ref-45)
46. Hiroyuki Yanagihashi, “Abū Ḥanīfa,” in *Encyclopaedia of Islam*, 3rd edn.; Livnat Holtzman, “Aḥmad b. Ḥanbal,” in *Encyclopaedia of Islam*, 3rd edn. On the refusal of government appointments, especially judgeships, in general, see A. J. Wensinck, “The Refused Dignity,” in *A Volume of Oriental Studies Presented to Edward G. Browne on His 60th Birthday*, ed. T. W. Arnold and R. A. Nicholson (Cambridge: Cambridge University Press, 1922), 491–99; S. D. Goitein, “Attitudes Towards Government in Islam and Judaism,” in S.D. Goitein, *Studies in Islamic History and Institutions* (Leiden: Brill, 1966), 197–213; Zaman, *Religion and Politics*, 78–80, 153–59. [↑](#footnote-ref-46)
47. Ephrat, *A Learned Society*, 126–36, 138–39; Peacock, *The Great Seljuk Empire*, 256–58. [↑](#footnote-ref-47)
48. Van Renterghem, *Les élites bagdadiennes*, 1:297. [↑](#footnote-ref-48)
49. The term “humanist” here refers strictly to a cultural movement that emerged in thirteenth-century Italy promoting the *studia humanitatis* (the humanities). See James Hankins, “Humanism, Scholasticism, and Renaissance Philosophy,” in *The Cambridge Companion to Renaissance Philosophy*, ed. James Hankins (New York: Cambridge University Press, 2007), 30–48. [↑](#footnote-ref-49)
50. Hankins, *Virtue Politics*, 37. The contours of virtue politics are outlined in ibid., 31–62. [↑](#footnote-ref-50)
51. On the role of eloquence in humanist political thought, see ibid., 21–23, 47–52. [↑](#footnote-ref-51)
52. Ibid., 495–514. On the role of the scholars or literati in Chinese political thought, see Youngmin Kim, *A History of Chinese Political Thought* (Cambridge: Polity Press, 2018), 37–41, 63–65, 118–24, 165–67. [↑](#footnote-ref-52)
53. Merlin Swartz has argued that the term “humanist” can be applied to Ibn al-Jawzī on the basis of the “multidisciplinary perspective” displayed in his homilies and the fact that the disciplines he drew from—religion, literature, grammar, moral philosophy, and history—overlapped significantly with the subjects of the *studia humanitatis*. See Merlin Swartz, “Arabic Rhetoric and the Art of the Homily in Medieval Islam,” in *Religion and Culture in Medieval Islam*, ed. Richard Hovannisian and Georges Sabagh (Cambridge: Cambridge University Press, 1999), 39–40, 57 n. 29, and 58 n. 33. On this subject, Swartz takes his cue from George Makdisi’s scholarship which argues that the intellectual trends of scholasticism and humanism in Europe can actually trace their origins to the medieval Islamic Middle East. See George Makdisi, *The Rise of Humanism in Classical Islam and the Christian West, with Special Reference to Scholasticism* (Edinburgh: Edinburgh University Press, 1990), especially 173–93 on *waʿẓ* (rendered as “academic sermon”) as a genre of Muslim moral philosophy; idem, “Scholasticism and Humanism in Classical Islam and the Christian West,” *Journal of the American Oriental Society* 109, no. 2 (1989): 175–82. [↑](#footnote-ref-53)
54. Hankins, *Virtue Politics*, 536 n. 52. [↑](#footnote-ref-54)
55. Swartz, “Arabic Rhetoric and the Art of the Homily,” 40 and 56 n. 26. See also Chapter 4. [↑](#footnote-ref-55)
56. Ibn al-Jawzī, *ʿAṭf al-ʿulamāʾ ʿalā al-umarāʾ wa-l-umarāʾ ʿalā al-ʿulamāʾ*, ed. Ibrāhīm Bājis ʿAbd al-Majīd (Riyadh: Ibrāhīm Bājis ʿAbd al-Majīd, 2006), 29. [↑](#footnote-ref-56)
57. See Chapter 3. [↑](#footnote-ref-57)
58. Ovamir Anjum, “Political Metaphors and Concepts in the Writings of an Eleventh-Century Sunni Scholar, Abū al-Maʿālī al-Juwaynī (419–478/1028–1085),” *Journal of the Royal Asiatic Society* 26, no. 1–2 (2016): 15. [↑](#footnote-ref-58)
