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THE POLITICAL THOUGHT OF THE ASH'ARITES
WITH SPECIAL EMPHASIS ON IMĀM AL-HARAMAYN

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Submitted in partial fulfillment for the requirements
of the degree of Master of Arts
in the Department of Political Studies
and Public Administration of the
American University of Beirut
Beirut, Lebanon
May, 1967

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CHAPTER I

INTRODUCTION

This paper deals with the political thought of the Ash'arites with special emphasis on the doctrine of the imamate of Imām al-Ḥaramayn al-Juwayni.

The doctrine of the imamate is the crux of Islamic political theory. Islam, in the eyes of the believers, is much more than a theological system; it embraces every aspect of human life. Theoretically it acknowledges no dichotomy of religion and state. Unlike Christianity it came into being in a relatively anarchic environment. Politics has become part and parcel of Islam as a way of life. Politics has become the dominant factor in the history of Islam; it was responsible for ~~the~~ dividing the community of the believers into more than seventy sects. The dispute over the question of the imamate was the first ever experienced by the ummah and the biggest, for never in Islam swords were drawn on a religious question more than those drawn on the imamate.¹

The doctrine of the imamate is based on the assumption that Islamic teaching is impossible without an instrument

1. al-Shahrastāni, al-Milal wa al-Nihal (Cairo: 1317 A.H.), I, 21-22; Abu al-Ḥasan al-Ash'ari, Kitab Maqālāt al-Islāmiyyin wa Ikhtilāf al-Musallīn, ed. Hellmut Ritter (2nd. ed.; Wiesbaden: 1963), p. 2.

to translate it from potentiality into actuality. The religious teaching presupposes a power with a mission to implement the Sacred Law within the ummah, to protect its frontiers, to promote internal stability, and to enlarge the abode of Islam as far as possible. It is the duty of Muslims to make their religion supreme in the world, because it represents the last and the most perfect revelation.

The assumption upon which the whole theory is erected, that there must be an instrument, in the sense of governmental institution to implement Islamic Law into reality, was subjected to revision. In the contemporary world, Islam remains one of the largest religions of the world, though the Imamate or the Caliphate has been absent at least since its dissolution at the hands of Kamal Attaturk in 1924. In fact it is possible to consider the Caliphate to have ended with Hulagu's devastation of Baghdad in 1258. Whether Muslims living without a proper religious authority should be described as "living in sin" is not even an issue. The force of Islam as a religion and the continuity of the Islamic community are a reality.

Insisting on the idealism of Islam, in the sense that there should be an Islamic government, a sort of yard-stick for the Muslim~~s~~ to measure his conduct by, only confuses the one who expects it.

The experience of various Sufi Brotherhoods who have succeeded in establishing autonomous organizations shows

that it is possible for an Islamic community to live without an Imam. Whether the idealism of Islam could be restored under various banners, such as reform, reconstruction, revitalization, is beyond the scope of this paper. The subject of this paper is descriptive, not normative.

The Ash'arites were basically mutakallimūn, the upholders of 'ilm al-kalām, the science of scholastic theology. They became interested in the doctrine of the imamate, because they regarded it an important office, though not an article of faith. The discussion of the imamate is usually placed after the discussion of the prophecy. The word khalīfah itself is not other than the abbreviation of khalīfat Rasūl-Allāh, the vicegerent of God's Messenger.

In spite of negative conclusions reached by some scholars¹ on the role played by the Ash'arites in Islamic history, the fact remains that Ash'arism has been accepted by many Muslims as the only "sect of salvation".²

The Māturīdites, who had waged campaigns against al-'i'tizāl with the Ash'arites, could not match the influence of the Ash'arites.

The Ash'arites have provided the Sunni world with a number of political writers who sought a religious solution

1. See for instance George Makdisi, "Ash'ari and the Ash'-arites in Islamic History", Studia Islamica, XVII, 37-80, and XVIII, 19-40.

2. al-Dāwānī, Sharh al-'Aqā'id al-'Adadiyah (Cairo: "n.d."), p. 6.

to the turbulent condition of their time. These writers felt that it was their duty to defend the only legal imamate, the Sunni. They defended the status quo against the Shi'ite onslaught and internal dissention. What they achieved was the formulation of the first political theory in Islam. Despite occasional inadequacies found at the basis of their theory leading to "the collapse of the whole theory",¹ the theory remains the first coherent body of political thought in Islam. The exposition of the doctrine of the imamate by one of the Ash'arites, al-Māwardi in his al-Ahkām al-Sultāniyah, became so famous as to be regarded mistakenly as the final authoritative Sunni theory of the caliphate.

Imām al-Ḥaramayn was an important link in the development of the political thought of the Ash'arites. His choice as a starting point in the discussion of political thought of the Ash'arites is basically arbitrary but it is justified on the following grounds:

First, because little attention was focused on him. Works concerning his life and his works are scarce. The scarcity of material is the main stumbling-block in conducting a satisfactory research. Since his Ghiyāth al-Imam² is not

1 H.A.R. Gibb, Studies on the Civilization of Islam (Boston: Beacon Press, 1962), p. 142.

2. Brockelmann, G.A.L., Suppl., I, p. 673.

available^{to us}, the exposition of his doctrine of the Imamate has been mainly based on his chapter on the Imamate in al-Irshād.¹

Second, though his dealing with the Imamate in this chapter is to expound the general principles of the Imamate and to distinguish the questions based on religious texts from those derived from juridical interpretation,² there is still opportunity to perceive new twists provided by him to the political thought of the Ash'arites. His opinion on the Imam, whether he should be from Quraysh or not, illustrated clearly the new angles provided by Imām al-Haramayn, and at the same time illustrated the impact of political conditions upon his political thought.

Third, the choice of Imām al-Haramayn was based on the fact that he lived in a transitional period as far as the fortune of the Ash'arites was concerned. He suffered the persecution of 'Amīd al-Mulk al-Kundūri, the Vizier of the Seljuqi Sultan Tughril Beg, took refuge in Mecca and Medinah, from where he obtained his honorary title Imām al-Haramayn, the ^{Imām} ~~leader~~ of the two Sanctuaries. He survived this persecution, and was assigned to top position as a professor in the newly created Nizāmiyah College by Nizām al-Mulk. He was the main exponent in the war waged by Nizām al-Mulk to defend the Sunni Imamate. He was assigned to be the vanguard

1. al-Irshād, (ed. M. Yūsuf Mūsā, Cairo: 1950), pp. 410-434.

2. Ibid., p. 410: wa numayyiz al-mujtahadāt 'an al-qat'iyāt.

of the ideological flank, with a duty to defend the status quo under the banner of Ash'arism.

It is the thesis of this paper that political theory in Islam, or the doctrine of the Imamate, has been the justification post eventum of the practices of the Ummah. This theory has been formulated in the light of various situational factors, such as political, social and intellectual conditions.

The arrangement of topics of the doctrine of Imamate proper, is that of Imām al-Ḥaramayn, except when he abstains in a particular topic. The method of presentation is to state the view-point of Imām al-Ḥaramayn as a starting point (if he has any opinion on that particular subject) and to proceed to the historical development of the idea. Though the exponents of the Ash'arites were numerous, the comparison is to be limited mainly to al-Ash'ari, al-Bāqillāni, al-Baghdādi, al-Māwardi, and al-Ghazzāli. The comparison, as far as the clarity of presentation is concerned, could surpass the border of Ash'arism into other political thought in the domain of Islamic history. Due to similar lines of thought, the comparison seems to be repetitive.

CHAPTER II

THE ASH'ARITES

The Ash'arites were a group of people who emerged in Islamic history to defend the religion from extremism. Their middle-of-the-road approach to the problems, which Muslims encountered in the development of their thought, has acquired approval on the part of the Sunni. This approach - to be referred to hereafter as Ash'arism - has constituted the mainstream of Islamic way of thinking. Its influence on contemporary Islam is still great.

One of the characteristics of Ash'arism is its moderation in solving problems, its reluctance to take decisive stand on controversial issues (yet not to withdraw from encountering problems). At a time when one of the extremist groups was on the winning side, supported by the state, while other groups were persecuted mercilessly, a call to moderation, an invitation to the middle-of-the-road course, was welcome. Ash'arism played this role so well that for centuries it has become the largest school of Muslim theology.¹

The two extreme points of view were those of the Mu'tazilites, who advocated the use of reason, and the Hanbalites,

1. Richard J. McCarthy, S.J., The Theology of al-Ash'ari (Beirut: Imprimerie Catholique, 1953), p. xi. This book contains the Arabic texts of al-Ash'ari's Kitāb al-Luma' and Ri-sālat Istihsān al-Khaud fi 'Ilm al-Kalām, and their English translations; cited hereafter as Theology.

who championed a literal interpretation of religious texts. The Mu'tazilites were the upholders of free-thinking and rational approach to religious problems. They rendered great service to Islam by providing Islamic thought with a set of answers to questions that were raised by Christian and Hellenistic philosophies. The Mu'tazilites were the first group in Islam to acquaint themselves with those questions and tried to defend the interests of Islam.

The problem arose when they forced their way in the use of rational arguments so far as to be regarded by the Islamic orthodoxy as infringing upon the religious Law. They called themselves "the people of justice and unity", in the sense that they were the upholders of the notion of divine justice and the unity of God. They believed that the Qur'an is created. The "uncreatedness" of the Qur'an, they reasoned, would eventually lead to the existence of another eternal being beside God, hence in direct conflict with the exigency of the "oneness" of God.

Ahmad bin Hanbal was the founder of one of the four recognized schools of jurisprudence in Sunni Islam. He insisted upon literal interpretation of the Qur'an. He interpreted God's attributes anthropomorphocally.

The struggle against rationalism, described by Professor Wensinck as "a heroic war", was conducted in the second and third centuries A.H.¹ The victory of the Ash'arites who

1. A. J. Wensinck, The Muslim Creed (Cambridge: The University Press), p. 83.

constituted the orthodoxy of Islam did not prevent them from taking the weapons of the enemies for further defense. As vividly depicted by Wensinck: "The victory was won by orthodox Islam which finally took possession of the dogmatic fortresses of the enemy. Yet it could not refrain from making use of the weapon found there."¹

In defining the Ash'arites, al-Ghazzāli in his Ihyā' says: "One of the parties, trying to follow a middle way, opens the door of allegorical interpretation regarding all that is related to the qualities of Allah; where as they take in the literal sense the descriptions of the last things, which they do not allow to be interpreted allegorically. These are the Ash'arites."² According to Al-Ghazzāli, a great exponent of Ash'arism, the main distinctive feature of this school is the middle way course, and the use of allegorical interpretation or rational argument in its proper place. This was in contrast with the Hambalites who refused a priori to use reason; Ash'arism is ready to use reason moderately.

These characteristics have been the main factors that made it the official representative of orthodox Islam. Ash'arism "sought to adopt the mean between several groups of extremes."³

1. Ibid.

2. Ibid., p. 100.

3. Ibid., p. 106.

"Orthodoxy" in Islam is the set of beliefs held by the majority of Muslims.¹ Ash'arism had succeeded in making itself the mouthpiece for the mainstream of the believers. Unlike Mu'tazilism which had molded itself into a sort of "elitism", Ash'arism, together with Māturīdism, have succeeded in maintaining "close touch with the opinions and feelings of the majority."² The Mu'tazilites failed completely because they "were too remote from popular feeling and were even inclined to regard as unbelievers the ignorant and illiterate majority of those who professed Islam."³

The importance of following the way of the majority could be perceived in the fact that the Qurān itself attached great importance to it.⁴ The most significant proof of this is the fact that the consensus of the community is regarded as the third source of Islamic Law, after the Qurān and the prophetic tradition. Indeed, the consensus should be rightly regarded as the continuation of divine guidance and revelation, after direct communication has been terminated by the death of the Prophet. The infallibility of the consensus of the Muslim community has been guaranteed by the Prophet himself.⁵ The success of the Ash'arites in associating themselves with

1. Joseph Schacht, "New Sources for the History of Muhammadan Theology, "Studia Islamica, I (1953), p. 36.

2. Ibid.

3. Ibid.

4. Qurān: IV, 115 and II, 143.

5. Ibn Mājah, Fitan, p. 8; Lan tajtami' ummati 'ala dālālah.

the majority of the ummah could be interpreted only as their success in gaining the legitimacy, so far as the true representation of the Islamic teaching is concerned.

The discussion of various secterian groups in Islam and the determination of which one represents the true Islamic teaching has been centered around a prophetic tradition saying that the Muhammadan followers shall be divided into seventy-three groups, all of them will be in the Hell, except one. Asked which one is the fortunate group, the Prophet answered: "Those who follow ~~my~~ way and the way of my Companions." In another version the Prophet answered that the "sect of salvation" is "the majority" (al-jamā'ah).¹

One word of caution is the fact that the line of demarcation between these groups is not drawn along the schools of jurisprudence, who differed in the branches of jurisprudential questions while they were in agreement on the basic religious principles. The lamented groups described by the Prophet are "the groups with mis-led intentions who contradicted the sect of salvation on the question of justice and unity," and other theological subjects. Among these subjects is the question of prophecy and its conditions.²

1. Al-Baghdādi, Kitāb al-Farq bayn al-Firaq, ed. Muhammad Badr (Cairo:1910), p. 4; al-Dawani, Sharh al-Agāid, p. 6; al-Īji, al-Mawāqif (Cairo: 1907), VIII, 400; Ibn al-Jawzi, Talbīs Iblīs (Cairo: 1340), pp. 7-8.

2. al-Baghdādi, Loc. Cit., pp. 6-7.

In short, the line of demarcation is drawn along the border of scholastic theology.

The Ash'arites are used to be regarded as "the sect of salvation" mentioned by the Prophet.¹ The reason~~ed~~ for this is the fact that the content of that particular tradition gives us the impression that they are the ones intended.² They rely in their beliefs on sound traditions, and never go beyond the overt meaning of those traditions, save in compulsory cases, and they never give full freedom to their reasoning, like those Mu'tazilites.³

Another question on which the Ash'arites chose the middle-way is the question of human ability and power. The Mu'tazilites, defending the justice of God, said that man has the power to choose, and on that basis, he deserves reward or punishment. The Jabarites on the contrary said that man is compelled in his action. The Ash'arite position is that man "acquires" his action while the acquired action itself is created by God.⁴

The Ash'arites regarded that there is no contradiction between reason and religion.⁵ Al-Ghazzāli claimed that God has chosen the cream of his creatures and they are "the

1. Ibid; cf. Sulaymān ibn 'Abdullah ibn Muhammad ibn 'Abd al-Wahhāb, Kitāb al-Taudīh 'an Tawhīd al-Khallāq fi Jawāb Ahl al-'Irāq (Cairo: 1319), pp. 7-8.

2. al-Dāwāni, Sharh al-Aqāid, p. 6.

3. Ibid.

4. Majid Fakhry, Ibn Rushd: Failsūf Qurtubah (Beirut: Imprimerie Catholique, 1960), p. 30; al-Shahrastāni, I, 125.

5. al-Ghazzāli, al-Iqtisād fi al-'Itiqād (Cairo: n.d.), p.2.

people of truth and tradition". They differed from the rest of the Islamic sects, because they have the characteristics of benevolence (al-lutf) and mercy (al-minnah). These chosen people have been guided by God with the light of His guidance, and by that they discovered the realities of religion. Their tongues speak in such a way as to crush the misdeeds of the unbelievers.¹ They regard those who follow blindly the practices of their fore-fathers and outward realities as short-sighted.² On the other hand, to rely excessively on reason to the extent to contradict the overt rules of the Sacred Law, such as practiced by the Mu'tazilites and the philosophers, is only the practices of the people with bad conscience.³ The Ash'arites follow the middle-course. Their unavoidable duty, so far as the principles of beliefs are concerned, is to follow the way of economy and moderation, and to stick to the righteous way.⁴

On the question of the attributes of God, they "avoided the extremes of ta'til and tashbih." They were "inspired by God to defend the Sunnah by rational arguments" and wanted to become "the rallying point and mainstay of the Muthbitūn."⁵ In short, they "affirmed of God what God affirmed of Himself,

1. Ibid.

2. Ibid.

3. Ibid.

4. Ibid.

5. McCarthy, Op. Cit., p. 148; al-Dāwāni, Sharh al-Agāid, p. 41.

and denied God that which unworthy of Him."¹

The man after whom this scholastic theological school takes its name is Abu al-Ḥasan 'Alī ibn Ismā'īl as-Ash'ari. He was regarded as one of the offsprings of Abū Mūsā al-Ash'ari, the well-known ^{arbitrator} ~~by~~ ~~after~~ the battle of Siffin.² Al-Shahrastāni mentioned a few instances in which the opinion of Abu al-Ḥasan coincided with that of Abū Mūsā.³

His critics have been trying to prove that Abu al-Ḥasan "got his name through genealogical error."⁴

The life of al-Ash'ari has been very little studied. He was born in Basrah (260/873-4) "in a period of revolutionary ardour, when the Zaydites and Carmathians were in revolt and the Mu'tazilites were intensifying their campaign."⁵

What is current is the fact that until he was forty he was an enthusiast follower of al-'i'tizāl. He was a zealous pupil of one of the most renowned Mu'tazilite teachers, al-Jubā'i.⁶ He was a brilliant student and seldom he left his teacher. Al-Ash'ari was sent by his teacher to debating forums, where he exposed the Mu'tazilite point of view so

1. McCarthy, op. cit. p. 148.

2. Ibid., p. 150.

3. al-Shahrastāni, al-Milal, I, 119.

4. McCarthy, op. cit., p. 150.

5. K.D. Bhargava, A Survey of Islamic Culture and Institutions (Allahabad: Kitab Mahal, 1961), p. 202.

6. McCarthy, op. cit., p. 150.

well as to be regarded the potential successor of his teacher.¹

The story concerning his conversion from Mu'tazilism into the defense of ahl al-sunnah wa al-jamā'ah was told in different versions. The most unsympathetic narration is the story saying that he abandoned Mu'tazilism, because he found in a son of al-Jubā'i a powerful rival in reaching his ambition, leadership of the Mu'tazilites.²

Another story is that during one debate he failed to defend the viewpoint of his school. "I have done nothing wrong," said he. "My opponent has triumphed over me and explained the argument and reduced me to silence. He is more deserving of your favor than I am."³ After this incident he changed his belief.

Yet there is another story in which the real cause was his dream.⁴ Al-Ash'ari said: "One night there occurred to my mind a dogmatic question which has been occupying me. So I rose and prayed two rak'as, and, after asking God to guide me along the straight path, I felt asleep. While I slept I saw the Apostle of God, and I complained to him about the matter which was perplexing me. And the Apostle of God said: 'You must hold fast to my Sunna!' Then I awoke and I compared the theses of kalām with that I found in the Qurān and the tradition, and I affirmed the later and cast all else away."⁵

1. Ibid., p. 155.

2. Ibid.

3. Ibid.

4. Wensinck, op. cit., p. 67.

5. McCarthy, op. cit., pp. 150-151.

There are also several stories concerning the way he made his conversion public.¹ One of the typical stories goes like this:² "Before we had noticed it, one Friday, al-Ash'ari suddenly ascended the pulpit of the mosque in Basra after the Friday prayer. With him he had a palm rope which he tied down around his middle. Then he cut it and said: 'Be ye my witnesses that I have not been following the religion of Islam, and that I now embrace Islam, and that I repent of the Mu'tazilite views which I held.' Then he came down."