59. For a similar skeptical view of the court among certain circles of humanists, see Hankins, *Virtue Politics*, 138–41. [↑](#footnote-ref-59)
60. Ibn al-Jawzī, *Talbīs Iblīs*, 175. [↑](#footnote-ref-60)
61. Ibn al-Jawzī, *Ṣayd al-khāṭir*, 80, 166, 218, 286–88, 340, 345, 350, 378, 394–96, 462, 464, 468, 480. See also Van Renterghem, *Les élites bagdadiennes*, 1:298. [↑](#footnote-ref-61)
62. For example, ibid., 1:298–301, and Aḥmad al-Sirrī, “Ibn al-Jawzī wa-l-waʿẓ al-siyāsī,” *Kān al-tārīkhiyya* 7, no. 25 (2014): 181–97. [↑](#footnote-ref-62)
63. Ibn al-Jawzī, *Talbīs Iblīs*, 176. [↑](#footnote-ref-63)
64. I employ the term “scholar-preacher” in the sense of a preacher who possessed enormous intellectual breadth and was firmly grounded in the fields of Qurʾān, *ḥadīth*, and *fiqh*. Additionally, Ibn al-Jawzī deems knowledge of history (*tāwarīkh*), pious biographies (*siyar*), Arabic grammar (*ʿarabiyya*), and philology (*lugha*) to be necessary. See Merlin Swartz, ed. and trans., *Ibn al-Jawzī’s* *Kitāb al-Quṣṣāṣ wa’l-mudhakkirīn* (Beirut: Dār al-Mashriq, 1971), 24, 109–10 (English translation). For a treatment of audience responses to sermons, see Linda Jones, *The Power of Oratory in the Medieval Muslim World* (New York: Cambridge University Press, 2012), chapter 8. [↑](#footnote-ref-64)
65. Ibid., 89–106. [↑](#footnote-ref-65)
66. On the importance of combining “heart-softening narrations” (*raqāʾiq*) with one’s study of *ḥadīth* and *fiqh*, see Ibn al-Jawzī, *Ṣayd al-khāṭir*, 214–15. [↑](#footnote-ref-66)
67. His critique of al-Ghazālī’s Sufi leanings did not imply a total rejection of Sufism. As a number of studies have shown, Ibn al-Jawzī was inclined to Sufism and asceticism. See George Makdisi, “The Hanbali School and Sufism,” *Biblos (Coimbra)*, 46 (1970): 71–84; Āmina Muḥammad Naṣīr, *Abū al-Faraj b. al-Jawzī, 510-597 A.H.: ārāʾuhu al-kalāmiyya wa-l-akhlāqiyya* (Cairo: Dār al-Shurūq, 1987), 193–272; Merlin Swartz, ed. and trans., *A Medieval Critique of Anthropomorphism: Ibn al-Jawzī’s Kitāb Akhbār aṣ-Ṣifāt: A Critical Edition of the Arabic Text with Translation, Introduction and Notes* (Leiden: Brill, 2002), 14–16; Pascal Held, “Traces of Mysticism in Ibn al-Jawzī’s Thought; an Examination of His *Baḥr al-dumūʿ*,” *Journal of Islamic Studies* 31, no. 2 (2020): 141–72. [↑](#footnote-ref-67)
68. Ibn al-Jawzī, *Minhāj al-qāṣidīn wa-mufīd al-ṣādiqīn*, ed. Kāmil Muḥammad al-Kharrāṭ (Damascus: Dār al-Tawfīq li-l-Ṭibāʿa wa-l-Nashr wa-l-Tawzīʿ, 2010), 1:6–9. [↑](#footnote-ref-68)
69. In the introductory chapter of the *Minhāj*, Ibn al-Jawzī gives three reasons for his omission of certain material from the *Iḥyāʾ*: either (1) they consist of dubious *ḥadīth*s and reports; (2) are of little benefit to the reader; or (3) have already been mentioned in a previous section. See ibid., 1:7–8. Given Ibn al-Jawzī’s strict criteria of verifying *ḥadīth*s, one might argue that he omitted these *ḥadīth*sdue to their dubious origins. However, in his compilation of fabricated *ḥadīth*s, the *Kitāb al-Mawḍūʿāt*, written after the *Iḥyāʾ*, only one of the omitted *ḥadīth*s is listed, that is, the one related on the authority of Anas b. Mālik: “Scholars are the trustees (*umanāʾ*) of the messengers over those who worship God, as long as they do not mix with rulers. If they do so, they would have betrayed [the trust of] the messengers. Beware of [such scholars] and keep away from them.” See *Kitāb al-Mawḍūʿāt*, ed. ʿAbd al-Raḥmān Muḥammad ʿUthmān (Medina: al-Maktaba al-Salafiyya, 1966): 1:262–63. It is thus reasonable to conclude that he omitted the others because he found no benefit in them for the reader or that he disagreed with the message they conveyed. [↑](#footnote-ref-69)
70. Note that the second half of this *ḥadīth* is mostly similar in wording with the *ḥadīth* related by al-Fuḍayl b. ʿIyāḍ, mentioned in the *Iḥyāʾ*: “No man draws closer to a holder of power (*dhū sulṭān*) without becoming more distant from God.” [↑](#footnote-ref-70)
71. Ibn al-Jawzī, *Minhāj*, 1:404–5. [↑](#footnote-ref-71)
72. Other examples of works in this genre include al-Suyūṭī’s (d. 911/1505) *Mā rawāhu al-asāṭīn fī ʿadm al-majīʾ ilā’l-salāṭīn* (*What the Notables Have Transmitted about Not Going to the Rulers*) and ʿAlī al-Qārī’s (d. 1014/1606) *Tabʿīd al-ʿulamāʾ ʿan taqrīb al-umarāʾ* (*The Distancing of the Scholars from Proximity to the Rulers*). For an analysis of al-Suyūṭī’s treatise, see Christian Mauder, “Al-Suyūṭī’s Stance Toward Worldly Power: A Reexamination Based on Unpublished and Understudied Sources,” in *Al-Suyūṭī, a Polymath of the Mamlūk Period*, ed. Antonella Ghersetti (Leiden: Brill, 2017), 81–97. [↑](#footnote-ref-72)
73. It would have been written after the completion of *al-Miṣbāḥ al-muḍīʾ fī khilāfat al-Mustaḍīʾ*, a mirror for princes dedicated to al-Mustaḍīʾ, since it specifically mentions the *Miṣbāḥ* in one instance. Nājiya Ibrāhīm claims that the *Miṣbāḥ* was completed shortly after the oath of allegiance (*bayʿa*) was offered to al-Mustaḍīʾ in 566/1070, though the textual evidence she offers is quite sparse and inconclusive. The *terminus ante quem* of the *ʿAṭf* is easier to determine. The earliest certificate of transmission (*ijāza*) listed by the editor is dated the second day of Muḥarram in 577/1181, about a year after al-Mustaḍīʾ’s death. Even if the exact date of the *Miṣbāḥ*’s completion remains uncertain, this still leaves us with a ten-year time range corresponding to the period of al-Mustaḍīʾ’s reign. [↑](#footnote-ref-73)
74. Ibn al-Jawzī, *ʿAṭf*, 27. [↑](#footnote-ref-74)
75. Ibid., 29. [↑](#footnote-ref-75)
76. Ibid., 27–28. [↑](#footnote-ref-76)
77. D. Sourdel, C. E. Bosworth, and A. K. S. Lambton, “Ḥādjib,” in *Encyclopaedia of Islam*, 2nd edn. For the role of the *ḥujjāb* in late Abbasid Baghdad, see Van Renterghem, *Les élites bagdadiennes*, 1:220–22, 468. [↑](#footnote-ref-77)
78. Ibn al-Jawzī, *ʿAṭf*, 29. [↑](#footnote-ref-78)
79. (1) “Whoever resides in the desert becomes ignorant. Whoever follows the hunt becomes heedless. Whoever comes to the door of the ruler is tested. No worshipper draws closer to the ruler without becoming more distant from God.” (2) “Scholars are the trustees of the messengers over those who worship God, as long as they do not mix with rulers. If they do so, they would have betrayed [the trust of] the messengers. Beware of [such scholars] and keep away from them.” Ibid.,29–30. None of these *ḥadīth*s can be found in the *Kitāb al-Mawḍūʿāt*. [↑](#footnote-ref-79)
80. Ibid., 32–33. [↑](#footnote-ref-80)
81. Ibid., 45 and 50. [↑](#footnote-ref-81)
82. Ibid., 48. See also idem, *Minhāj*, 1:405–7; al-Ghazālī, *Iḥyāʾ*, 3:547–51. [↑](#footnote-ref-82)
83. Ibn al-Jawzī, *ʿAṭf*, 54. [↑](#footnote-ref-83)
84. Ibn al-Jawzī, *ʿAṭf*, 57. This statement echoes the Persian adage attributed to the Sasanian king Ardashīr, who is believed to have said to his son, “Know that kingship (*mulk*) and religion (*dīn*) are two brothers, the one cannot do without the other. For religion is the basis (*ass*) and kingship the guard (*ḥāris*). That which has no basis falls to pieces, that which is not guarded perishes.” See Noah Feldman, “The Ethical Literature: Religion and Political Authority as Brothers,” *Journal of Persianate Studies* 5 (2012): 95–127. [↑](#footnote-ref-84)