Professor Wensinck believes that the main cause of his conversion is the feeling that "Islam, in following the way of the Mu'tazilites, was going to ruin. If this be so, we may suppose that his first reaction was so passionate that it made him reject not only the Mu'tazilite views, but also their methods."³

Mu'tazilism, in its endeavor to defend Islam, has been influenced by Christian thought and Greek philosophy.⁴

During the period of mihnah, where the Mu'tazilites sought to convert other Muslims to their points of view, if necessary through persecution, al-Ash'ari continued to preach

1. Ibid.

2. An account by 'Abdullah al-Hamrāni; McCarthy, op. Cit. p. 152.

3. Wensinck, op. Cit., p. 93.

4. The influence exerted by Christian thought and Greek philosophy upon the position of the Mu'tazilites was treated in the introduction of Elder, Commentary....., especially p. xiv.

his beliefs against the Mu'tazilites, "wrote against them and sought them out to dispute with them."¹

It seemed that he never served as a government employee or a public servant. He lived "on income from an estate which had been bequeathed to his descendants by his grandfather, Bilal b. Abi Burda b. Abi Musa al-Ash'ari. His yearly expenditure amounted to seventeen dirhams."²

Physical description available depicted him as "virtuous, handsome, and zealous," with pleasant voice.³

He was claimed by the four recognized schools of jurisprudence in Sunni Islam: Shāfi'ite, Mālikite, Hanafite and Hanbalite. Though he was known as belonging to the Shāfi'ite school, al-Māyurqi said he was a Mālikite.⁴ Still others claims he was a Hanafite.⁵

The most impressive claim, though not convincing, is by the Hanbalites. They recognized that al-Ash'ari before his conversion was an ardent champion of Mu'tazilism. But his conversion was not into Ash'arism, but, it is said, he returned to the right path and became a follower of Imam

1. McCarthy, Op. Cit., p. 163.

2. Ibid., p. 140.

3. Ibid., p. 170.

4. Ibid., p. 163.

5. Ibid.

Ahmad ibn Hanbal. That he defended the path of Ahmad was clear from his writings in al-Ibānah and Maqālāt.¹ On the basis of this conviction, the Hanbalites were of the opinion that "the sect of salvation" mentioned by the Prophet is not the Ash'arites, because they did not return from their mistake as al-Ash'ari did.² The claim goes on to say that the real cause of al-Ash'ari's fame and celebrity, preferred by the majority of the Muslims, is his association with the Hanbalites.³ They also claimed that al-Ash'ari took lessons from various Hanbalite teachers.⁴

Little is known about his life, except that he spent most of his life in Baghdad and died there circa 324/935-6.⁵

His influence in the domain of political thought is significant. His theological school was not very famous during his life-time. Only later, especially under the leadership of al-Bāqillāni (d. 403/1013)⁶ did it begin to spread in the Islamic world.

1. al-Dawāni, Shāh al-Aqā'id, p. 38.

2. Ibid

3. Ibid.

4. Ibid.

5. McCarthy, Op. Cit., p. 140.

6. For the most recent work on al-Baqillāni, see Yusuf Ibish, The Political Doctrine of al-Baqillāni, (Beirut: A.U.B., 1966.).

Al-Ash'ari's name is mentioned with praise and appreciation. Ibn 'Asākir quoted prophetic traditions about the coming of al-Ash'ari. He mentioned him also as a reformer (mujaddid). "God will indeed send to this community at the beginning of every hundred years a man who will renew for it its religion." Ibn 'Asakir mentioned his name in the same breath with that of 'Umar ibn 'Abd al-'Azīz, al-Shāfi'i, Ahmad ibn Ḥanbal, and others.¹

In general, the history of Ash'arism as a school has been very little studied.² Even about the founder of this school, "it is only in comparatively recent years that scholars have come to know much about al-Ash'ari."³ Knowledge about him is still far from satisfactory, "and it seems unlikely that we shall ever know in full, sharp detail, either the man or his thought."⁴

The Hanbalites in proving that al-Ash'ari belonged to their school of jurisprudence have tried to differentiate between al-Ash'ari and the Ash'arites. In the discussion on "the sect of salvation", the Hanbalites have claimed that, while al-Ash'ari himself was saved because he was one of them, they denied that the Ash'arites were saved. The Ash'arites,

1. Ibid., pp. 156-57.

2. Wensinck, "Abu 'l-Hasan al-Ash'ari", Shorter Encyclopaedia of Islam, eds. H.A.R. Gibb and J.H. Kramers (Leiden & London: 1961), pp. 46-47.

3. McCarthy, Op.Cit. p. xi.

4. Ibid.

who have indulged deeply in rational argument, have never returned to the straight path as al-Ash'ari did.¹

The works of the Ash'arites, numerous and outstanding as they are, indicate that the Ash'arites are the true disciples of al-Ash'ari. They said that what they have done was not more than elaborating, deepening, and systematizing the teachings of al-Ash'ari. Imām al-Haramayn has proved that that al-Ash'ari was a mutakallim, and not a Hanbīlite theologian.² Imām al-Haramayn "spoke highly of al-Ash'ari's service to truth and religion and of his putting to flight the forces of error and heresy."³ When al-Bāqillāni was told that his kalām was better than that of al-Ash'ari, he retorted: "By God! The best of my circumstances is that I understand the kalām of Abu al-Hasan."⁴

The main cause for those who sought to distinguish al-Ash'ari and the Ash'arites is the ambiguous position taken by al-Ash'ari so far as the tradition and reason are concerned. He was a revolt against the kind of rationalism promoted by the Mu'tazilites. The other side of the fence constituted the trend of traditionalism which sought to stick to tradition, and, in effect, refuted the use of reason per se.

1. al-Dawāni, Sharh al-Aqā'id, p. 38.

2. Wensinck, The Muslim Creed, p. 93.

3. McCarthy, op.cit., p. 169.

4. Ibid., p. 165.

In various versions of his dreams and his conversion from al-'i'tizāl, it was emphasized that he should return to the Qurān and the Sunnah. The works of the Ash'arites, claimed to be the further elaboration of the thinkings of al-Ash'ari, depicted him as the man who used rational argument to a noted degree, although this was taken in order to defend the beliefs of ahl al-sunnah wa al-jamā'ah, meaning to defend the Qurān and the tradition itself.

The only means available to make clear this ambiguity is his works. Although his works had a wide circulation after the year 300/912-3, they could not give us a clear-cut answer to this problem. His works contain differences in style and method as far as the use of reason is concerned. Of his famous books, the Ibāna and the Luma', the former is much more traditionalist than the latter.¹ The Ibāna is regarded as a "conciliatory gesture" to the Hanbalites. From methodological point of view, Maqālāt is regarded as unique in itself, a pattern to be followed later by the writers of successive generations, such as al-Baghdādi, Ibn Hazm, and al-Shahrastāni.² Ibāna is also regarded as "the fore-runner" of larger works by well-known theologians such as al-Ghazzāli, al-Baidāwi, al-Īji, and al-Sanūsi.³

The answer to this controversial problem lies in the

1. Ibid., 232.

2. Wensinck, The Muslim Creed, p. 3.

3. Ibid., p.

fact that al-Ash'ari, as a pioneer, did not want to take side between rationalism, represented by the Mu'tazilites, and traditionalism, constituted by the Hanbalites. Al-Ash'ari saw in both schools extremism incompatible with the moderation preached by Islam.¹

However, the spread of Ash'arism came later, at the time of one of the most celebrated Ash'arite, al-Bāqillāni. Participating actively in the politics of his time, he was sent abroad as ambassador. Until the time of al-Bāqillāni, Ash'arism and the adherents of sunnah remain in seclusion. After him, Ash'arism spread east and west and become victorious even at the capital itself.² Mālikite in mazhab, al-Bāqillāni was in close relationship with the Hanbalites, despite the fact that al-Ash'ari and most of his followers were Shāfi'ites.

The struggle against the Mu'tazilites in particular and the other sects in general, was not short and easy. It was a long and a difficult one, influenced by various situational factors, such as political, social and intellectual. This long and hard struggle has led to a chain of brilliant thinkers and writers, who devoted their lives to the cause of Ash'arism. The emergence of al-Ash'ari was considered as the proclamation of the end of the dominance of Mu'tazilism.

1. Ibid., p. 92; Qur'an: II, 143.

2. McCarthy, op. cit., p. 202.

His relationship to the Mu'tazilites could be described "like that of a scriptuary who embraces Islam and exposes the defects of what he has abandoned and becomes the fiercest foe of Ahl al-Dhimma. Just so did al-Ash'ari become the fiercest foe of the Mu'tazila, who took to reviling and calumniating him."¹

What was the real contribution provided by al-Ash'ari to the development of Islamic thought in general? Some scholars are of the opinion that al-Ash'ari had come with nothing new. Some related his school to "orthodox Mu'tazilah", who were "the men who employed a speculative method of reasoning, while sharing many of the opinions of the Traditionalists." These orthodox Mu'tazilah were the "fore-runners" and even the true founders of Ash'arism. Al-Ash'ari himself counted little in this.²

But the lack of novelty on the part of al-Ash'ari has proved to be an asset rather than an obstacle in making him the champion of ahl al-sunnah wa al-jamā'ah. It was said that "he was not the first mutakallim in the tongue of ahl al-Sunna. He simply followed the sunan of others and championed a well-known body of beliefs. His own contribution to that mazhab was by way of argument and exposition; but he introduced no new doctrine of his own, nor any belief peculiar to himself."³

1. Ibid., pp. 151-152.

2. Schacht, op. cit., pp. 33-34.

3. McCarthy, op. cit., p. 163.

But it was exactly the "way of argument and exposition" that made him accepted by ahl al-sunnah as their Imam in theological matters. He was described by ahl al-sunnah as "a drawn sword" against Mu'tazilah and other heretical adversaries.¹

1. Ibid., p. 161.

CHAPTER III

IMĀM AL-HARAMAYN

Imām al-Haramayn was born in a period of political disunity. The Caliph in Baghdad had lost most of his powers. At the time of Imām al-Haramayn, there were ^{more than} three authorities to whom the Islamic community gave its loyalty. ~~In Spain there were the Umayyads who had built a state prosperous enough to challenge the Abbasids.~~ Egypt was ruled by the Shi'i Fatimid Caliphate. The Shi'ites regarded the caliphs after the Prophet as usurpers believing that the imamate should be invested in 'Ali and, after him, in the male-members of his family.

In the capital itself the disintegration process was proceeding rapidly. The Buwayhids who controlled Baghdad had reduced the caliphs to mere puppets in their hands. They preferred not to dethrone them because it meant they had to invite a member of the House of 'Ali to be a Caliph-Imam and to give him complete control. They were Persians by origin, and had no kinship whatsoever to the House of 'Ali. Besides, the Persians always had some pride in the lost grandeur of their Persian culture and political power.

The majority of the population, the main source of their income through taxation, were Sunnis. Establishing a Shi'ite

Caliphate would mean to invite unnecessary troubles, while there ^{were} too many to be faced, such as the challenge of rival military commanders in the provincial areas, the in-fighting or family quarrel between the Buwayhids themselves. They were content with their position in which ~~they could~~ they could exercise absolute power in the name of the Caliph.

At the time Imām al-Ḥaramayn was born, the 'Abbasid Caliph was al-Qādir, described by Ibn Ṭaqṭiqa as one of the best of the Abbasid Caliphs.¹ In fact his achievements were very limited, though his tenure was rather long. He had succeeded in slowing down the deterioration process. He succeeded also in asserting some of the power of the Caliph, by marrying a daughter of a Buwayhid prince.

The complete name of Imām al-Ḥaramayn is 'Abd al-Mālik ibn 'Abdullah ibn Yūsuf ibn Muhammad ibn 'Abdullah ibn Ḥayawayh, al-Juwayni, al-Nisābūri, Imām al-Ḥaramayn, Abu al-Ma'āli, son of Sheikh Muhammad.²

He was born in the village Bushtanīkan, near Nisābūr, on the 18th Muharram 419/12th February 1028. Subki, in his Ṭabaqāt, devoted not less than thirty-two pages to elaborate on his life and his standing. In these pages Subki wrote the biography of Imām al-Ḥaramayn, a short one but the longest known. Subki mentioned his important characteristic as a

1. Ibn Ṭaqṭiqa, al-Fakhri (Cairo: 1962), p. 233.

2. Tāj al-Dīn al-Subki, Ṭabaqāt al-Shāfi'iyyah al-Kubra (Cairo: 1323-1324), III, p. 249.

leading figure among the Sunni jurists and theologians. Imām al-Ḥaramayn was described as eloquent in public speaking, articulate in public debate and in possession of vast knowledge. Subki defended him from his critics. It is obvious that Subki admired Imām al-Ḥaramayn.

On the basis of his account on Imām al-Ḥaramayn, it is mentioned that if there is anything to be called "prenatal education" Imām al-Ḥaramayn experienced it. His father had been bringing him up "even before he was born". Long before he got married, Sheikh Muḥammad had been endeavoring to lead a decent life, by following the teachings of the religion. He ate only the product of his toil and had been very careful to avoid anything forbidden. Then he chose a good wife and future mother whom he kept in a state of religious cleanliness. When a child was born, the father gave special attention to his nourishment so that no forbidden thing ever entered his stomach. He was very angry when he discovered that the child had sucked a few drops of another woman's milk. He held the boy head over heels and shook him in order to cleanse his stomach. Not satisfied with this, he stuck his finger down the throat of the child to make him vomit. He said: "It is easier for me if he dies rather than spoil his character by drinking milk other than his mother's." When the child became an influential professor later on, he told this story to his class with a touch of pride.¹

1. Ibid.; Ibn Khallikān, Wafayāt al-A'yān (2 vols.; Cairo: 1275), I, pp. 361-62.

He received his primary education from his father, who was renowned at that time for his knowledge and piety. His father was delighted to find in his son both ability and character and a seriousness in study. He read all his father's works, understood the content and even made additions here and there. The son was soon recognized as a mujtahid.

When he was twenty years old, his father died. He was given his father's chair as professor at a school in Nisābūr. He continued to study certain subjects, such as the principles of jurisprudence, which he took from Abu al-Qāsim al-Isfarayni at the Bayhaqi School.¹ Abu al-Qāsim was the disciple of Abu Ishāq al-Isfarayni, who took his knowledge from Abu al-Ḥasan al-Bahili, who in his turn was a disciple of the great mutakallim Abu al-Ḥasan al-Ash'ari.² Thus Imām al-Ḥaramayn was an indirect disciple of al-Ash'ari. As the events showed, he was one of the staunchest upholders and defenders of Ash'arism.

Debate was the fashion of the day, and Imām al-Ḥaramayn was articulate in it. These debates were usually held at the courts of the monarchs or local amirs, who were anxious to patronize experts in various fields. This tradition was a decisive factor in making this period of Islamic history the most fruitful and productive in scientific achievement.

1. Ibid.

2. Ibid.

The introduction of Hellenistic philosophies and existence of partial translations of the works of prominent philosophers such as Plato and Aristotle made the debates lively.

When Imām al-Ḥaramayn was on the losing side, pressure from the Seljuqi government¹ compelled him to abandon his native-town, for the first time in his life. He went to Mu'askar, near Baghdād, and after that to Baghdād itself. Baghdād made Imām al-Ḥaramayn more famous than before, where he had the opportunity of confronting famous scholars. When the pressure in Baghdād itself increased, he went to Hijāz, the cradle of Islam, where he stayed for almost four years. His fatwas (legal opinions), piety and seriousness in religious education, won him the title of Imām al-Ḥaramayn which means the Imām of the Two Sanctuaries, Mekkah and Medinah.

The persecution of the Ash'arites, which compelled Imām al-Ḥaramayn to flee to Hijāz, at the hands of the Seljuqi government, could be explained in the light of the fact that the Seljuqi Wazir, 'Amid al-Mulk al-Kunduri, was instructed by his Sultan to act against innovations (bid'ah), meaning Shī'ah, Mu'tazilah, Khawārij and various religious schools incompatible with the teachings of the Sunni doctrine. But al-Kunduri included in this category those Ash'arites. This

1. A Sunni Turkish tribe who had toppled the Buwayhids and controlled Nisābūr for several years before it gained supreme power in Bagdad; see Ibn Athīr, al-Kāmil fi al-Tārīkh (Cairo: al-Maktabah al-Tijāriyah al-Kubra, "n.d."), VIII, pp. 21ff.

persecution could be explained if we know that most of the Ash'arites were Shāfi'ite, while al-Kunduri himself was a Ḥanafite and bitterly opposed to the Shāfi'ites. For a period the Ash'arites were cursed in the/mosques during the Friday prayer. This was a token of public humiliation since the Friday sermons reflected the official policy adopted by the ruling power, and also the/place where the populace expressed their loyalty.

But the death of the founder of the Seljuq Dynasty, Tughril, and the accession to power of Alp Arslan led to a complete change in the formal policy of the government towards the Ash'arites. Al-Kunduri was replaced by the celebrated Nizām al-Mulk, who was reportedly a personal rival of al-Kunduri. This able persian Wazīr made a great contribution to the art of governing in Islam in his famous book Siyasat-Nama.¹

As an able statesman and a good administrator, he was fully aware of the danger of Shi'ism as a political and ideological rival of Sunnism. He had been associated with the Shafi'ites and the Ash'arites. The danger of the political propaganda from Egypt was not to be met passively, but by a cordinating policy aiming at the defense of Sunni principles. The intrusion of various foreign elements into the doctrinal body of Shi'ism should be crushed.

1. Translated into English by Hubert Darke; see Nizam al-Mulk, The Book of Government (London: Routledge & Kegan Paul, 1960).

The repercussion of the ideological confrontation on the political power could not be underestimated, since the political structure was erected on the basis of ideological formula. Shi'ism as an ideology questioned and challenged the right of Sunnism to the imamate. This challenge had to be met. On the ideological flank, Nizam al-Mulk seemed to recognize the Ash'arites as potentially capable of meeting the challenge of the Shi'ites. Their middle-stand in using rational arguments in the defense of Islamic theology was well-known.

The change in the official government policy changed the fortune of Imām al-Ḥaramayn. He returned to his home town, Nisābūr, in 451/1059. Nizām al-Mulk founded a college for him by the name of Nizāmiya College, in order to promote the campaign against Shi'ism. Imām al-Ḥaramayn supervised this school until the end of his life, for a period of almost thirty years.

Imām al-Ḥaramayn was a success in lecturing and teaching. His class was full of students, one of them was the celebrated al-Ghazzāli. He composed books on various subjects most of which are no longer extant. His literary style was so difficult that Subki "think that one could only comprehend his works by miracle."¹ Imām al-Ḥaramayn was so eloquent in

1. C. Brockelmann, "Al-Djuwaini", Shorter Encyclopaedia of Islam, p. 94. U.A.C. Gibb and J.V. Kramers (Leiden: E.J. Brill and Co., 1961), p. 94.

his teaching of Sufism that^{he} made his audience weep and cry.¹

He died on Tuesday night 25th Rabī' II 478/20th August 1085.

The impact of Imām al-Ḥaramayn's death on the community around him was deep. It was said that when the body was transferred to the town of Nisābūr from his native village, Bushtanikan, where he died, people screamed at every corner.

He was buried at his house, but years later the remains were transferred to the Husayn Cemetary where he was reburied beside his father. After his death, his pulpit at the mosque of Manīghi was broken by his students to indicate that there was, and would be, nobody to take his place. They shattered their ink-pots and tore their note-books as a token of mourning. All this was done to express the depth of their sorrow.²

Subki collected various sayings of his contemporaries concerning the character, personality and the place of Imām al-Ḥaramayn among the Ulamā' in general.

Abu al-Qāsim al-'Ushayri said that the influence of Imām al-Ḥaramayn was so great that "If he claims prophecy today, his words would be enough to release him from [the burden of] performing the miracle."³

None of his works became very popular, perhaps because of his complicated style. Imām al-Ḥaramayn devoted his

1. Ibn Khallikān, Wafayāt, I, p. 361; "wa kāna idhā shara'a fi 'ulūm al-sūfiyah wa sharraha al-aqwāla abka al-hādhirīn."

2. Subki, Tabaqāt, III, 257; Ibn Khallikān, Wafayāt, I, 362.

3. Subki, loc.cit., p. 253.

energy to defending the orthodox scholastic Sunni point of view from the attacks of the Mu'tazilites on one hand, and of the Shi'ites on the other. The Mu'tazilites were armed with philosophical reasoning taken from Greek philosophies, while the Shi'ites also armed with Neo-Platonic arguments and oriental philosophies. Shi'ism has been a banner under which gathered all kinds of thought, thanks to its principle of taqīyah or kitmān.¹

Before this kind of challenge, Imām al-Ḥaramayn, like other Ash'arites, has been using philosophical reasoning. In his hands "scholastic theology had already achieved a degree of elaboration in the defense of Islamic orthodoxy."² The difficulty of expressing oneself clearly in philosophical explanation made his writing difficult to understand. One of his books, Kitāb al-Burhān fi Usūl al-Fiqh, which has not been ~~published~~ ~~survived~~, was written in such a new style and contained so many difficulties in its methodology and presentation that Subki proposed to call it luḡz al-ummah, the enigma of the community.³

1. Taqīyah or kitmān are technical terms for dispensation from the requirements of religion under compulsion or threat of injury. They permit a Shi'ite not to act in accordance with their true belief. Under the cover of this principle, all kinds of philosophical teachings from the old Persian, Indian, and Greek philosophies entered the body of Shi'ite doctrine without being noticed from outside; see "Takiya", Shorter Encyclopaedia of Islam, p. 561.

2. W. Montgomery Watt, The Faith and Practice of al-Ghazali (London: George Allen and Unwin Ltd., 1963), p. 12.

3. Louis Gardet and M.-M. Anawati, Introduction à la Théologie Musulmane (Paris: Librairie Philosophique J. Vrin, 1948), p. 65; see also "Al-Djuwaini", Shorter Encyclopaedia of Islam, pp. 93-94.

One problem arose from the fact that Imām al-Ḥaramayn used so much logical reasoning in presenting his case. He was so indulged in logical reasoning that he was accused of being ignorant about hadīth or prophetic tradition.¹ Hadīth constituted the main source of law in Islamic legal theory, next only to the Qurʾān.

This accusation originated with Dzahabi² who said that though Imām al-Ḥaramayn had acquired a vast knowledge of jurisprudence (al-figh) and its methodology (wa usūlihi), he did not know prophetic tradition.³ He said that Imām al-Ḥaramayn, in his Burhān, had included a tradition which did not have a necessary backing of transmitters, isnād, to be said ṣahīh (sound or genuine), yet he claimed that it was sound. Subki defended him by saying that it was an insult for such a prominent person to be accused ignorant of tradition just because he made mistakes in "one or two or more hadīth." It was a fact, said Subki, that in the face of disagreed questions (khilāf), Imam al-Ḥaramayn stuck firmly to tradition. When he spoke about a hadīth, he did not speak like a beginner or an ignorant, but he made clear the circumstances of that particular tradition and the criticism of the transmitters, or al-jarh wa al-ta'dīl (literally: wounding and authentication). Subki said that the fact that he failed in one or more hadīth

1. Subki, Tabaqāt, III, p. 261.

2. Ibid.

3. Ibid.

was not a sufficient justification to accuse him of being ignorant of hadīth and its science.¹

This accusation could be justified by the fact that Imām al-Ḥaramayn concentrated his efforts more on logical reasoning than on the texts of the Qurān and the tradition. Ibn Khallikān said that Imām al-Ḥaramayn was not an ignorant as far as the tradition is concerned.² He had spent much of his time studying hadīth under a group of muhaddithīn³ and possessed an ijāzah⁴ from al-hāfiz Abu Na'im al-Asphahāni, the author of Ḥālyat al-Auliya' (The Ornament of the Saints), a book on ^{transmitters of} tradition.⁵ Subki listed a number of teachers from whom Imām al-Ḥaramayn had learnt hadīth from his childhood, just to prove that his education on tradition was in such a way that it was improper to accuse him of ignorance of tradition.⁶

The extent of his intellectual activities could be detected from his works which encompassed every branch of knowledge.⁷

1. Ibid.

2. Ibn Khallikān, Wafayāt, I, p. 361.

3. Muhaddithīn are the experts in hadīth who have the right to transmit hadīth to their pupils, or just collectors of hadīth.

4. Ijāzah is permit for further transmission of tradition.

5. Subki, Tabaqāt, III, p. 252.

6. Ibid.

7. Ibn Khallikān, Wafayāt, I, p. 361.

Among his books are:

- Al-Shāmil fi Usūl al-Dīn, "The Comprehensive Book on the Principles of Religion." This is a repetition of al-Irshād with more elaboration. This book is widely commented on and interpreted in North Africa, and referred to by Ibn Rushd for the sources of Ash'arism,¹ partly published.

- Al-Irshād ilā Qawāṭi' al-Adillah fī Usūl al-I'tiqād.

"Guidance to the Conclusive Proofs of the Principles of Belief."

This book is edited and translated into French by J.D. Luciani (Paris: ed. Leroux, 1938). Al-Azhar Group for Publication

and Writing published an Arabic edition edited by Dr. Muhammad Yūsuf Mūsā and 'Ali 'Abd al-Mun'im 'Abd al-Hamīd (Cairo: 1950).

So far this book is the most well-known one among the works of Imām al-Haramayn. So far as this paper is concerned, the opinions of Imām al-Haramayn have been derived solely from this book.

- Al-Burhān fi Usūl al-Fiqh, "Evidence in the Principles of Jurisprudence." This book "was planned on quite a new scheme and contained so many difficulties. . ." ² By this work, Imam al-Haramayn was considered "probablement le premier théologien à élaborer une méthode juridique sur des bases ash'arites." ³

1. This book has not been published. More information concerning it could be obtained in Louis Gardet and M.-M. Anawati, Introduction. . ., p. 181, such as where the manuscripts could be found and also the table of contents of that treatise.

2. Shorter Encyclopaedia of Islam, p. 94.

3. Gardet and Anawati, op. cit., p. 65.

- Al-Talkhīs Mukhtasar al-Taqrīb, "The Summarizing of Epitomized al-Taqrīb (Approximation),"
- Al-Irshād fi Usūl al-Fiqh, "Guidance to the Principles of Jurisprudence."
- Al-Waraqāt fi Usūl al-Fiqh, "Some Papers on the Principles of Jurisprudence," printed.
- Al-Risālah al-Nizāmiyah, "The Nizāmi Treatise."
- Al-'Aqīdah al-Nizāmiyah, "The Nizāmi Creed", translated into German by Helmut Klopfer in his book Das Dogma des Imam al-Haramain al-Djuwainī und sein Werk al-'Aqīdat an-Nizāmiya (Cairo: 1958).
- Diwān al-Khutab, "Collection of Speeches", described by Subki as "well-known".
- Madārik al-'Uqūl, "The Reaches of Mind," not finished.
- Talkhīs Nihāyat al-Matlab, "Summary of Nihāyat al-Matlab (The End of Quest)," not finished.
- Ghiyāth al-Umam, on the Imamate.
- Mughīth al-Khalq fi Ikhtiyār al-Ahaq, "Helper for People in Choosing the Authentic (School)," on the preference of the Shāfi'i mazhab, printed.
- Ghaniyat al-Mustarshidīn, "Satisfaction for those who Seek (the Right Way)," on al-khilāf (debatable questions).
- Mukhtasar al-Nihāyah, "Summary of al-Nihāyah (The End)," regarded as the best of his books because he said himself: "The volume is less than half as thicker as al-Nihāyah, but the content is more than double."¹

1. Subki, op.cit., p. 253; This list on the works of Imām al-Haramayn has been taken mainly from Subki, op.cit., p. 253 and Ibn Khallikān, op.cit., p. 361.

The Place of Imam al-Haramayn Among the Ash'arites.

The founder of Ash'arism was Abu al-Hasan al-Ash'ari, in spite of the opinion that the actual forerunners of Ash'arism were the so-called "orthodox Mu'tazilah", a group of people who, before al-Ash'ari, "employed a speculative method of reasoning, while sharing many of the opinions of the Traditionalists."¹

It seems that Ash'arism as a trend of thought did not succeed in becoming popular during the life-time of al-Ash'ari. Al-Ash'ari had been exerting his efforts to make his beliefs known. Even during the time of mihnah, he challenged his opponents by writing against them and seeking them out to dispute with them.² Ash'arism became well-known from the time of al-Bāqillāni (d. 403/1013), roughly 50-75 years after Ash'ari's death.³ Al-Bāqillāni was described as "the best of Ash'arite theologians (mutakallimūn), unrivalled among them by any predecessor or successor."⁴ He championed Ash'arism boldly. Under his influence, Ash'arism moved from seclusion and "spread east and west, while he himself rendered it

1. Schacht, op. cit., p. 33.

2. McCarthy, Theology, p. 163.

3. Ibid., p. 202.

4. Ibn Taymiyyah, al-'Aqida al-Hamawiyya al-Kubra (Cairo: 1323), p. 452, as quoted by Ilish, op. cit., p. 6; Ibn 'Abd al-Wahhāb, al-Tawdīh, p. 39.

victorious in the 'Abode of Peace and Dome of Islam' i.e. Baghdad."¹

There was a lapse of time slightly less than a century between al-Ash'ari and al-Bāqillāni. After al-Bāqillāni, there has been a series of Ash'arite theologians, such as 'Abd al-Qāhir al-Baghdādi (d. 429/1037-8), al-Māwardi (d. 450/1058), and Abū Ya'la (d. 458/1067). Each one of them has contributed valuable works to promote Ash'arism. These works could be used as a guide to the development of Ash'arism in dealing with changing political and ideological development of their times. Most of them occupied key positions in the government. Al-Bāqillāni has served as a diplomat and a negotiator for the Buwayhids. Al-Baghdādi and al-Māwardi were well-known as Qādis (judges). But it was not until the time of Imām al-Haramayn that Ash'arism was associated with the formal policy of the state.

The importance of Imām al-Haramayn lies in the fact that his time constituted the change of fortune of Ash'arism. His aim was to maintain the status quo, to preserve the Sunni Caliphate, however shaky it was. The gap between the ideal of Islamic government, which took its root in the practices of the Prophet and the four Pious Caliphs, and the reality and practices of his day, was to be filled in one way or another.

1. McCarthy, Theology, p. 202.

The duty of Imām al-Ḥaramayn and other Sunni jurists was to explain this "gap of theory" in the light of acceptable Islamic foundations. The government of the Prophet and his Pious Caliphs has been a simple and centralized one, in the center of which the figure of the Prophet or the Caliph play the main role. In his days, the Sunni jurists has to deal with a new complex situation, where the caliph was in a weak position, deprived from almost all practical power, except as symbol of the highest authority. The real power was exercised by various army commanders, most of whom were non-Sunnis.

The emergence of the Turks was the decisive factor in making Ash'arism the formal ideology of the government. They entered the Islamic history through the endeavor of one of the Abbasid Caliph, al-Mu'tasim bi Allah (218-232 A.H.; 833-847 A.D.), to strengthen his position after he realized that he could not depend any longer solely on the Arab and Persian elements. At first the entrance was made on individual basis, but in the eleventh century A.D. they entered the Islamic Empire by immigration of whole tribes of free nomadic Turks. This phenomenon could be explained in the light of the fact that the usual target for the Turkish tribes, China, at that time had achieved a sort of internal consolidation and stability. Now the only way for the Turks to turn to was the west - the Islamic Empire. The first tribe to enter into Islamic territories belonged to the Oghuz and were well-

known by the name of Seljūq, after the warrior that led the tribes.¹

They embraced Islam and preferred Sunnah to Shi'ah, may be because Sunnism is "clear and sober content of belief was suited to their simple minds."² They became good Muslims defending Islam "with all energy of their soul, still unspoiled and capable of enthusiasm."³

They participated in wars between various local commanders, like that of the Samanids and Karakhanids and that of the Ilek Khan and the Sultan of Ghaznah. They succeeded in conducting raids of their own and gained some territories at the expense of Ghaznah, whose power declined after the death of Mahmud.⁴

When Imam al-Haramayn was still a small boy taking lessons from his father, the name of Tughril Beg, one of the Seljuq chiefs, was mentioned in the Friday prayers in Nisābūr, because that town was already in the possession of the Turks. Then the Turks took possession of Baghdad, and by that ended the rule Buwayhids which lasted from 324/935 until 447/1055.

The victory of the Seljūqs over the Buwayhids constituted the victory of Sunnism over Shi'ism. This fact led to the hope that the damaged image of the Caliphate and the decline

1. Ibn al-Athīr, al-Kāmil, VIII, p. 22; Bernard Lewis, The Arabs in History (New York: Harper & Row, Harper Torchbooks, 1960), p. 147.

2. Carl Brockelmann, History of the Islamic Peoples (New York: Capricorn Books, 1960), p. 171.

3. Ibid.

4. Ibn al-Athīr, loc.cit.

of its power could be rehabilitated and the majestic grandeur of that office could be restored. This expectation was not destined to materialize.

The reign of Tughril Beg (429/1037 - 455/1063) and his successors, Alp Arslān (Hero-Lion) (455/1063- 465/1072) and Arslān's son Mālikshah (465/1072 - 485/1092) constituted the most brilliant period of Seljūq rule. For the first time since the early caliphate, the greater part of the Islamic Empire was united under a single authority.¹ The Turkish tribes poured their pure blood into the struggle for world supremacy. Islam witnesses many instances in its history where the barbarian infidels conquered the Muslims and accepted the religion of the conquered and became its ardent champions.²

It was not until Nizām al-Mulk became Wazīr that Ash'arism was associated with the policy of the government. Imām al-Haramayn constituted the turning point. After him Ash'arism has spread widely in the Islamic Empire and associated with ahl al-sunnah wa al-jamā'ah, the majority of the Muslim body.

1. Lewis, loc. cit.

2. Philip K. Hitti, History of the Arabs (London: Macmillan Co., 1964), p. 475.

CHAPTER IV

KALĀM AND THE DOCTRINE OF THE IMAMATE

There has been development in the meaning and content of kalām, starting from its literary meaning (speech) to the more sophisticated branch of knowledge, known as scholastic theology. Kalām could be traced to Figh and then it became an independent branch of knowledge. Its content has fluctuated in range, from discussion of a specific topic (such as the speech of Allah) to the general discussion of philosophical "things" in general.

In this paper, kalām will be treated briefly, and emphasis will be put on the doctrine of the imamate in its relation with kalām.

The Ash'arites believed that there is no contradiction between the texts of religion and rational thinking.¹ To stick only to the overt meaning of the texts would lead to inaction and inflexibility (jumūd). But on the other hand, to use reasoning excessively, such as done by the Mu'tazilah and the philosophers, to the point of contradiction with the religious texts, would mean that the authors of this deed are "the men of rotten conscience."²

1. Al-Ghazzāli, al-Iqtisād, p. 2.

2. Ibid.

Al-Ash'ari, in defending the validity of reasoning in the defense of religion, cited that "God the Most High has related what Abraham said when he saw the star: 'He (Abraham) said: This is my Lord. Then when it set he said: I like not those who set. Then when he saw the moon rising he said: This is my Lord. Then when it set he said: Unless my Lord guide me I shall certainly be one of the people who err.'"¹ "Thus Abraham joined the moon and the star in the judgment that one of them cannot possibly be God and Lord since setting is common to both. Now this is the reasoning and inference which they repudiate and eschew."²

The acceptance of kalām by the majority of Sunni Islam came at first reluctantly. It was reported that Mālik, al-Shāfi'i and Ibn Ḥanbal considered it as innovation (bid'a).³ But the upholders of kalām defended it from the beginning, by saying that "the fact that technical terms are used in other branches of knowledge also; the early generations of Islam were not acquainted with them, but this does not imply that their use is prohibited."⁴

When al-Ash'ari denounced Mu'ta^{zi}lism, it was not clear whether he was going to abandon kalām or not. By giving up Mu'tazilism, al-Ash'ari determined to go back to the Qurān

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1. McCarthy, Theology, p. 9; Qurān: VI, 76-77.
 2. McCarthy, loc. cit.
 3. Wensick, The Muslim Creed, p. 97.
 4. Ibid.

and the prophetic tradition. It was mentioned that the ulamā' of the muthbitūn (the affirmers of the divine attributes), al-Ash'ari was one of them, "harried by the heretics . . . held fast to the Sunna and restrained men from wading in the perilous water of kalam."¹ In an account of the story on his dreams, he said he saw the Prophet in his sleep saying to him: "O 'Ali, defend the doctrines related from me, for they are the truth." When he awoke he determined to give up kalam. But the Prophet came to him in another dream telling him: "I did not command you to give up kalam, but I commanded you to defend the doctrines related from me for they are the truth." After that he began to defend the tradition on the vision of God, the intercession of the Prophet and the lawfulness of speculation.² For Professor Wensinck, this is a sure sign of al-Ash'ari's ambiguous position.³ In some of al-Ash'ari's reasoning, such as in the question of the vision of Allah in Paradise and on His seating on the Throne, he was shown as "the spiritual son of Aḥmad ibn Ḥanbal."⁴ But according to the Ash'arites, such as Imām al-Ḥaramayn, "al-Ash'ari is not in the first place represented as the adherent of Aḥmad ibn Ḥanbal, but as the dogmatist who made it possible for Islam to take a position between opposite extremes."⁵

1. McCarthy, loc. cit., p. 147; underline supplied.

2. Ibid., p. 153.

3. Wensinck, loc. cit., p. 87.

4. Ibid., p. 90.

5. Ibid., p. 92.

Imām al-Ḥaramayn "shows us al-Ash'ari as a mutakallim, not as a Hanbalite theologian."¹

On the questions and topics discussed by the mutakallimūn, the Ash'arites put special emphasis on the unity of God (tawhīd), the purification of God from whatever attributes not compatible with His position (tanzīh), and the denial of any notion of anthropomorphical or corporeal interpretation (tashbīh). One of the Ash'arites wrote: "We style ourselves «Ash'arites» in matters pertaining to dogma, not by way of blind and unquestioning acceptance, but because we agree with the proofs established by al-Ash'ari. The four great Imāms did not differ regarding the basic principles of religion, but agreed on tawhīd and tanzīh and the denial of tashbīh. If you consider the holding of tanzīh and the renouncement of tashbīh as «Ash'arizing», then all who profess God's oneness are Ash'arites."²

Imām al-Ḥaramayn in his al-Irshād started by discussing the question of "insight" (naẓr), in which he proved that "insight", may be in the sense of "reasoning", is the source of knowledge, and that a sound insight is compulsory from religious point of view. After that he proceeded to discuss the "knowledge" (al-'ilm), the novelty of the universe, the existence of God, the attributes of God, in which he discussed the "speech" (kalām) of Allah, especially in its relation to

1. Wensinck, op. cit., p. 93.

2. McCarthy, op. cit., p. 188.

whether the Qurān is created or not.

Then follows the meaning of divine names (ma'āni asmā' Allah), the possibility of seeing God (beatific vision), and whether the actions and deeds of human being are created by him or not. The latter is one of the most controversial questions in Islamic theology which leads to the doctrine of kasb (acquisition) formulated by al-Ash'ari and his school. He speaks about the power (istitā'a) of human being which leads to the question of predestination. After that he discussed the Prophecy in general, the Prophecy of Muhammad, eschatological things, the reward and punishment, and his response to the Mu'tazilites, Khawārij, and Murji'ites in regard to threat and promise, and repentance. He ends his book by discussing the imamate.

On the question of the definition of faith, al-Ash'ari said that: "Imān (faith) is the belief by heart. Its pronouncing by tongue and the action (in accordance to it) with the parts of body (al-arkān) are only its branches (furū'uhu)."¹ His stand, as far as the promise and threat, the divine names, laws, religious texts are concerned, is in the opposition to the stand taken by the Mu'tazilah.²

Speaking about human power, al-Ash'ari said: "If the Creator is truly God, not shared by anything else in His creation, His most particular attribute is power (qudrah)

1. al-Shahrastāni, al-Milal, I, p. 132.