85. Ibn al-Jawzī, *ʿAṭf*, p. 57. [↑](#footnote-ref-85)
86. Ibid. A different interpretation of the verse is obtained in Ibn al-Jawzī’s work of Qurʾānic exegesis, *Zād al-masīr fī ʿilm al-tafsīr*, where “iron (*al-ḥadīd*)” is understood in a non-political sense as the anvil (*sindān*), pair of tongs (*kalbatayn*), and hammer (*miṭraqa*) with which God had sent Adam down to earth in order to facilitate his life there. See *Zād al-masīr fī ʿilm al-tafsīr*, ed. Muḥammad Zuhayr al-Shāwīsh (Beirut: al-Maktab al-Islāmī, 1984), 8:174. Ibn al-Jawzī’s political reading of *al-ḥadīd* as *al-sayf* in the *ʿAṭf* serves to underscore the two distinct spheres of political authority and religious authority. However, this political-religious distinction does not connote the modern Western understanding of the separation of church and state. As Rushain Abbasi argues, “it was a matter of differentiation rather than opposition.” For more on the differentiation between political and religious authority, see Abbasi, “Did Premodern Muslims Distinguish the Religious and the Secular?,” 214–20; quote at 221. [↑](#footnote-ref-86)
87. Ibn al-Jawzī, *ʿAṭf*, 57. [↑](#footnote-ref-87)
88. Ibid., 57–58. [↑](#footnote-ref-88)
89. Al-Ghazālī, *Iḥyāʾ*, 1:66–67; translated in Anjum, *Politics, Law, and Community*, 106. [↑](#footnote-ref-89)
90. Rapoport, “Royal Justice and Religious Law,” 94–95. [↑](#footnote-ref-90)
91. Anjum, *Politics, Law, and Community*, 30, 242–43. [↑](#footnote-ref-91)
92. Ibid., 248–49. [↑](#footnote-ref-92)
93. Ibid., 268–71. [↑](#footnote-ref-93)
94. Ibn al-Jawzī, *Talbīs Iblīs*, 191. [↑](#footnote-ref-94)
95. Writing a century before Ibn al-Jawzī, al-Juwaynī also envisioned a political role for scholars. But in al-Juwaynī’s political thought, the scholars’ political role only comes into the picture when no minimally qualified imam can be found. When a qualified imam is in power, the scholars should play a consultative role. Even then, al-Juwaynī’s ideal political arrangement is one in which the imam is self-sufficient and independent in discharging his duties rather than relying on others. See Sohaira Z. M. Siddiqui, *Law and Politics under the Abbasids: An Intellectual Portrait of al-Juwayni* (New York: Cambridge University Press, 2019), 247–48, 257–62. [↑](#footnote-ref-95)
96. Anjum, *Politics, Law, and Community*, 9. [↑](#footnote-ref-96)
97. See Ibn al-Jawzī, *Ṣayd al-khāṭir*, 339–40, where he encourages scholars to mix with those who are above them in terms of knowledge and action but advises them against mixing with laypeople unless the goal is to educate and admonish them. For a discussion of his elitism in theological matters, see Livnat Holtzman, *Anthropomorphism in Islam: The Challenge of Traditionalism (700–1350)* (Edinburgh: Edinburgh University Press, 2018), 166–69. [↑](#footnote-ref-97)
98. Although Ibn Taymiyya was well acquainted with Ibn al-Jawzī’s works, there is hardly any evidence of him drawing from Ibn al-Jawzī’s political discourses. Therefore, rather than claiming that Ibn Taymiyya’s *al-siyāsa al-sharʿiyya* approach to politics was influenced by Ibn al-Jawzī, we can only conclude that he was perhaps drawing on a cluster of political discourses of which Ibn al-Jawzī was but one representative. [↑](#footnote-ref-98)