2. Ibid.

to invent ('ala al-ikhtirā')."¹ So, God is the Most Powerful. This necessarily leads to the controversial problem whether man has a power in performing his action or not, or, between the doctrine of free-will and predestination. Al-Ash'ari introduced into Islam a new doctrine of "acquisition" (kasb, iktisāb). The Mu'tazilah, in consistence with their belief in the justice of God, said that man was held responsible for everything he does, since it would be unjust on the part of God to hold man responsible for his deeds if man is not free. On the other hand, free-will limits the power of God which is supposed to be limitless. The Mu'tazilah chose the principle of justice and said that man has free-will. Al-Ash'ari proposed a new way of looking into that problem, a kind of compromise. He said that God creates the acts of man and that man "acquires" them. This is a very complicated proposition, and a new proverb was born: "more obscure than the acquisition of the Ash'arites."

Explanation runs thus: "Allah the Most High is the Creator of all actions of His creatures, whether unbelief or belief, of obedience or rebellion; all of them are by the will of Allah and His sentence and His conclusion and His decreeing. And to His creatures belong actions of choice, for which they are rewarded or punished, and the good in this

1. Ibid., p. 130.

is by the good pleasure of Allah (ridâ) and the vile in them is not by His good pleasure."¹ Al-Ash'ari "denies free-will as well as compulsion saying that man does not produce, but that he acquires his act (kasb)."²

The exact process or procedure of this acquisition is explained by al-Shahrastâni by saying that it is customary that God creates the produced action if man wants it and determines it. This act is designated as acquisition (kasb). Then, the creation is from God by innovating and producing (ibdâ'an wa ihdâthan), and the acquisition is from man, placed under his power (maj'ûlan tahta qudratihi).³

The Ash'arites believe that God can be seen in Paradise but without personal appearance (hulûl), without limitation and without definition,⁴ because it is the contention of the Ash'arites that "everything that exists could be seen."⁵

The position taken by the Ash'arites vis-à-vis various other Islamic sects, despite the bitter struggle they had been waging against them, is surprisingly moderate. The Ash'arites considered them as Muslims and never called them

1. This quotation is taken from translator's explanation in Hasan ibn Yûsuf ibn 'Ali ibn al-Mutahhar al-Hilli, Al-Babu 'l-Hadi 'Ashar: A Treatise on the Principles of Shi'ite Theology, trans. William McElwee Miller (London: The Royal Asiatic Society, 1928), p. 95.

2. Wensinck, op. cit., p. 92.

3. al-Shahrastâni, op. cit., p. 125.

4. Wensinck, op. cit., p. 92.

5. al-Shahrastâni, op. cit., p. 131.

infidels. The most frequent accusation launched against the other groups has been heresies. This stemmed from their belief that there must be a distinction between the real faith, which could be found in the heart, and the utterance and act, which constitute branches of faith.¹ Hence they hold that a man with a grave sin (sāhib al-kabīrah) dying without repentance could not be positively said that he dies as an infidel. Only God knows what to become to them.² But one thing is clear, "They should not be eternalized in the Fire with the rest of the infidels."³ The Mu'tazilites, the Khawārij, the Rawāfids--either Imāmites or Zaydites--, the innovators--such as the Bukhārian, the Jahmian and Dardārian and the anthropomorphists--were considered by the Ash'arites as parts of the Islamic community in some ways (min al-ummah fi ba'd al-ahkām).⁴ They could be buried in Muslim cemeteries.⁵ If they fought on the side of the believers, their rights in fai' and ghanimah are guaranteed.⁶ They could not be forbid

1. Ibid., p. 132.

2. Ibid.

3. Ibid., p. 133.

4. al-Baghdādi, al-Farq, p. 11.

5. Ibid.

6. Fai' is all things taken from the unbelievers without fighting. Ghanimah is all spoils of war taken from the unbelievers in battle. Ibid.

from praying at the mosques.¹ In other cases they could not be regarded as parts of the ummah. They could not receive prayers if they die (meaning funeral prayers), or be an Imām in prayers.² There are some cases in which those heretics are treated even worse than "the people of the book." The meats after their slaughter should not be eaten.³ Inter-marriage with them is forbidden.⁴

'Ali bin Abī Ṭālib in addressing the Khawārij said:
"We have three duties in dealing with you:
- we are not starting battle against you
- we are not going to forbid you from the mosques of Allah where you invoke the name of Allah
- we are not going to forbid you from your rights in fai' as long as your hands are within ours [meaning we stick together]." ⁵

Usually there are three conditions which must be fulfilled by a man to be regarded as Muslim: the recognition of the Prophecy of Muhammad, the belief in the obligation of turning one's face toward Ka'bah in Mekkah during prayers, the profession of faith "there is no god but God and Muhammad

1. Ibid.

2. Ibid.

3. Ibid.

4. Ibid.

5. Ibid.; al-'Asqalāni, Fath al-Bāri bi Sharḥ al-Bukhāri (17 Vols.; Cairo: 1378/1959), XVI, p. 331.

is the Prophet of God."¹

But to be a Sunni Muslim, al-Baghdadi presented a new definition: "The Islamic ummah includes everyone who admits the novelty of the universe, the unity of its Creator, His antiquity, His attributes, His justice, His wisdom, denial of His resemblance, and the recognition of the Prophecy of Muhammad--peace be upon him--, and his message to all mankind (ila al-kāffah), of supporting his sharī'ah, and that everything he brought with him is truth, that the Qurān is the source of the sharī'ah, and that ka'bah is the qiblah toward which one must turn in prayer."²

Al-Baghdādi's definition is more to tell the points in which the Ash'arites differed from the other groups, rather than to give a precise definition of what a Muslim really is.

The Muslim who believes the truth on the authority of others (taqlīdan), according to the Ash'arites, cannot be qualified as "faithful", but he is neither a polytheist nor an infidel.³

The doctrine of the imamate is one of the topics discussed by the Ash'arites in their books. The location of this topic is usually at the end of the books, after the discussion on the prophecy. This gives us the impression that the imamate has something to do with the prophecy or, at least the

1. al-Baghdādi, al-Farq, p. 8.

2. Ibid., p. 10.

3. Ibid., pp. 254ff.

continuation of it in so far as the leadership of the umma is concerned.

Most of the Ash'arites claimed that the reason they discussed the imamate was because of tradition, not of logical sequence. Al-Ghazzāli said that: "But the formality is current (jara al-rasmu) to end the discussion of creeds by the imamate. We want to follow the usual methodology. The hearts are very averse to a methodology contrary to a common one. But we are going to summarize the discussion on it."¹ Al-Īji mentioned the same reasoning by saying that he discussed the doctrine of the imamate in a kalām book "just to follow the examples of those before us" (ta'āssian bi man qablana).² He said: "The tradition of the mutakallimūn has been to mention it [the doctrine of the imamate] at the end of their books."³

Taking into consideration the political conditions of their times, and the intensity of struggle between Shi'ism and Sunnism, we can not be satisfied with the reasons given above, such as "traditions" and "examples". At least there are two other considerations to be mentioned. First, the nature of Islam as a religion, where the border between what is religious and what is mundane is very difficult to determine. Hence the assertion that there is no separation between

1. al-Ghazzāli, al-Iqtisād, p. 105.

2. al-Īji, al-Mawāqif, VIII, p. 344.

3. Ibid.

"church" and "state", or between religion and politics. Second, although the Sunnis excluded the imamate from their kalām, their Shi'ite opponents considered it as an integral part of their body of belief. Hence it becomes necessary for Sunni jurists to answer the Shi'is on the imamate in their books on kalām.

CHAPTER V

THE NECESSITY OF THE IMAMATE

The question of the imamate, being the pivotal question in Islamic history, is largely responsible for the division of the Islamic community into various sects. Dispute over the imamate was described by al-Ash'ari as "the first" between the Muslims after the death of the Prophet,¹ and by al-Shahrastāni as "the biggest" one, since never in Islamic history was blood shed upon a question as it was on the question of the imamate.² This dispute started since the death of the Prophet (11 A.H./632 A.D.) between the Mekkan immigrants (muhājirīn) and the Medinese helpers (ansār), on the question who was going to rule the ummah after the Prophet. The atmosphere surrounded the meeting between the two factions, taken place at Saqīfah Banī Sāadah, was so explosive that a witness was afraid that a war could erupt between them.³

¹ al-Ash'ari, Maqālāt, p. 2.

² al-Shahrastāni, al-Milal, I, 21.

³ al-'Asqalāni, Fath al-Bāri, VIII, 29-30.

The division of the Islamic community into two main factions, the Sunni and the Shi'i, was the result of that crucial issue. The emergence of the Khawārij could not be explained apart from the controversial issue of the imamate, regardless of their motivation, whether that movement took its origin as a religious movement or a political one.¹

The origin of this controversy was the fact that the Prophet did not seem to have appointed a particular person to succeed him as the chief of the community. Neither did he mention the method by which a ruler should be appointed. The community therefore had to resort to interpretations in the light of general guidance provided by the Qurān and the prophetic tradition. The traditions related by the Shi'ites could not be accepted by the Sunnis in general and the Ash'arites in particular.

The Qurān did not mention the words Imamate and Caliphate in the sense of an Islamic ruler or government. The Qurānic verses in which the term khalīfah (singular) or khalāif and khulafā' (plurals) occurs, as Sir Thomas Arnold put it, "were incapable of any interpretation directly connecting them with the political institution . . . , since the reference . . . was made in general terms, and clearly had no

¹Elie A. Salen, Political Theory and Institutions of the Khawārij (Baltimore: The Johns Hopkins Press, 1956), p. 18.

reference to one single exalted individual."¹ The Qurān calls on the believers to obey Allah and His Apostle, and those who are in authority.² In case of disagreement between them on any subject, they are asked to refer it to Allah and His Apostle.³ This verse stresses the duty of the Muslims to obey and be loyal to the ruler, but it does not specify the method to appoint him. There are verses which emphasized the power of Allah to bestow "sovereignty" or "kingdōm" (al-mulk) to whom He likes and to withdraw it from whom He likes.⁴ These verses did not give any clue to a system of government in Islam; they did give the implication that God was the only source of authority. Other verses require "justice in giving decisions" (an takmū bi al-'adl) and emphasize consultation (shūrā) in the affairs of the Muslims.⁵ These verses have been the rallying point for modern Muslim writers to prove that an Islamic government is democratic.

The prophetic traditions--the collected speeches, deeds, and authorizations of the Prophet--did not contri-

¹Sir Thomas W. Arnold, The Caliphate (London: Routledge & Kegan Paul Ltd., 1965), pp. 42-43; see also Qurān: VI, 165; VII, 74; XXIV, 55; XXVII, 62; XXXVIII, 26.

²Qurān: IV, 59.

³Ibid.

⁴Ibid., II, 247, and III, 26.

⁵Ibid., IV, 58; III, 159, and XLII, 38.

bute much to the clarification of the problem. The ambiguity of the meaning of the traditions was for the most part responsible for the widening gap between Sunnism and Shi'ism. The Prophet had prophesied the coming of riots and civil wars (fitnah)¹ in the times to come, the split of the community into more than seventy denominations.² When such calamity happens, he urges his Companions to cling to the community; and if there is no community, to take refuge. At that time, the most precious possession would be a piece of land to cling to, or a flock of sheep to be followed at the tops of the mountains.³

The absence of any clear text with regard to the imamate, either in the Qur'ān or in the traditions, made room for various interpretations. The bitter experience of the first generation had caused the Khawārij to adopt such an extreme position that establishing the imamate was not compulsory. The Khawārij believed that the important thing was the application of the Sacred Law (sharī'ah) within the community. If the Law has been implemented there is no longer any need for instituting an imam.⁴ Basically it is not incum-

¹ al-'Asqalāni, Fath al-Bāri, XVI, 138; Abū Daūd, Sunan, (Cairo: 1950/1369), II, 203.

² al-Baghdādi, al-Farg, p. 4; al-Dāwāni, Sharh al-'Aqāid, p. 6; al-Iji, al-Mawaqif, VIII, 400.

³ Abū Daūd, Sunan, II, 203; al-'Asqalāni, loc cit., 144-46.

⁴ Salem, op. cit., p. 51.

bent upon Muslims to establish an imam; it is only one of the "permissibles" (min al-jāizāt).¹ But because in reality there has been no instance in history where the sharī'ah is fully applied without government, the Khawārij have never been without a caliph, whatever title he took.

The Ash'arites are of the opinion that establishing an Imam is compulsory.² The basis for this opinion is not a text from the Qurān or prophetic traditions, but the consensus of the community after the death of the Prophet.³ Because the consensus of the community or the ijma' of the ummah has been accepted by the Sunnis as the third source of law after the Quran and the Hadīth, there is no need to elaborate further. The duty of Muslims, according to the Sunnis, is to ascertain the existence of ijma'. Once they discover that there is actually ijma' on a subject, they have to accept it as a divine truth, the way they accept the Qurān and the Hadīth. One of the implications of reliance of the Ash'arites on ijma' is the denial of the existence of any Qurānic text or a prophetic tradition concerning the subject, because the realm of ijma' is outside what has been dealt with by the Qurān and the Hadīth.

¹ al-Ījī, al-Mawāqif, VIII, 345.

² al-Baghdādi, al-Farq, p. 340; al-Baghdādi, Usūl al-Dīn (Istanbul: 1346/1928), p. 271; Abu al-Hasan al-Māwardī, al-Ahkām al-Sultāniyah (Cairo: 1380/1960), p. 5; al-Ash'ari, Maqālāt, p. 460; al-Ījī, al-Mawāqif, VIII, 345; Abū Ya'la, al-Ahkām al-Sultāniyah, (Cairo: 1356/1938), p. 3.

³ al-Māwardī, loc. cit., p. 5; Imām al-Haramayn, al-Irshād, p. 421; al-Ghazzālī, al-Iqtisād, p. 105.

Despite their reliance on ijma', the Ash'arites have been anxious to show the textual bases upon which Ijma' rested. They were anxious also to point out the reasoning, the textual basis, and the historical precedents that underlie ijma'. This is because ijma' is not accepted by the whole body of Muslims as the third source of law. The Shi'ites rely heavily on the esoteric approach, saying that important questions such as the imamate can not be decided by individual Muslims, but by a designation from the Prophet.

Al-Ash'ari, in posing the problem of the necessity of establishing an Imām, said that that all Muslims, with the exception of a certain al-Asam, are of the opinion that an Imām is necessary. Al-Asam believed that if the people refrain from doing injustice toward each other, there is no need for an Imām.¹ According to him, an Imām should be established in emergency cases, such as in civil disorder.² The reverse position is reportedly taken by a certain Hishām al-Fūṭī. He was of the opinion that the need for an Imām was during the period of peace and tranquility. If the community was in a state of revolt and unrest to the point that they killed the Imām, it is not necessary to appoint another Imām.³ Judging from the political situation at the beginning of Islam, it was concluded that what Hishām al-

¹al-Ash'ari, Maqālāt, p. 460; al-Baghdādi, Usūl, p. 271.

²al-Īji, al-Mawāqif, VIII, 345.

³al-Baghdādi, Usūl, p. 271.

Fūti had in mind was the negation of the caliphate of 'Ali.¹ However, it seems that the opinions expounded by al-Asam and al-Fūti did not have followers in the subsequent generations. The trend of thought as constituted by them was described by al-Baghdādi as "a handful of Qadarites."²

The definition of the imamate according to the Ash'arites varies slightly from one author to the other. Al-Māwardi says "The imamate is designed to succeed the prophecy in safeguarding religion and worldly politics."³ According to al-Īji, the imamate "is general headship (riyāṣah 'āmmah) on religious and worldly affairs."⁴

If it is compulsory to appoint an Imām, the next question is whether this conclusion is reached on the basis of reason or of religion. The Ash'arites are of the opinion that it is based on religious grounds. Al-Ash'ari said that the imamate was one of the religious laws which could be known by reason, but it became compulsory only by religious text (al-sam').⁵ Al-Ghazzāli regards it improper to think that the obligation to have an Imām is taken from reason, except in the case that the obligation is interpreted as every useful action and by dispensing with it might be detrimental to our

¹ Ibid., p. 272.

² Ibid., p. 271.

³ al-Māwardi, al-Aḥkān, p. 5.

⁴ al-Īji, al-Mawāḡif, p. 344.

⁵ al-Baghdādi, Usūl, p. 272.

interest. In this sense, it can not be denied that establishing the imamate gives us many advantages and defends us from many disadvantages in this world.¹

The Ash'arites regard establishing the imamate as incumbent upon the members of the community.² The differentiation made by some of them between whether this obligation is fard al-'ayn (to which everyone is bound) or fard al-kifayah or 'ala al-kifayah (which can be performed by some members of the community) is of no practical value. Both kinds of fard suppose the existence of Imām in order to perform the obligation imposed upon the community, regardless of whether it is performed by all members of the ummah or by some of them. The difference is only upon the degree of participation on the part of the members of the community.

Although ijma' is the actual basis of the imamate, the Ash'arites are not content with it. They have been endeavoring to show the bases upon which this ijma' rested.³ Various Qurānic verses are cited. One of them is: "O ye who believe! Obey Allah, and obey the messenger and those of you who are in authority; and if ye have a dispute concerning any matter, refer it to Allah and the messenger if ye are (in truth) believers in Allah and the Last Day. That is

¹ al-Ghazzāli, al-Iqtisād, p. 105.

² al-Baghdādi, al-Farq, p. 340.

³ al-Ghazzāli, loc. cit.

better and more seemly in the end."¹ Abu Hurayrah said: "At the time this verse was revealed, we were ordered to obey the imāms; the obedience to them is part of the obedience toward Allah and to disobey them is to disobey Allah."²

Al-Māwardi also cited a prophetic tradition reported by Abu Hurayrah: "After me you will be governed by rulers; the righteous ones govern you by their righteousness, the wicked one by their wickedness. Hear and obey them as long as they are in agreement with the truth. If they do well, it is for your good and their own as well; if they treat you wrongly, it is to your advantage and to their disadvantage."³ The existence of rulers, then, irrespective of their character, is good for the community in general. Good rulers will benefit the ruler and the ruled, while the bad rulers will benefit the ruled; the rulers will be punished for their deeds.

The words of Abū Bakr after the death of the Prophet are also quoted as historical precedent and as the basis of ijma'. Abu Bakr said: " Know that Muhammad has died. It is indispensable that this religion has someone to attend to it." His words were agreed upon by everybody, hence ijma'.⁴

¹ Qurān: IV, 59; translation from Muhammad Marmaduke pickthall, the Meaning of the Glorious Koran.

² Ibn 'Abd Rabbihi, al-'Iqd al-Farid (n.p.: n.d.), I, 10.

³ al-Māwardi, al-Ahkām, p. 5.

⁴ al-Īji, al-Mawāqif, VIII, 456.

Another prophetic tradition cited to prove the necessity of the imamate is concerning the order from the Prophet to any three persons travelling on land to appoint a leader from among themselves. Al-'Asqalāni said that this tradition was an evidence for those who held that it was compulsory for the Muslims to establish the imamate.¹ Ibn 'Umar is reported to have said: "If the Imām is just, he has the reward and you have the gratitude; if he treats you with injustice he suffers the sin and you have to be patient."² This is to denote the importance of the ruler, however unjust he is. 'Uthmān b. 'Affān said: "People are restrained by the ruler more than by the Qurān."³

The Ash'arites often approach the problem of the imamate from a utilitarian view-point. They argue that the imamate is a conditio sine qua non for the interests of the human being as such, and for the good of religion. The ultimate aim of religion can not be other than the betterment of man. Al-Ghazzāli reasoned that "the world and the safety of souls and properties could not be regulated except by a ruler who is obeyed. The ruler is indispensable for ~~the~~ world order, and the world order is indispensable for the religious order, and the religious order is indispensable for gaining happiness in the hereafter. This is definitely the purpose of

¹ al-'Asqalāni, Fath al-Bāri, IX, 157.

² Ibn 'Abd Rabbihi, al-'Iqd, I, 10.

³ Ibid., p. 8; Ibn al-Athīr, Jāmi' al-Usūl min Ahādīth min al-Rasūl (12 vols.; Cairo: 1368-1374/1949-1955), IV, 469.

the prophets. Thus the obligation to establish an Imām is one of the obligations of the religion which could not be neglected."¹ Al-Ghazzāli said: "Because of this it is said that religion and the ruler are twin brothers; religion is the founder and the ruler is protector."² Ka'ab al-Ahbār said: "Islam and the ruler are like tent-pole and tent; the tent is Islam, and the pole is ruler. All people are tent-pegs, they can not be better off except by sticking together."³

One^{of} the reasons why the Khawārij maintained that establishing an Imam is not compulsory, is the fact that it evokes civil war because of the differences of opinion. Each group would claim that a certain person is better qualified than the other. To this objection, the Ash'arites answered that this dispute could be settled in accordance with question of priority. In case of there are more than one contender, the more learned is chosen; if they are equal the one more pious is chosen, and if they are still equal, the older one is chosen. Thus, civil war could be avoided.⁴

Al-Ījī mentioned three other objections to the institution of the imamate:

1. People by their nature can look after themselves and their religion. Hence, there's no need for an Imām. This could be proved by looking into the orderly life of the Bedouin Arabs who lived outside the territory of the Imām.

¹ al-Ghazzāli, al-Iqtisād, p. 106.

² Ibid.

³ Ibn 'Abd Rabbihi, al-'Iqd, I, 5.

⁴ al-Ījī, al-Mawāqif, VIII, 348.

2. The advantage of an Imām is by reaching him personally. Since this is impossible then it is not obligatory to establish an Imām. At most it is permissible.
3. The qualifications for the Imām are such as to make it difficult to find them always. If a man who is not fully qualified is elected to the office then the obligation is not fulfilled. And if he is not elected, then the necessity for the imamate is not fulfilled.

The answer given by the Ash'arites to those criticisms could be stated briefly as follows:

1. The absence of an Imām could be accepted rationally. But in practice the absence of an Imām leads to civil wars. This could be seen from the life of the Arabs in the deserts who live like a horde of wolves or lions. They do not care for each other and they do not observe the teachings and the obligations of their religion.
2. The Ash'arites could not agree with the opinion that the ruler should be reached personally. His functions are, among others, to issue decrees, regulations, and policies, and to appoint officers to implement those policies.
3. The objection was answered by al-Ījī by saying that in his opinion if there was not a qualified person, then the obligation did not exist.¹ This opinion differs

¹al-Ījī, al-Mawāqif, VIII, 347-48.

from the main Sunni position that the imamate is compulsory in every time and condition.¹

The Ash'arites differed from the Shi'ites on the question of the necessity of the imamate, whether it is compulsory upon man or upon God. The Shi'ites hold that the imamate is incumbent upon Allah by reason.² They consider the imamate as lutf (benevolence) from God because with the existence of the imamate man becomes more loyal to religious precepts. Hence the imamate is lutf and lutf is incumbent upon God.³ The Ash'arites reject the idea that the imamate is lutf; and lutf is not incumbent upon Allah. If the imamate is lutf, as claimed by the Shi'ites, it can not be realized except by a visible conquering Imām, and not by a hidden one as believed by the Shi'is.⁴

The Ash'arites hold that the purpose of every kind of authority in Islam is the supremacy of Allah and His religion.⁵ The interest of man in this world and in the world to come cannot be attained without cooperation to promote their interest and to defend themselves from outside danger. This is so because man is social by nature. Hence it is reported that Allah supports a just state even if it is infidel; He does not support an unjust state, even if it is

¹ al-Baghdādi, Usūl, p. 273.

² al-Hilli, al-Bāb al-Hādī Ashar, p. 63.

³ al-Īji, al-Mawāqif, VIII, 348.

⁴ Ibid.

⁵ Ibn Taymiyah, Ma'ārij al-Wusūl (Cairo: 1323), p. 35.

a faithful one.¹

¹Ibid.

CHAPTER VI

THE IMAMATE AND FAITH

The Shi'ite allegation that the imamate is a cardinal principle of faith brought about a controversy. The Ash'arites defend the practices of the umma, including those of the Companions of the Prophet and the caliphate of the Four Pious Caliphs. In saying that the imamate is a principle of faith, the Shi'is negate the very practice that the Ash'arites defend.

According to the Shi'ites the imamate succeeds the prophecy and replaces it (qāim maqāmaha), except in the matter of receiving (talagqi) divine inspiration (wahy) without a mediator.¹ They consider it a branch of prophecy and a universal authority (riyāsah) derived from (niyābah) the Prophet.² They consider it necessary (wājib) according to reason, because the imamate is a kindness (luṭf) and every kindness is incumbent upon God.³ In some of their definitions of the imamate, the words "by fundamental right" are added

¹ al-Hilli, Al-Bāb al-Hādī Ashar, p. 63.

² Ibid., p. 62.

³ Ibid.

to denote that this office is to be given only to a person "appointed and specified by Allah and His Prophet."¹ The authority of an Imām is the only universal authority, because any other authority, such as that of a vice-gerent, is basically limited, since he will not have authority over his Imām.² According to them, the imamate is such a high office, the prestige of which "corresponds with that of the Prophecy" that the person to occupy such position can not be determined by the community or be held by "any chance person". The question of the imamate is not a question of public interest which can be submitted to the authority of the opinion of the ummah, because this is a pillar of religion and a foundation of Islam.³

On the other hand, the Ash'arites believe that, though the main function of the imamate is to implement sharī'ah, the institution as such is one of the mundane affairs to promote worldly interests.⁴

Imām al-Haramayn stated at the opening of his chapter on the imamate that it was not an article of faith.⁵ He acknowledge the importance and the sensitivity of this question, and there were two things added to the complexity of the subject:

¹ Ibid.

² Ibid.

³ Ibn Khaldūn, Muqaddimah (Cairo: n.d.), p. 196.

⁴ Ibid.

⁵ Imām al-Haramayn, al-Irshād, p. 410.

1. the inclination of the opposing groups to fanaticism, to defend their point of view without regard to whether it was true or not, to infringe on the truth.
2. the imamate is one of the questions that have not been defined clearly in the Qurān and the prophetic tradition, and the main body of discussion on it is based on speculative juridical interpretation (min al-mujtahadāt al-muhtamalāt).¹

A statement on the imamate as bold as that of Imām al-Ḥaramayn could not be found in his predecessors' works. Al-Ash'ari, al-Bāqillāni, and al-Māwardi were silent on this subject, although the spirit of argumentation was the same. This part of the polemic between the Sunnis and the Shi'is was too important a problem to be ignored by them. We venture to say that the reason behind this silence could be traced to the development of the challenge from the Shi'is. Al-Ash'ari opened his chapter on the imamate in his Luma' not by stating that the imamate is not an article of faith but by defending the validity of Abū Bakr's caliphate. In his time perhaps the Shi'is concentrated their attacks on the validity of the orthodox caliphs as such without mentioning its relationship to articles of faith, an idea they had still to formulate. It seems the formulation came at the time of Imām al-Ḥaramayn, because he was the first

¹Ibid.

to mention it. The subsequent Ash'arites had made that notion their cardinal principle of argument.

In his Tamhīd, al-Bāqillāni concentrated the opening part of his chapter on the imamate on the classification of traditions with a view to contradict the argumentation of those who sought to establish the imamate of 'Ali by prophetic traditions. Knowing that the methodology, presentation and flow of arguments were alike between Imām al-Haramayn and al-Bāqillāni, to the extent that it seemed that al-Irshād was a summary of al-Tamhīd, it was safe to say that the formulation of relationship between faith and the imamate was a novelty.

In his introduction to al-Ahkām, al-Māwardi defined the imamate and its relationship to the prophecy. The Imām is the successor of the Prophet in charge of religious and political affairs. The importance of this office to promote the interest of the religion and the ummah was stressed, because religion could not survive without an instrument to translate it into reality. But he did not mention explicitly that the imamate is not an article of faith.

Imām al-Haramayn was the turning point as far as this part of the polemic was concerned. This might have been the result of the political and ideological situation in his time, where the Shi'ite propaganda was rampant throughout the country. The Sunni jurists were in a better position to

retaliate forcefully because they enjoyed the protection of the reigning Seljūk Sultān and his able Wazīr, Niẓām al-Mulk.

The Ash'arites after him followed his pattern. Al-Ghazzāli said that the discussion of the imamate was not one of the important matters (laisa min al-muhimmāt) neither was it considered as part of the reasoning which contained matters of jurisprudence (wa laisa aidan min fan al-ma'gūlāt fī-hā min al fihiyāt).¹ Al-Īji said that the imamate and its branches of discussion are not a principle of religion nor articles of faith, but branches (furū') relating, not to faith or belief, but to the deeds of the Muslims.²

By stressing that the imamate is not an article of faith, Imām al-Ḥaramayn wanted to minimize the importance of the subject in the eyes of the believers, and to answer the Shi'ite argument. Imām al-Ḥaramayn was concerned about the danger involved in discussing the imamate.³ Al-Ghazzāli too said that a man who plunges into discussing the imamate is exposing himself to danger.⁴

¹ al-Ghazzāli, al-Iqtisād, p. 105; al-Dawānī, Sharḥ, p. 99.

² al-Īji, al-Mawāqif, VIII, 344.

³ Imām al-Ḥaramayn, al-Irshād, p. 410.

⁴ al-Ghazzāli, op. cit., p. 105.

CHAPTER VII

METHODS OF ESTABLISHING AN IMĀM

The highest source of authority in Islam is Allah.¹ He alone has the power to bestow "sovereignty" on whom He likes and to withdraw it from whom He likes.² The power possessed by the rulers, including that of the prophets, is exercised by the permission of Allah, because man has been appointed by Him as His vicegerent on earth.³ Rulers are required to act in accordance with general guidance provided by Him in His revelations, such as to follow the course of moderation,⁴ to promote the notion of consultation,⁵ to rule according to the truth (al-haq) and not to follow personal inclination (al-hawa),⁶ and to spread justice among mankind.⁷

The prophets get their divine guidance through revelation. Besides being the mouthpiece of Allah, the prophets

¹ al-'Asqalāni, Fath al-Bāni, XVI, 228.

² Qur'ān, II, 247; III, 26.

³ Ibid., VII, 69 and 74.

⁴ Ibid., II, 143.

⁵ Ibid., III, 159; XLII, 38.

⁶ Ibid., XXXVIII, 26.

⁷ Ibid., IV, 158.

rule their community in the name of Allah. Obedience to them is part of the obedience on God.

In Islam, the ideal method to appoint an Imam is by designation (nas) by Allah and His Prophet.¹ Since He is the source of authority, man has no reason to ignore His designation. But the question is whether there exists such kind of designation or not. The Ash'arites believe that there is no text of designation. The best part of their chapters on the imamate is devoted to negate the Shi'ite allegation that the texts of designation do exist. The Shi'is are of the opinion that the Imām must, by necessity, be specified (mansus) by Allah and His Prophet.²

Imām al-Haramayn devoted a good part of his discussion of the imamate to the detailed explanation of the classifications of traditions.³ He proceeded from discussion kinds of tradition step by step to the conclusion that each prophetic tradition upon which the Shi'ites based their allegation, is void of acceptable foundation. He began his exposition with the question of whether the imamate should be established on the basis of the existence of a clear-cut text concerning the designation or on the basis of the non-existence of such a text. He mentioned the point of view of the Imāmi Shi'a that the Prophet had designated 'Ali to

¹ al-Ash'ari, Maqālāt, p. 459; al-Baghdādi, Usūl, p. 279; al-Ghazzālī, al-Ijtisād, p. 106; al-Ījī, VIII, pp. 351-53.

² al-Hilli, al-Bāb, p. 68,

³ Thirteen pages from twenty-four he has on the imamate.

be the Imām after him. Anyone else who performs this function is doing 'Ali an injustice and is infringing upon his right.¹

He challenged the Imānis to prove the existence of such a text of designation. He reminded his opponents that the prophetic traditions, as far the chain of transmission is concerned, could be divided into two categories: those which were transmitted by a multiple number of transmitters (tawātur) and those which were transmitted by a single chain of transmitters (āhād). The first category was based on the assumption that the number of the transmitters was so numerous that it was impossible for them to conspire to lie. Imām al-Ḥaramayn did not specify the number. Once a prophetic tradition reached the level of tawātur, it entailed knowledge, and it became a sound basis upon which a legal conclusion could be established.¹ Imām al-Ḥaramayn denied the existence of such a text and said that any claim of the Shi'is based on prophetic traditions below the level of tawātur had to be disqualified.

Imām al-Ḥaramayn reasoned that "such an important thing usually was not concealed"³ from the public, such as the appointment of Mu'āz to be the governor of Yemen, and the

¹ Imām al-Ḥaramayn, al-Irshād, p. 419.

² Ibid.

³ Ibid., p. 420.

appointments of Zayd and his son Usāmah to be the commanders of the army. Abū Bakr did not conceal his appointment of 'Umar to be his successor, and 'Umar in his turn did not conceal the formation of a consultative council (majlis al-shūrā). If the concealment of an important thing, such as the imamate, is to be permitted, it might lead to serious consequences, such as that the Qurān had been opposed and that opposition had been concealed. In the long run this might lead to the negation of the prophecy itself.¹

A tradition that's hidden should be discarded on the ground that there was no mean to discover it. Furthermore, the practices of the umnah from generation to generation was against it.

Inam al-Haranayn rejected the claim of the Shi'ites, that āhād traditions, though did not entail knowledge, did entail practice, in the sense that it should be observed by Muslims.²

Inām al-Haranayn brought out several āhād traditions used by the Shi'ites to defend their view-point that 'Ali was appointed by the Prophet.

One of them was the saying of the Prophet: "I have more right upon the Muslims than they do; whoever recognizes

¹Ibid.

²Ibid., p. 421.

me as his mawla will recognize 'Ali as his mawla." The first objection presented by Imām al-Haramayn was that it was an āhād tradition. Second, the word mawla did not necessarily mean the imamate. It denoted more than one meaning, such as a guardian (of an unmarried girl), supporter (the most suitable one according to him), and manumitter (of a slave). Caliph or Imām were the most unsuitable meanings, because the Prophet did not specify the time, for instant "after my death", and there was no doubt that 'Ali did not become a Caliph or an Imām during the lifetime of the Prophet.¹ So, the most likely meaning was: "Whomever I am his supporter, 'Ali is his supporter."²

Another tradition was: "Your position to me is similar to that of Hārūn to Mūsā." Imām al-Haramayn failed to see any proof in it for the imamate of 'Ali, since it was said in a specific situation as a consolation for 'Ali when the Prophet asked him to stay behind during the campaign of Tābūk (A.H. 9)³ to be in charge of the city of Madīnah. This appointment was accepted by 'Ali reluctantly, especially there were criticisms uttered by some companions as to the reason why he was left behind.⁴ However, it was well known

¹Ibid., p. 422.

²Ibid.

³Ibn Hishām, al-Sīrah al-Nabawiyah, eds. Mustafa al-Saqqa² cs. (4 vols.; Cairo: 1955), III/IV, 515.

⁴Ibid., pp. 519-20.

that Hārūn had no chance to succeed Mūsā, because he died before him.¹

Imām al-Ḥaramayn brought forth hadith to balance the Shi'ite traditions, to the effect that Abū Bakr was preferred by the Muslims and that the ummah was advised by the Prophet to follow Abū Bakr and 'Umar after him.²

The conclusion derived by Imām al-Ḥaramayn from this discussion was that if there was no text of designation, the only alternative was election. Election had been the ijma' of the ummah, observed in various stages of Islamic history.³

This has been the main tenet of the Ash'arites. What has been stated by Imām al-Ḥaramayn is a summary of a dialogue between the Shi'ah and the Sunnah. Al-Ash'ari discussed the imamate briefly in his Luma'⁴ and referred to the election of Abū Bakr as a proof of the validity of election. The fact that 'Ali and 'Abbās were among those who swore allegiance to Abū Bakr was a clear indication of non-existence of any text of designation. He refuted the assertion that the ulterior motives and sentiments of 'Ali and 'Abbās were contrary to those which they displayed, because this might lead to the negation of the very existence of ijma'. He said:
"Since the manifest agreement of the community gives us

¹Imām al-Ḥaramayn, al-Irshād, p. 422.

²Ibid., p. 423.

³Ibid.

⁴See for texts and English translation, McCarthy, Theology.

certain knowledge of the consensus, we should ignore what anyone may claim regarding interior sentiments."¹ He elaborated more on the exposition of some Qurānic texts to indicate that the imamate of Abū Bakr had been necessitated by the fact that he fought the Yamamites and the Byzantines, possibly designated in a verse of the Qurān as "a people of great valor."²

The exposition of al-Bāqillāni in his Tamhīd³ follows the same line of argument as that of Imām al-Haramayn. Tamhīd is much larger than al-Irshād, and in a way the latter is a sort of summary of the former, as Imām al-Haramayn admitted⁴. The only difference is that al-Bāqillāni elaborates more in explanation and argumentation. Because of this, Imām al-Haramayn mentioned that "the Qādi [al-Bāqillāni] and others of our doctors... have composed extensive books on the question of the imamate which could satisfy those who seek elaborate reasons"⁵ His main purpose in al-Irshād was to expound "the fundamental rule of the chapter" on the imamate, to distinguish "the certainties" (qat'iyāt) from speculative interpretations (mujtahadāt).⁶

¹ Ibid., p. 113.

² Ibid., pp. 114-16; Qurān, XLVIII, 16.

³ al-Imām Abū Bakr Muhammad ibn Tayyib ibn al-Bāqillāni, Al-Tamhīd fi al-Rad 'ala al-Mulhidah al-Mu'attilah wa al-Rāfidah wa al-Khawārij wa al-Mu'tazilah, eds. Mahmūd Muhammad al-Khudayri and Muhammad al-Hadi Abu Raydah (Cairo: 1366/1947), hereafter referred to as al-Tamhīd.

⁴ Imām al-Haramayn, al-Irshād, p. 410.

⁵ Ibid.

⁶ Ibid.

Al-Bāqillāni says there are two ways to install an Imām: by designation or by election.¹ If one of them is negated, the other prevails. He disputes every tradition~~s~~ advanced by the Shi'ites to come to the conclusion: if there is no designation, the only alternative is election.² He admits that 'Ali possesses qualities superior, in one respect or another, to many other Companions, but this has nothing to do with the existence of text of designation.³ According to al-Bāqillāni there are several considerations to be taken into account with respect to an ahād tradition. First, it had to be a special case. Second, there had to be an absence of any notion of invalidity and contradiction. Third, the transmitters were straightforward ('adālah).⁴ But as far as the imamate is concerned, the upholders of those ahād traditions not only repudiated Abū Bakr, 'Umar and the members of the consultative body, but even insulted the Companions and considered them as infidels after becoming Muslims.⁵ So, there was no way to accept their ahād traditions. Al-Bāqillāni concluded that if the text concerning the appointment of 'Ali had been repudiated, the only way left to set up an Imām was by a contract between the qualified candidate

¹ al-Bāqillāni, al-Tamhīd, p. 165; see also Yūsuf Ibīsh, The Political Doctrine of al-Bāqillāni (Beirut: AUB, 1966), pp. 86-91.

² al-Bāqillāni, p. 165.

³ Ibid.

⁴ Ibid., p. 167.

⁵ Ibid., p. 178.

and "the meritorious men of the Muslims from the people who loosen and tighten (ahl al-hall wa al-'aqd) and trustees in this matter."¹

After proving the non-existence of text of designation, the Ash'arites rallied around the notion of election, which could be considered the ideal of Islamic way of choosing an Imām, based on ijma' and the practice of the Pious Caliphs. The appeal of the election was very great because it was considered as the most suitable method, in consistence with the general principles laid down by the Qurān, especially the notion of consultation.

Within the Shi'ite camp, the emphasis on designation varies in intensity. The Imāmis, the Jārūdi branch of the Zaydis, and the Rāwandi branch of the Abbasid Shi'is, claimed that the only way to appoint an Imām was by the designation of Allah through the Prophet, and after that by the designation the Imām to the Imām after him. Some of them based their claim on the invalidity of ijtihād, the other on the infallibility of the Imām. The infallibility could not be known by ijtihād, but by nass. But some of the Zaydis, such as the Batris and the Jarīris, were in agreement with the Ash'arites on election, with the exception of determining the preferability. They were of the opinion that 'Ali was preferable to Abū Bakr as the first Caliph.²

¹Ibid., p. 178.

²al-Baghdādi, Usūl, pp. 279-80.

Nominating an Imām by election has been the standard practice, or the ideal one, in the opinion of the Ash'arites. This conviction has been followed faithfully by them from generation to generation. Al-Māwardi did not discuss the arguments of the Shī'is on the question of designation.¹ He entered directly into expounding the doctrine of the Ash'arites without mentioning the Shī'ite designation, such has been done by his predecessors.²

The textual basis for the election was the practice of the ummah, with special reference to the election of Abū Bakr at the Saqīfa meeting. This practice had been agreed upon by the community in the form of ijma'.

But since the duty of the Sunni jurists in general, and the Ash'arites in particular, is to work out a solution to the political problems, and a justification to the practice of the ummah, the upholding of the doctrine of election is not sufficient. Abū Bakr's was the only true example of an election. 'Umar was chosen by Abū Bakr as "crown prince" after him. Since the establishment of the Umayyad caliphate, the method of setting up an Imām has been by direct appointment on the part of the ruling Imām of a member of his own family or clan, and occasionally his own son. The Ash'arites justify this practice by citing the example of Abū Bakr in

¹al-Māwardi, al-Ahkām, pp. 5-21.

²Ibid., p. 5.

appointing 'Umar.¹

Al-Ash'ari mentioned the difference of opinion among the Muslims on the question "the imamate by inheritance" (al-Wirāthah) and "the imamate by testament" (al-wasīyah).² According to al-Baghdādi, the Ash'arites, together with some people of the Mu'tazilah, the Murji'ah, and the Khawārij, were of the opinion that the imamate by testament was permissible, not compulsory.³ If a ruling Imām made his last will that a certain qualified candidate be the Imām after him, the Ummah was obliged to execute his testament.⁴ This practice was regarded by al-Māwardi as agreed upon by the community (ijma'). The practice of Abū Bakr in appointing 'Umar and of 'Umar in appointing the consultative council was accepted without question by the umma. Al-Māwardi believe that the ruling Imām should do this best to select the best and the most well-qualified. The ruling Imām did not have to consult the electors (ahl al-Ikhtiyār), neither to ask for their consent, because 'Umar in choosing the members of the council, and Abū Bakr in appointing 'Umar, did not ask for the consent of the companions. Some of the Basrah doctors believed that consent is one of the conditions to make his

¹ al-Ash'ari, Maqālāt, p. 459 and 463; al-Baghdādi, Usūl, p. 279 and p. 284; al-Ghazzālī, al-Iqtisād, p. 106; Abū Ya'la, al-Ahkām al-Sultāniyah, ed. Muḥammad Hamīd al-Fiqqī (Cairo: 1939), p. 9; al-Ijī, al-Mawāqif, VIII, 351-54.

² al-Ash'ari, op. cit., p. 463.

³ al-Baghdādi, op. cit., p. 284.

⁴ Ibid.

imamate valid within the community, because the imamate was a right related to the ummah and their consent as manifested by the electors (ahl al-ikhtiyār) was indispensable.¹

There are three schools of opinion according to al-Māwardi, if the ruling Imām appointed his son or his father, divided along the line whether the consent of the "electors" is required or not, and whether the candidate was a son or a father.²

Al-Ghazzālī mentioned "the appointment of the Imām of the time" (al-Tansīs min jihat ~~al~~-imām al-'asr) as one of the methods of establishing the imamate.³ Abū Ya'la, more blunt than other Ash'arites, put it matter-of-factly that the consent of ahl al-ḥall wa al-'aqd was not to be taken into account, since actually the testament of the ruling Imām is not "a contract of the imamate." If it was a contract it meant the existence of two Imāms simultaneously. This was not permissible. Their testimony was required only at the time the contracting ruler died.⁴ The contracting ruler preserved the right to withdraw his appointment before his death. He had the right to appoint his own father or son, because the imamate was not established by his testimony, but by the covenant of the Muslims (bi 'ahd al-muslimīn).⁵

¹ al-Māwardi, al-Ahkām, p. 10.

² Ibid.

³ al-Ghazzālī, al-Iqtisād, p. 106.

⁴ Abū Ya'la, al-Ahkām, p. 9

⁵ Ibid.

As far as we know, al-Ash'ari, al-Bāqillāni, and al-Baghdādī, did not discuss the method of establishing an Imam under pressure of military leaders. Al-Bāqillāni mentioned that "there were irregular situations created by force (qahr wa ghalbah) and maintained that such an imāmate is irregular and obedience to it is not obligatory."¹ The subsequent events proved that these "irregularities" were destined to prevail obedience to those Imams whose power rested on force had become a necessity.

In al-Irshād, Imām al-Haramayn did not pay any attention to this method of establishing an Imām. This could be explained either by the brevity of his book or by the influence of the elder Ash'arites.

Al-Māwardī spoke about "the imamate without contract of election."² He mentioned that "the people of knowledge" differed as far as this kind of imamate was concerned. Some of the Iraqi jurists were of the opinion that his rule was established and his imamate concluded. The community was persuaded to obey him, even if "the electors" (ahl al-ikhtiyār) did not contract the imamate to him. This was because the real purpose behind election was to distinguish the ruler (from the rest of the community), and by his action he had become distinct.³

¹ Ibīsh, op. cit. p. 96; see also al-Bāqillāni, al-Tamhīd, p. 181.

² al-Māwardī, al-Ahkām, p. 8.

³ Ibid.

The majority of the/jurists and/scholastic theologians, continued al-Māwardī, were of the opinion that his imamate was not established except by consent and election, but "the electors" had the obligation to contract the imamate to him, because imamate was a contract which could not be done except by a contractor.¹

Yet the more compromising stand vis-à-vis the imamate by force was taken by al-Ghazzālī. He said the aim of the imamate was the unification of scattered opinions for an obeyed individual. He was so concerned with the stability within the community and with the avoidance of civil war that he was ready to sacrifice the principle of election altogether. He fully recognized the/necessity to dismiss the Imām if possible, but this action necessarily led to civil war and bloodshed which "consequences could not be predicted". He was ready to disregard some qualifications of the Imām. He reasoned: "Which situation is/better? that the judges be dismissed, guardianship and tutelage nullified, that marriage contracts become in/valid, that actions of the governors in every corner of the/world be suspended, and that the people do what was forbidden by the Sacred Law, or that the imamate be assumed (mun'agidah) . . . because of the compulsory situation (li darūrat al-~~hal~~) . . . the less of

¹Ibid.

the two evils (ahwan al-sharrayn) . . .?"¹

In Ihyā 'Ulum al-Din, he writes

"An evildoing and barbarous sultan, so long as he is supported by military force, so that he can only with difficulty be deposed and that the attempt to depose him would cause unendurable civil strife, must of necessity be left in possession and obedience must be rendered to him, exactly as obedience must be rendered to emirs . . . We consider that the Caliphate is contractually assumed by that person of the 'Abbasid house who is charged with it, and that the function of government in the various lands is carried out by means of Sultans, who owe allegiance to the Caliph . . . Government in these days is a consequent solely of military power, and whosoever he may be to whom the holder of military power gives his allegiance, that person is the Caliph. And whosoever exercises independent authority, so long as he shows allegiance to the Caliph in the matter of his prerogatives of the Hutba and the Sikka, the same is a sultan, whose commands and judgments are valid in the several parts of the earth."²

Al-Ghazzāli admitted the symbolie power of the Abbasid caliphate and the real power of the military commanders.

Abū Ya'la reported a saying from Aḥmad bin Ḥanbal that the imamate could be established by force (bi al-qahr wa al-ghalabah). He said: "Whosoever conquered them by sword until he became a caliph and was addressed as 'The Commander of the Faithful', it was forbidden for anybody believing in Allah and the Lastday to make a conspiracy and not to see him Imām (an yabīta wa lā yarāhu imāma), whether

¹ al-Ghazzāli, al-Iqtisād, p. 107.

² This quotation is taken from H.A.R. Gibb and Harold Bowen, Islamic Society and the West, Volume I, Part I (London: Oxford University Press, 1960), p. 31.

he was pious or unchaste evildoing."¹ Abū Ya'la also quoted a saying of Ahmad: "Friday prayer is to be offered to the winner (al-jum'ah ma'a man ghalab)."² He thus give power a prominent place. If there were two military commanders contending for the imamate, the Muslims must ~~to~~ wait for the outcome and then support the winner. This position was adhered to by al-Dāwāni in his Tawdīh.³

The bottom of the down-sloping compromise with the reality at the expense of the theory could be noted in the exposition of Badr al-Dīn Ibn Jamā'ah in Tahrīr al-Ahkām fi Tadbīr Ahl al-Islām. He said:

"As for the third method [of acquisition of the Imamate], that whereby the contract is made by oath of allegiance exacted by force, this is when a person possessed of military power exercises compulsion. If the office of Iman is vacant at the time and one who is not fitted for it aspires to it and compels people by his might and his armies [to accept him] without [receiving] an oath of allegiance or without nomination by his predecessor, his office [literally 'bey'a'] is contractually assumed and obedience is to be rendered to him, in order that the unity of the Muslims may be preserved. That he should be barbarous or evildoing no way invalidates this, in the most authoritative view. When the Imamate is thus contractually assumed by one person by means of force and military superiority, and thereafter there arises another who overcomes the first by his might and his armies, then the first is deposed and the second becomes Iman, for the reasons of the wellbeing and unity of the Muslims which are stated above.⁴ (Underline supplied).

¹ Abū Ya'la, p. 7

² Ibid., p. 6.

³ al-Dāwāni, p. 51.

⁴ Quotation taken from Gibb and Bowen, op. cit., p. 32.

By that, the Ash'arite political theory, in its insistence to justify the practices of the ummah, has gone so far as to ignore the requirements of the Sharī'ah and the qualifications of the Imām to the extent that power and military might become the main conditions to install an Imām. The assumption upon which this theory rests is the belief that the unity of the Muslims has to be preserved at all cost. The later generation of the Ash'arites put special emphasis upon the wellbeing and unity of the Muslims, on preserving their lives and properties. For this the Imamate as an institution is to be maintained, whatever method it takes in establishing itself, whatever means is taken to secure it.

CHAPTER VIII

METHODS OF ELECTION

By the methods of election here is meant the number of electors or contractors required to contract the imamate to a candidate. Whether the attendance of witnesses is considered necessary for the contract is also discussed under this heading. Bay'a or the oath of allegiance is included. Bay'a as the expression of loyalty on the part of the populace could be regarded as maximum participation of the Muslims in political life, so far as the election is concerned.

Imām al-Haramayn is of the opinion that ijma' is not required in contracting the imamate to a candidate. The imamate is contractually assumed, even if the ummah, or the people who loosen and tighten (ahl al-hall wa al-'aqd) disagree. To back his opinion he cites a historical precedent that Abū Bakr, after his election at the S^qīfah meeting, immediately began to perform his duties, before waiting for the news to spread to every corner of the Muslim world. Nobody ever objected to this practice and nobody told him to wait for the news to spread.¹

¹Imām al-Haramayn, al-Irshād, p. 424.

Whether this practice was set by Abū Bakr as a pattern to be followed by later generations or whether his action was dictated by exigencies of his time is difficult to determine. Abū Bakr's decision to seek the unity of the ummah in appointing 'Umar after him might throw some light on that question. It seemed that he preferred a way in which the transference of power was conducted in such a manner that the critical situation surrounding his election could be avoided. But the practical value of that background was irrelevant since by this practice a precedent had been set, and it was safe for the following generations to cite, especially if similar circumstances prevailed.

As ijma' was not required in electing an Imām, Imām al-Haramayn did not mention a specific number of electors. In his opinion a single person of ahl-al-hall wa al-'ard could contract the imamate.¹ This has been the opinion held by the Ash'arites. Al-Ash'ari² and al-Bāqillāni³ held that the imamate was contractually assumed, if it is contracted by a single man "of the people of ijtihād and piety" (min ahl al-ijtihād wa al-wara').⁴

The range of opinions regarding the number of electors varied greatly.⁵ Al-Ash'ari mentioned six schools of thought,⁶

¹ Ibid.

² al-Baghdādi, Usūl, pp. 280-81.

³ al-Bāqillāni, al-Tamhīd, p. 178.

⁴ al-Baghdādi, Usūl, p. 281.

⁵ al-Ash'ari, Maqālāt, p. 460; al-Baghdādi, Usūl, pp. 280-81; al-Māwardi, al-Ahkām al-Sultāniyah, pp. 6-7.

⁶ al-Ash'ari, Maqālāt, p. 460.

al-Baghdādi three,¹ and al-Māwardi four.²

The most extreme school held that there must be an ijma' of the community in appointing a particular Imām. This school, claimed by al-Aṣam,³ was refuted on the ground that the election of Abū Bakr was conducted by those who attended the bay'a without waiting for the absent to come.⁴ Al-Baghdādi mentioned another school which stated that "all the 'Ulamā of the community who attended the place of the Imām without a fixed number"⁵ must participate and be in agreement in the appointment of the Imām. This school was headed by al-Qalansi and his Ash'arite followers.⁶ The place of the bay'a was very much in accordance with the Mālikite school of jurisprudence. Another school related the number of the electors in the imamate to the number required in making a prophetic tradition mutawātir. This the number of the electors would be so large as to make the change of conspiring to lie, or to be suspected of it, practically nil.⁷

¹ al-Baghdādi, Usūl, pp. 280-81.

² al-Māwardi, al-Ahkām, pp. 6-7.

³ al-Ash'ari, Maqālāt, p. 360.

⁴ al-Māwardi, al-Ahkām, p. 7.

⁵ al-Baghdādi, Usūl, p. 281.

⁶ Ibid.

⁷ al-Ash'ari, Maqālāt, p. 360.

Another school of thought believed that the minimum number was five persons.¹ The imamate could be contracted to either a candidate outside their group or to any one of them with the consent of the rest. Historical precedents were:

a. the bay'a of Abū Bakr was accomplished by five electors: 'Umar bin al-Khattāb, Abu 'Ubaydah bin al-Jarrāh, Asid bin Khudayr, Bishshīr bin Sa'ad, and Sālim Mawla Abi Huzaifah.

b. 'Umar appointed the Council of Six, so that one of them is elected as Imām by the consent of the other five. Al-Māwardi said that this was the opinion of the majority of the jurists and theologians from Basrah.²

Al-Ash'ari mentioned another school which held that the minimum number was four,³ apparently on the assumption that the Council of Consultation appointed by 'Umar had five members.

The school that up-held the minimum number of contractors was three, such as forwarded by some 'ulamā of al-Kūfah, drew analogy from marriage contract, where there had to be present one contractor (wali or guardian) and two witnesses.⁴ Similar stand was taken by those who said that the minimum number of the contractors was two.⁵

¹ al-Ash'ari, Maqālāt, p. 460.

² al-Māwardi, al-Ahkām, p. 7.

³ al-Ash'ari, Maqālāt, p. 460.

⁴ al-Māwardi, al-Ahkām, p. 7; al-Baghdādi, Usūl, p. 281.

⁵ al-Ash'ari, Maqālāt, p. 460; al-Baghdādi, Usūl, p. 281.

(This was said to be the opinion of Sulaymān ibn Jarīr al-Zaydi and some of the Mu'tazilah).

Despite the existence of various schools, the Ash'rites seemed to hold that one qualified elector was enough. When he contracted the imamate to a deserved candidate, the rest had the duty to convey their allegiance. But if the contractor or the candidate, or either one of them, was not qualified ^{the contract was not} valid, by analogy to the marriage contract.¹ An historical precedent was that al-'Abbās was reported to have said to 'Ali: "Stretch out your hand so that I may give obdience to you (ubāyi'uka)."² This story had been recognized by all, according to al-Māwardi. Besides, the contract of the imamate was a decision, and the decision of one person was valid.² In defending this opinion, al-Bāqillāni said: "The proof as to its truth is whether the notables (fudalā') of the ummah are the men who possess the right to perform (wullāt) the contract of imamate, and if there is no standing evidence that the contract must be made by all of them or by a certain fixed number of them which could not be added to or reduced, then it is established, in the absence of any evidence specifying a certain number . . . that the imamate can be established by a single elector or more."³ He added that "the meeting of all members of ahl-al-hall wa al-'aqd from various Muslim cities in one place and agreeing upon the election of one man, is unattainable and impossible."⁴

¹ al-Baghdādī, Usūl, p. 281.

² al-Māwardi, al-Ahkām; al-Ījī, al-Mawāqif, VIII, 352-53.

³ al-Bāqillāni, al-Tamhīd, p. 178.

⁴ Ibid.

The form of the contract was very simple. The important part of it was the utterance: "We have contracted the imamate to you, bay'a of consent (bāya'nāka fī bay'ati ridā), that you administer justice and equity and carry out the ordinances of the imamate."¹ Abū Ya'la did not consider shaking hands as necessary.² The wording of the contract was not to be taken literally, since the most important thing was the content and method, not the wording and appearance.

As to the attendance of witnesses, Imām al-Haramayn was of the opinion that this was a question that had no textual basis and should be treated as other logically concluded question (wa sabīluhu sabīlu sāir al-mujtahadāt).³ But he said that "some of our associates" were of the opinion that the contract of the imamate must be performed in the presence of witnesses. The reason behind this was to prevent the possible allegation that someone had contracted the imamate secretly prior to the public one.⁴ Furthermore, the contract of the imamate was in no way inferior to the marriage contract, where the publicity (i'lān) in the sense of existence of witnesses was one of the conditions.⁵ By implication, this was required even more in the establishment of the imamate. But this was a logical conclusion, and did

¹ Abū Ya'la, al-Abkān, p. 9

² Ibid.

³ Imām al-Haramayn, al-Irshād, p. 424.

⁴ Ibid.

⁵ Ibid.

not reach the degree of certainty.¹

Political theorists in Islam constantly drew analogy between the "contract of the imamate" and the "contract of marriage". In marriage, in case of two contracts being made to a girl by two different guardians, the first in term of priority was the valid one, because the latter contract was established on incorrect basis, hence not valid. This is also the case with the imamate. If a qualified elector lawfully elected an Imām, and after that another qualified elector, not aware of the first contract, elected another Imām, this election was not valid, since a legally elected Imām was already assuming his office. The assumption upon which this theory was based was the monistic theory of authority, which stated that there should be one Imām at one time on earth. Even if there were more than one Imām in existence, as long as they governed different territories, the morale behind the presence of witnesses was still useful.

Al-Bāqillāni asserted the necessity of witnesses. He did not mention numerical limitation. Whenever the contract was attended by a group of Muslims, it was accomplished. He said that to limit the number of witnesses to four, beside the elector and the candidate, by taking into consideration the number of the members of the Consultative Council set up by 'Umar, was not the point, because 'Umar in appointing them did not fix a number, but appointed the notables of the ummah.²

¹Ibid.

²al-Bāqillāni, al-Tamhīd, p. 179.

If an Imām had been elected, the next step was to make it public, usually at the mosque. The rest of the Muslims were obliged to convey their oath of allegiance, since the election of ahl al-hall wa al-'aqd was their election. These notables could be described as their representatives.

CHAPTER IX

THE NUMBER OF IMĀMS

The Ash'arite discussion on the number of Imāms at one and the same time is one of the instances of their theory where their endeavor to justify and rationalize the practice of the ummah is manifested clearly. The monistic theory of authority had been the basic approach followed by the jurists because this was consistent with the single ideal political unity in Islam. The unity of the Imām is a reflection of the unity of God, the unity of the Sacred Law and the unity of the community of the believers.

To preserve the unity of the Islamic policy is regarded as the duty of every Muslim and is encouraged by the teaching of the Prophet. The existence of more than one Imām at one and the same time cannot be tolerated by the Prophet. He said: "If there are two caliphs elected, kill one of them."¹ The order to kill was also given to anybody who sought to divide the Muslim community. The Muslims are required to cling to jamā'ah in all cases, especially at the time of civil war and civil disobedience. It is strictly forbidden to break

¹Muslim, Sahīh, ed. Muhammad Fuad 'Abd al-Bāqi (5 vols.; Cairo: 1955), III, 1480; Ibn al-Athīr, Jāmi', IV, p. 442.

away from the community or to declare disobedience to the Imām.¹

It is easy to maintain the unity of the umma at the time where the polity is small, compact, surrounded by numerous enemies, and every member is guided in his action by the zeal for the higher cause.

During the life-time of Imām al-Ḥaramayn, the Islamic world witnessed the division of political unity into various parts. In Spain there was an Umayyad regime formed as the continuation of the Umayyad Caliphate in Dam^āscus. In Egypt, the Fatimid Caliphate formed a serious challenge to the Abbasids, and on one occasion even captured Baghdad, the site of the Caliph (450/1058).² Due to this situation, the development of the notion of pluralistic theory of authority by some of the jurists is not an unnatural thing.

In dealing with this question, Imām al-Ḥaramayn pointed to the climate of thought in his time by saying that: "Our associates have been of the opinion to forbid the establishment of the contract of the imamate to two persons in two different parts of the world."³ His associates argued that the establishment of two Imams was like contracting marriage of one girl to two husbands at the hands of different guardians, without knowing the existence of the other contract. According to Islamic legal theory this is forbidden, and the solution

¹Muslim, Sahīh III, 1475; Ibn al-Athīr, Jāmi', IV, 443.

²Ibn al-Athīr, al-Kāmil, VIII, pp. 82ff.

³Imām al-Ḥaramayn, al-Irshād, p. 425.

to this problem could be found in legal books, usually by ascertaining the priority of time.¹

Imām al-Ḥaramayn was fully in agreement with his associates that it was not permissible to contract the imamate to two persons in one locality (sug') with its districts close to each other. This has been the consensus of the community.²

But if there were two Imāms elected in different part of the world, separated by vast distance, Imām al-Ḥaramayn was of the opinion that "there is a possibility" of it, and this question was "outside the pale of certainties", meaning that this question had not been dealt with in a definitive manner either in the Qurān or in the prophetic traditions.³

The possibility of existence of more than one Imam at one and the same time described by Imām al-Ḥaramayn, which was permissible only if there was a natural barrier between their territories so that it could not be considered as one territory, was understood to be a gesture of compromise with the reality. The reserved position taken by Imām al-Ḥaramayn and the cautious way he presented this viewpoint was an indication that this was not a popular stand in his time.

When al-Ash'ari discussed the possibility of more than one Imām, he approached the problem from different angle. What he had in mind was not the pluralistic theory expounded

¹Ibid.

²Ibid.

³Ibid.

by Imām al-Ḥaramayn, but rather an answer to a Shi'ite claim, the Rawāfids', who said that the existence of two Imams in one and the same time was possible if one of them is silent and the other speaks. If the speaking Imām died, the silent one succeeded him. He said that within the Rāfidah Shi'ites themselves there were different opinions concerning the existence of more than two Imams in one time.¹

Al-Bāqillāni did not discuss the permissibility of more than one Imām at a time. His approach was to solve the problem if there were more than one Imām. He said: "What is your opinion if different groups of Ahl al-hall wa al-'agd make a contract for several Imāms in different counties, each of them fitted for the imamate, and this contract happens to be made in a time where there is neither an Imām nor a person nominated by previous Imām? What is your legal position concerning them? Which one of them is a better position for the imamate?"²

The answer according to al-Bāqillāni is that "those contracts should be scrutinized, re-examined, and a decision made as to which of them was the first in terms of time."³

The assumption upon which this dialogue is based is the monistic theory of authority, where there is no room for more than one Imām. In case there is more than one claim, the element of time (priority) will be the decisive factor in

¹ al-Ash'ari, Maqālāt, p. 460.

² al-Bāqillāni, al-Tamhīd, p. 180.

³ Ibid.

determining who is the true Imam, keeping in mind the analogy of the marriage contract.

The procedure to be followed, according to al-Bāqillāni, should be:

1. in case the priority of time has been determined, the other is told to withdraw his claim,
2. if he refuses to obey, he is considered a rebel, (against whom war is waged until he is defeated from the surface of the earth, or brought back to loyalty),
3. if the priority of time can not be determined, all the contracts are considered nullified and a new contract is to be made either to one of them or to a third party. If they refuse to conform to this, war is declared to them until order is established,
4. if the community is in too weak a position either to wage war or to bring them back to obedience, the community is considered in a state of "domination (ghalabah) and civil disobedience (fitnah)" and in a position to be excused for living without an Imam,
5. if possible, the imamate should be contracted to other than those who are warring for it; this new contract declares war on the pretenders until they comply with the new ruler and are brought back to loyalty,
6. if these contracts have been properly considered and they all turn out to have been made at the same time, all of them are nullified, and a new Imām has to be elected either from their rank or from outside their group.¹

¹Ibid., pp. 180-81.

The conclusion that interests us here is that al-Bāqil-lāni failed to recognize the possibility of more than one Imām at one and the same time by basing his argument on the marriage contract.

The trend to acknowledge the reality and to justify it in terms of a workable theory was started when al-Baghdādi mentioned the exception to the monistic theory. Beside mentioning the dominant opinion that the existence of more than one Imām could not be tolerated, he made an exception. The possibility of two Imāms exists "if between the two countries there is sea preventing the coming of the supporters of one Imām to those of the other,"¹ or between the two territories there are enemies and the inhabitants of one territory do not have the ability to support the other.² In these cases each territory has the right to appoint its own Imām.³

He also stated the Shi'ite view-point that the existence of two Imams was in order, as long as one was speaking and the other silent.⁴

Al-Baghdādi objected to the opinion of the Karrāmi sect which believed the possibility of more than one Imām without any condition. Some of the Karrāmites were of the opinion that both 'Ali and Mu'āwiyah were Imāms at one and the same

¹ al-Baghdādi, Usūl, p. 274.

² al-Baghdādi, al-Farq, p. 341.

³ Ibid.

⁴ al-Baghdādi, Usūl, p. 274.

time, except that 'Ali was Imām in accordance with the tradition and Mu'āwiyah contrary to tradition.¹ Al-Baghdādi ridiculed this by saying how could obedience be rendered to an Imām contrary to tradition (sunnah). Al-Baghdādi was of the opinion that had the existence of more than one Imām been legalized without stipulating the condition of natural barrier or others, every qualified person for the office of the imamate might claim the imamate for himself and become an Imām within his district or over his clan. This would eventually lead to the elimination of the very basis of the imamate, that is the necessity to establish the imamate.²

The pluralistic theory was categorically rejected by al-Māwardi.³ He said: "It is not allowed that the ummah has two Imāms at the same time."⁴ This probably reflected "the refusal of the Abbasids and their partisans to admit the claim of their dangerous rivals, the Fatimids, and excluded also the Umayyads of al-Andalus."⁵ Al-Māwardi mentioned the existence of those who "deviated and permitted the existence of two Imāms."⁶

¹ Ibid.

² Ibid., p. 275.

³ al-Māwardi, al-Ahkām, p.9.

⁴ Ibid.

⁵ Gibb, Studies . . ., p. 157.

⁶ al-Māwardi, al-Ahkām, p. 9.

He expounded various possibilities of settlement in case the imamate has been contracted to more than one Imām, as follows:

1. by locality; the candidate from the country where the previous Imām died has more right because the people of that country are in a better position to bear the responsibility of the imamate. It is the duty of the Muslims in far-away provinces and garrison cities to delegate their rights to appoint an Imām to the people of the country where the Imām has died and to submit to their choice so that the news about the difference in opinion may not spread.¹

2. both contestants should resign to give the opportunity for ahl al-hall wa al-'aqd to choose properly either one of them or a third in order to preserve order and to avoid civil disturbances.²

3. by drawing lots, to avoid quarrel and enmity.³

4. by priority of time; the first one appointed is the legal one, by analogy of the marriage contract. This the choice of al-Māwardi, which he claimed to be "the opinion of the investigating jurists" (al-fuqahā' al-muhaqqiqūn). If both of them were elected at the same time, both contracts were considered nullified, and a new contract should be made.⁴

In indulging in more details concerning the priority of time, al-Māwardi's opinion on the swearing and confession

¹Ibid.

²Ibid.

³Ibid.

⁴Ibid.

is instructive, because both methods (swearing and confession) have no place in ascertaining the imamate, because it is not an individual or private right but the right of all Muslims.¹ Only the existence of witnesses counts. If he can produce a witness to prove his priority of time, his claim will be accepted. If both parties produce their own witnesses, a third one should be elected, because the imamate is a contract neither to be shared nor concluded by drawing lots.²

The similar argument and reasoning are taken by Abū Ya'la in his al-Ahkām al-Sultāniyah.³

Al-Īji permitted the prevalence of two Imāms in the Muslim territories provided the distance between them was such that the whole territory could not be governed by a single ruler.⁴

He also mentioned the Shi'ite point of view that the imamate was a matter of consultation between the off-springs of al-Ḥasan and al-Ḥusayn. Each one of them who "went out with sword" claiming the imamate and calling to the truth, having the qualities of courage and knowledge, he was an Imām. Hence in effect the Shi'ites permitted the existence of more than one Imām in close-by regions. Al-Īji said this was against ijma'.⁵

¹Ibid.

²Ibid.

³Abū Ya'la, al-Ahkām, p. 9

⁴al-Īji, al-Mawāqif, VIII, 353.

⁵Ibid.

CHAPTER X

DEPOSITION OF AN IMĀM

Discussions on the conditions and circumstances leading to forfeiture of the imamate have been treated by the Ash'arites with special care because there are no indications in the Islamic teaching to the effect that the contract of the imamate is limited by a specific period of time. In the Qurān there is only general instruction to follow faithfully whoever is set in command.¹ The prophetic traditions ask the believers to obey the ruler even if ~~they~~ they don't like what what he is doing. Their duty is to be patient. They have no right whatsoever to break away from the community "even by a span of the hand", otherwise they face the threat of dying as if they lived prior to Islam (māta mītatān jāhiliyah).² This threat is so frightening, even if al-'Asqalāni has interpreted it that what is meant by mītatān jāhiliyah in that particular tradition

¹Qurān: IV, 59.

²al-'Asqalāni, Fath al-Bāri, XVI, pp. 111-12 and p. 240.

is that their death resembles the death of the pre-Islamic pagans in the sense that they were going astray and deviated from the right course (dalāl) without having an obeyed Imām. They do not die as infidels but as insurgents ('āsi).¹

Absolute loyalty is limited only by the act of defiance against Allah. In this case the ruler is not to be heeded nor to be obeyed (lā sam'a wa lā tā'ah).² In some traditions the obedience to the ruler is related to the obedience of the Prophet and Allah.³ This obedience is maintained even if a slave becomes ruler.⁴

But when is the act of the ruler considered against Allah? The jurists tend to give vague explanations. The tradition said "until you behold atheism and irreligionism is looming" (illa an tarau kufran bawāhan).⁵ The conclusion drawn from this by al-'Asqalāni is that it is not permissible to "go out" against the rulers as long as their action could be given other interpretation.⁶ However tyrannical the ruler is, the Muslims have the duty to follow him, go out to battles with him,

¹Ibid., p. 112.

²Ibid., p. 240.

³Ibid., p. 228.

⁴al-Shawkāni, Nayl al-Āwtār: Sharh Muntaqa al-Akhbār min Abādīth Sayyid al-Akhbār (2nd ed.; 9 vols.; Cairo: 1344), IX, 167 and 168.

⁵al-'Asqalāni, Fath al-Bāri, XVI, 113.

⁶Ibid., p. 114.

in order to preserve the blood and to silent the mob.¹ Obedience is limited by the exigencies of the implementation of the sha-ri'ah.

Like other jurists, Imām al-Haramayn believes that once the contract of the imamate is executed validly, it is binding and can not be revoked.²

It is the consensus of the community that an Imam can not be deposed without any event that demands his forfeiture or without change of condition (min ghayri hadath wa taghayyuri amrin).³ But he still envisages the possibility of deposing an Imām in two cases:

1. change in the conditions of the Imām either physically or in his attitude, if his acts are not in conformity with the religious teaching, by going astray and living in sin, and by that disqualifying himself from the proper behavior of an Imām. Thus he can be deposed even without the actual act of deposing.⁴ Simply by performing such an unbecoming act, he ceases to be an

¹ Ibid., p. 112.

² Imām al-Haramayn, al-Irshād, p. 425.

³ Ibid.

⁴ Ibid., p. 426.

Imām. Like other Ash'arite and Sunni jurists, Imām al-Haramayn did not mention how this deposition is to be carried out.¹ He mentions that the community has the choice either to depose him or not. If by any chance the community has the opportunity to correct him, it may do so. Anyhow this is one of the mujtahadāt, logically concluded questions, affected very much by situational factors, a fact that should not be forgotten.²

2. relinquishment of the Imām of his right to the office by explaining his reason or without giving reason. An Imām has every right to renounce his office by explaining his reason, such as his incapability of shouldering the responsibilities of the imamate, or without giving any reason at all. Imām al-Haramayn cites a historical precedent when Ḥasan, son of 'Ali, renounced his right to the office of imamate.³

Al-Ash'ari mentioned that among the creeds of ahl al-sunnah wa al-jamā'ah was the duty to invoke blessing (al-du'ā) for the Muslim Imāms, not to go out against them with sword, not to take part in the fighting during civil wars.⁴ He did not discuss the possibility of deposing them.

¹ Ibid.

² Ibid.

³ Ibid.

⁴ al-Ash'ari, Maqālāt, p. 295.

In answering to the question: "Has the ummah any right to cancel the contract of the imamate without any event that demands his forfeiture, as much as it has the right to make the contract?," al-Bāqillāni said that the ummah has no right to do so. There are many contracts in Islamic legal theory where the contractors have the right to perform without any right to nullify them, such as marriage, selling, fasting, manumission, and voluntary-prayer.¹

He mentioned several conditions which might lead to the forfeiture of the imamate:²

1. becoming infidel after being a Muslim,
2. negligence in performing prayer and summoning the people to perform them,
3. debauchery, injustice and corruption in dealing with property, failure to protect lives, rights, borders, and the likes.

Al-Bāqillāni said that the majority of the people of tradition said that these things do not necessarily lead to the forfeiture of the imamate, but the first step to be taken is to advise him to return

¹ al-Bāqillāni, al-Tamhīd, p. 179

² Ibid., pp. 186-87.

to the right path from his unbecoming deeds, to frighten him, and to ignore those orders of his that might lead to God's disobedience. They based their opinion on many prophetic traditions on the duty to obey the Imām, even if he becomes a tyrant and corrupt in dealing with properties.

4. loss of clarity of mind or madness that endangers the interests of the Muslims, being no hope for the Imām's recovery.

5. any physical handicap that forbids him from performing his functions properly for which the office of the imamate is established.

6. capture by an enemy for such a period of time as to endanger the interests of the ummah, there being no hope of regaining him.

If an Imām has been deposed, and a new Imām installed, the first one loses his right to regain his position after being released by his captors or after recovering from his madness or illness.¹

The appearance of a better qualified candidate is not a reason to dethrone an Imām, because the right to choose the best available candidate is at the stage

¹Ibid.

of election and not when an Imam is already in office. Al-Bāqillāni mentioned similar legal cases that are abundant in Islamic legal theory.¹

Al-Baghdādi in his Usūl al-Dīn neglected altogether the discussion of the conditions and changes that might lead to the forfeiture of an Imām.

Al-Māwardi's opinion concerning this subject has been discussed at length by many scholars.² He said that a qualified Imām after being elected to the office legally and has performed his duties well, it becomes incumbent upon all Muslims to render him obedience and assistance, as long as the conditions do not change.³ He dwelled at length on the classification of the conditions leading to the deposition of an Imām. There were two changes that affected the integrity of an Imām: physical and moral.⁴

If his moral integrity is "wounded" he is in a state of debauchery. This is either concerning the acts of the limbs, such as committing himself to forbidden things, performing the abominations out of passion and fancy, or concerning with belief and creed that are liable to various interpretations, and the Imām interprets it contrary to the truth.⁵

¹ Ibid.

² See for instance Gibb's Studies . . . pp. 159-62.

³ al-Māwardi, al-Ahkām, p. 17.

⁴ Ibid.

⁵ Ibid.

In the first case he is forbidden to accept the contract of the imamate as well as to continue in his office, if he is already an Imām. The question arises if the Imām recovers his integrity. Al-Māwardi holds that the Imām may regain his function through a new contract. But some of the mutakallimūn regard that a new contract is not necessary, because the imamate returns as soon as he regains his integrity, because his authority is general, and in conducting a new bay'a we invite unnecessary troubles.¹

If it is concerning his belief and creed, some of the 'ulamā tend to forbid the imamate from him, because if there is no difference between infidelity-by-interpretation and infidelity-without-interpretation, then there also is no difference between debauchery-by-interpretation and debauchery-without-interpretation. But many of the doctors from Basrah are of the opinion that errors of interpretation do not debar the Imām from the imamate, just as these errors do not debar anybody from becoming a judge or becoming a witness.²

As far as the physical infirmity is concerned, al-Māwardi discusses three kinds of handicaps: the loss of some of the five senses, loss of limbs and loss of

¹Ibid.

²Ibid.

liberty. He explains more details of each of these handicaps, and the difference of opinion between the jurists concerning each of them.¹

Despite his lengthy discussion on the conditions and changes that might eventually lead to the deposition of an Imām, he does not discuss the procedure by which this deposition is to be carried out. This is not the characteristic of al-Māwardi alone, but of all the Ash'arites. The possibility to depose an Imām is connected by them to peace and stability. If the deposition can be done without in-fighting and civil war, the Muslims can proceed to do that. Otherwise, it is better to obey him, recognize his imamate and be patient.²

¹Ibid., pp. 17-21.

²al-Ghazzālī, al-Iqtisād fi al-'Itiqād, p. 107; al-'Asqalānī, Fath al-Bāri, XVI, 114.

CHAPTER XI

THE QUALIFICATIONS OF AN IMĀM

There are qualifications to be fulfilled by a candidate for the office of the imamate. The methodological approach followed by successive Ash'arite scholastic theologians in dealing with these qualifications has more or less been characterized by similarity and monotony, except for slight divergence in the order of presentation and emphasis. Most of these qualifications have been taken from the general attitude of the Islamic legal theory regarding the legal actions of an individual Muslim. Islamic legal theory demands certain qualifications from a man in order to be considered qualified to bear legal and religious responsibilities. There are qualifications for performing prayer, paying poor-tax, making pilgrimage, and so on. The more an action affects other individuals, the heavier are the qualifications required. Qualifi-

cations to be a contractor in buying and selling are more than those of a worshiper in prayer. Qualifications to be a witness in a criminal or legal cases are more than those of a seller and buyer.

The imamate is perhaps the highest office. The action of an Imām affects not only his personal interests but also those of the members of the community. If the imamate is the embodiment of law and order, or the instrument to translate the sacred law into reality, it should be shouldered by the most qualified Muslim, in accordance with the principle "the best should rule."

But as far as the Ash'arite theory is concerned that ideal has to be modified to fit the various changes in the balance of power within the Islamic polity. It has to be compromised to the actualities. Though the main body of those qualifications remains intact, the trend of change can be perceived from reading the successive works of the Ash'arites. Endeavor to modify those qualifications, or, at least, to interpret them in the light of prevailing conditions, has to be carried out cautiously. It can be realized by means of lowering the standard of a particular qualification, such as "being just" (al-'adālah), or by stating the possibili-

ty of another course, on the ground that this matter is not dealt with in the Qurān or the prophetic tradition. Thus, it falls within the domain of mujtahadāt, the logically concluded questions.

The qualification "to be just" and the qualification that the candidate must be from the tribe of Quraysh are two qualities where the endeavor to compromise the ideal with the reality manifests itself clearly. We have to take into account the fact that the conditions of some of the Abbasid caliphs and of the military commanders at the time the Ash'arite theory was formulated were far from being "just". The fact that the commanders, such as the Buwayhids and the Seljuqs, were neither Qurayshites nor Arabs, necessitate the rethinking of the Qurayshite stipulation. The commanders were not Imāms, but the real power was in their hands.

The Ash'arites were not in the mood to adopt the stand taken by the Khawārij and some of the Mu'tazilites who held that "the imamate could be entrusted to anyone who followed the Qur'an and the Sunna, whether he were a Qurayshi, a mawla or a son of a slave,"¹

¹Salem, op. cit., p. 56; emphasis supplied.

either because the community was not in a position to forget the extremities committed by the Khawārij in the pursuance of their ideal objectives, or because Abū Bakr took the leadership of the ummah during the debates at the Saqīfah meeting on the basis of the Qurayshite. The practice of Abū Bakr and the three other orthodox caliphs was the very practice the Ash'arites sought to defend.

Al-Māwardi started to discuss the qualifications of the electors beside those of the candidate. Imām al-Haramayn, together with al-Ash'ari, al-Bāqilāni, and al-Baghdādi, did not discuss the qualifications of the electors.

The practice started by al-Māwardi, and followed by later Ash'arite writers, could be considered as a remarkable development toward the completeness of the theory of the imamate.

In the election of the Imām, two groups should make themselves distinct, the electors and the candidates.¹

There are three qualifications of the elector:²

¹ al-Māwardi, al-Ahkām, p. 5.

² Ibid., p. 6; Abū Ya'la, al-Ahkām, p. 4; Ibn 'Abd al-Wahhāb, al-Tawdīh, p. 51.

First, the elector must be "just" (al-'adālah) having spotless character. Second, he must possess sufficient knowledge to elect a fully qualified man to the office of the imamate. Third, He must possess sound opinion and wisdom to elect the most suitable candidate, taking into account the interests of the people.

The difference between the second qualification and the third one is that the former deals with legal knowledge, and the latter deals with policy, wisdom and interest.

Place is not relevant in contracting for the imamate. The people of the country where the Imām died; or the capital, do not have special right to the contract. The fact that the imamate is usually contracted by the people of the country where the Imām died can be explained on the ground that they know the death earlier than the people living in other areas. Besides, the qualified candidates are usually found at the place where the Imām died.¹

Imām al-Haramayn mentioned the qualifications of a candidate without mentioning those of an elector.² From the way he presented these qualifications, they could be classified into three categories:

¹ al-Ash'ari, Maqālāt, p. 462; al-Māwardi, al-Ahkām, p. 6; Abū Ya'la, al-Ahkām, p. 4.

² Imām al-Haramayn, al-Irshād, pp. 426-27.

First, qualifications "by nature", meaning those qualifications described by Imām al-Haramayn by stating "It is obvious that . . ." (La khafāā). They are:

- a. the candidate must be a Muslim
- b. he must be free (not a slave)
- c. he must be a male

Male-sex could be included into this group, because Imām al-Haramayn discussed it immediately after "freedom" and "Islam", though he started his sentence with "They have agreed--ajma'ū--." He also pointed out to the disagreement among the jurists on whether a woman might become a judge in cases where her testimony is accepted.¹

These three qualifications were not discussed by the early Ash'arites, like al-Ash'ari, al-Bāqillāni, al-Baghdādi, and al-Māwardi.² More elaborations have

¹ Ibid., p. 247.

² al-Māwardi does not mention these three qualifications in his al-Ahkām, Cairo edition, 1960. T. W. Arnold in "al-Khalifa", Shorter Encyclopaedia of Islam, p. 240, claims that al-Māwardi insists on--among other things--male sex and full age. Anyhow, he bases his study on another edition of al-Ahkām (ed. R. Enger, Bonn, 1853; Cairo, 1298, 1327; trans. E. Fagnan, Algiers 1915), to which we have no access.

been provided by later Ash'arites, where each qualification obtains special attention.

The candidate must be free and Muslim, because it is inconceivable for a slave or a non-Muslim to be the head of the community of the believers. The Ash'arites hold that a slave can not be an Imām in any case.¹ He has no time to attend to the affairs of the community, because he devotes all his time to the service of his master.² There is also a possibility that he is insulted by the others, and he may rebel against them.³ The prophetic tradition that demands the Muslims to hear and obey the leader, even if he is an Ethiopian slave,⁴ is interpreted as the leadership below the level of the Imām, such as the provincial governor, or the military commander.⁵ That tradition can be also intended as an exaggeration to exemplify the extent of a Muslim obedience.⁶

¹ al-Ījī, al-Mawāqif, VIII, 350.

² Ibid.

³ Ibid.

⁴ Ibid.

⁵ Ibid.

⁶ Ibid.

The participation of women in public life at the time of the Ash'arites was not acceptable. Women were regarded as "inferior in religion and intellect" (nāqisātu 'aqlin wa dīn).¹ They are inferior in religion because they have to be absent from performing worship from time to time. Their intellect is regarded inferior because in Islamic legal theory the testimony of four women equals that of two men. The Prophet was against the idea of women taking charge of the public affairs.² Thus, the possibility of a woman assuming the office of the imamate was not taken seriously, though the Ash'arites have studied the possibility of her becoming a judge in special cases.³

Some of the Ash'arites add the following qualifications for the imamate: adulthood (bālighan), maturity ('āqilan), justice ('ādilan), and knowledge (al-'ilm).⁴

Second classification presented by Imām al-Haramayn is qualifications "by consensus", either by saying that they are "agreed upon by the jurists" (mutta-

¹ Ibid.

² Ibid.; Ibn 'Abd al-Wahhāb, al-Tawdih, p. 51.

³ Imām al-Haramayn, al-Irshād, p. 427.

⁴ Muslim, Sahih, III, 1458; Ibn al-Athīr, Jāmi' al-USūl, IV, 447; Abū Ya'la, al-Ahkām, p. 4.

faqun 'alayh) or "backed by consensus" (ijma' or ajma'ū).¹

They are:

1. the candidate should be from the people of ijtihād,² meaning those who, by virtue of their knowledge and religious merits, have the right to formulate their own ideas on legal matters. A mujtahid, then, "does not have to seek the advice of others in dealing with emerging situations."³ This is more to emphasize the inherent quality supposed to be found in an Imām, rather than to negate the notion of consultation which is encouraged in the Qurān. Some of the Ash'arites relate this qualification to "knowledge" (al-'ilm). Thus, the candidate must "posses knowledge to the degree of mujtahids."⁴ Al-Ījī noted that there was an opinion that regards the stipulation of ijtihād as unimportant. The stipulations of being correct in opinion and courageous are useless; the aim of the imamate can be well served by a non-Mujtahid Imām.⁵
2. The Imām should be vigilant in promoting public interests and correcting abnormal situations.⁶ He must be

¹Imām al-Haramayn, al-Irshād, p. 246.

²Ibid.; al-Māwardī, al-Ahkām, p. 6; al-Bāqillāni, al-Tamhīd, p. 183.

³Imām al-Haramayn, loc. cit.

⁴al-Baghdādi, Usūl, p. 277.

⁵al-Ījī, al-Mawāqif, VIII, 349.

⁶Imām al-Haramayn, loc. cit.

able to handle the administrative affairs of the ummah.¹ He must be able to put the right man in the right place; he may not assign heavy duty to a small employee.²

3. he must possess the capability to mobilize the armies and to protect the frontiers.³ This is important, especially ^{at} the time when the relations between the Abode of Islam (dār al-islām) and other countries (dār al-harb) are those of war and hostility.

4. he should be of sound judgement.⁴

5. he should possess determination and courage in executing Islamic penalties, especially the capital one.⁵ The source of this stipulation is the Qurān.⁶

6. he must be a man of piety and justice.⁷ These qualifications are also requested in a witness in legal or criminal cases.⁸ Imām al-Ḥaramayn reasoned that no one could become an Imām if his testimony in legal matters was refused.

¹ al-Bāqillāni, loc. cit.; al-Baghdādi, loc. cit.; al-Mawardi, loc. cit.

² al-Baghdādi, loc. cit.

³ Imām al-Ḥaramayn, loc. cit.; al-Bāqillāni, loc. cit.; al-Baghdādi, loc. cit.; al-Māwardi, loc. cit.

⁴ Imām al-Ḥaramayn, loc. cit.

⁵ Ibid.

⁶ Qurān: XXIV, 2; La ta'khuzkum bihima ra'fah.

⁷ These two qualifications are not mentioned in the Cairo edition that we use, but in the Luciani edition (Paris: Imprimerie Nationale, Librairie Ernest Leroux, 1938), p. 240 (Arabic texts).

⁸ al-Baghdādi, loc. cit.; al-Māwardi, loc. cit.

The way of presentation and the emphasis put on a particular qualification differ from one writer to another. Al-Baghdādi simplifies the qualifications into three or four headings. Al-Māwardi puts special emphasis on the mental and physical conditions of an Imām, as well as his quality as an administrator. But in no way is this to be interpreted as difference in opinion. They are in agreement in almost all those qualifications. Every development resulting from external changes is treated in a cautious and vague manner.

Third classification presented by Imām al-Haramayn is the qualification that the Imām should be from the tribe of Quraysh. Imām al-Haramayn said that this is a qualification of an Imām "according to our associates".¹ He based this on two prophetic traditions:

1. "Imāms must be from Quraysh."
2. "Set the Quraysh in front of you, and not behind you."

Imām al-Haramayn said that "some of the people disagree" on this qualification. But "in my opinion" there is a possibility that the Imām might be a non-Qurayshite. This possibility is an important step taken by Imām al-Haramayn in justifying the practice of the ummah.

¹Imām al-Haramayn, al-Irshād, p. 426.

The preference of the tribe of Quraysh to be the leader of the ummah stemmed from the Saqīfah meeting. Abū Bakr and his companions succeeded in taking the imamate from the challenge of the Ansār, by arguing Quraysh was the first to embrace Islam, and it was the Prophet's clan. He said that the Arabs would be nothing save for the leadership of a man from Quraysh. He said: "All peoples are the followers of the Quraysh. You are our brothers in the Book of Allah, and our partners in the religion of Allah, and the dearest people to our hearts. More than other people, you ought to be satisfied with the ruling of Allah, and to the excellence of your brothers. Never envy them for what is good."¹

When the Ansār proposed a middle-way approach to the problem by splitting the community into two separate polities, each with its own leader, Abū Bakr answered: "We are the leaders and you are the assistants."² Addressing himself to the leader of the dissenters, Sa'ad ibn 'Ubadah, Abū Bakr said: "By Allah!

¹ al-'Asqalāni, Fath al-Bāri, VIII, 29.

² Ibid., p. 28.

You do know, Sa'ad, that the Prophet--peace be upon him-- said when you were sitting: 'The Quraysh are the guardians (wullāt) of this matter.' And Sa'ad answered: "You are right."¹

It should be noted that despite the fact that the traditions on the preference of the Quraysh with numerous versions were transmitted by more or less forty Companions, but they all came from a single source, Abū Bakr.²

On the other hand, Ahmad ibn Hanbal and al-Nasā'i transmitted a prophetic tradition saying that the corrupt of the ummah would be on the hands of "stupid boys from the Quraysh,"³ meaning possibly the Umayyads.⁴

The opinion of the Khawārij and some of the Mu'tazilites that the Imām could be a non-Qurayshite was reported by al-Ash'ari and the Ash'arites.⁵ Al-Ash'ari also noted the existence of those who believed that a non-Arab should be preferred to a Qurayshite because he had less relatives ('ashīrah) than the Qurayshite.⁶

¹ Ibid., p. 29.

² Ibid., p. 30; Muslim, Sahīh, III, 1451; Ibn al-Athīr, Jāmi' al-Usūl, IV, 437-42.

³ al-'Asqalāni, op. cit. p. 114.

⁴ Ibid., p. 116.

⁵ al-Ash'ari, Maqālāt, p. 461.

⁶ Ibid., p. 462.

However, the preference of the Qurayshite has been the common stand taken by the Ash'arites.¹

Al-Bāqillāni denied the limitation of the Imamate to any specific clan of the Quraysh, such as Banū Hāshim, because this was not in conformity with the meaning of the afore-mentioned traditions and contrary to logic. He denied as well the right of freed-slaves (mawālī) of the Quraysh, despite the prophetic saying that "the mawla counts as the people to whom he belongs." He interpreted this as figurative with the purpose to befriend him, and to give him some respect. So the phrase "from Quraysh" should be interpreted only as "the original genuine Quraysh" (ṣanīm).²

Al-Ījī emphasized the difference of opinion among the jurists on the Quraysh qualification.³ Ibn Abd al-Wahhāb holds that the Qurayshites have more right to the imamate than other people "if they are available and well-qualified."⁴

¹ Ibid., p.2; al-Bāqillāni, al-Tamhīd, pp. 181-85; al-Baghdādī, al-Farq, p. 340; al-Baghdādī, Usūl, p. 275 and 277; al-Māwardī, al-Ahkām, p. 6; al-Ghazzālī, al-Iqtisād, p. 106; Abū Ya'la, al-Ahkām, p. 4.

² al-Bāqillāni, al-Tamhīd, pp. 181-85.

³ al-Ījī, al-Mawāqif, VIII, 350.

⁴ Ibn 'Abd al-Wahhāb, al-Tawdīh, p. 51.

The Ash'arites maintain the Qurayshite stipulation all the way but with different zeal according to the fluctuation of political and intellectual conditions. They are ready to fill the gap between fact and theory by proposing the possibility of the imamate of a non-Qurayshite, as Imām al-Haramayn did.

CHAPTER XII

THE IMAMATE OF THE ORTHODOX CALIPHS

The Ash'arites regarded the period of time of the Four "Rightly Guided" Caliphs the golden chapter in Islamic History. This period of time was considered the ideal one because of the exemplary implementation of Islamic teaching.

The trial and error of the four caliphs provided new bases for the Ash'arite doctrine of the imamate. Their endeavor to defend the Sunni caliphate of their time took its legal precedents from the practices of the orthodox caliphs.

The imamate of Abū Bakr was a result of the consensus of the community. According to Imām al-Haramayn, all the Companions accepted Abū Bakr. 'Ali was loyal to him; he participated in the campaign launched by Abū Bakr against Banī Ḥanīfah which revolted against the central government in Medinah after the death of the Prophet. 'Ali's delay in giving his oath of loyalty was caused by the fact that the death of the Prophet

has affected him deeply.¹

Imām al-Haramayn said that there were two arguments in favor of Abū Bakr's claim to the imamate. First, his imamate was agreed upon by the Companions. If he was not qualified, they would never agree. Second, Abū Bakr fulfilled qualifications to be an Imām. He was a genuine Qurayshite. He was like a pontiff to the other companions; he was their jurist-consult. His piety was so well-known, either during the Prophet's life-time or after his death. The story concerning his piety was as famous as the story of generosity of Ḥātim and the bravery of 'Umar ibn Ma'di Kariba.² His biography was a living witness to his nobility and capability as a leader and Imām.³

The validity of the imamate of 'Umar, 'Uthmān, and 'Ali was proved in the same manner.⁴

All the four orthodox caliphs were among those to whom Paradise has been promised.⁵

¹ Imām al-Haramayn, al-Irshād, p. 328.

² Ibid., p. 429.

³ Ibid.

⁴ Ibid.

⁵ al-'Asqalāni, Fath al-Bāri, VIII, pp. 35-79.

The imamate of Abū Bakr was traced by the Ash-'arites to some verses of the Qurān.¹ Al-Bāqillāni and al-Baghdādi dwelled at length on Abū Bakr's pre-eminent right to the imamate.² There are prophetic traditions hinting for his imamate. He was asked to lead the prayer. Poor-tax was to be tax to him after the death of the Prophet.³ The fact that he was the first man to embrace Islam at the time other people called the Prophet a liar was also stressed.⁴ In another tradition it is mentioned that the dearest human being to the Prophet's heart was 'Aishah, his favorite wife, and after her, her father, Abū Bakr.⁵

It is interesting to note, that one of the traditions concerning the preference of Abū Bakr was transmitted by Muhammad ibn Hanafiyah, a son of 'Ali ibn Abī Tālib.⁶

After ascertaining the validity of the imamate of the orthodox caliphs it follows that their practices must be accepted as legal precedents based on ijma'.⁷

¹ Qurān: IX, 83-84; XLV, 15; and XLVIII, 15-16.

² al-Bāqillāni, al-Tamhīd, pp. 187-97; al-Baghdādi, Usūl, pp. 281-84; Ibīsh, op. cit., pp. 110-15.

³ al-'Asqalāni, Fath al-Bāri, VIII, p. 19; Abu Dāūd, Sunan, I, 266; and IV, pp. 298-99; Ibn al-Athīr, Jāmi' al-Usūl, IV, p. 470.

⁴ al-'Asqalāni, loc. cit., pp. 20-21.

⁵ Ibid., pp. 22-23.

⁶ Ibid., pp. 31-32.

⁷ Imām al-Haramayn, al-Irshād, p. 430.

Among these practices were the election of Abū Bakr, the appointment of 'Umar to succeed Abū Bakr, the creation of the Council of Consultation; all of them were agreed upon by the Companions (ijma').¹ The imamate of 'Ali was agreed upon by the Companions. The splitting of the ummah and the civil war happened not because they did not agree on his imamate, but because of "other affairs"² such as the disappointment of Mu'āwiyah on the stand taken by 'Ali in solving the 'Uthmān case, and the disappointment of the Khawārij concerning the arbitration (tahkīm).

In relation to the imamate of the orthodox caliphs, the Ash'arites mentioned the question whether the best should rule or not.

It had been the ideal of the majority of the Sunni jurists that the Imām should be the best man available at his time.³ But if the election of the best would cause internal stability and civil disorder it was permissible to elect the second best, because in this case he had more right to the imamate. This is because the theory that "the best should rule", according to Imām al-Ḥaramayn, is a question that does not have the definite ruling in Islamic teaching. It enjoys

¹ Ibid.

² Ibid.

³ Ibid.

only the backing of āhād traditions such as the saying of the Prophet: "The best one in recitation should be the Imām." In addition to the āhādness of this tradition, it should be noted that it was dealing with prayer, and not with the imamate as the biggest responsibility and the highest function within the ummah. Even in prayer, if the second-best, or an ordinary layman, acts as an Imām, the prayer is lawful, although it is definitely better (awla) that the best man in recitation leads the prayer.¹ 'Umar refused to be elected at the Saqīfah meeting on the ground that Abū Bakr was better than he was.² After being elected by the Council to succeed 'Umar, 'Uthmān was referred to by 'Abd al-Rahman as being the best of all.³

The rule of the best is pursued not for its own sake but in order to promote stability and to avoid disturbances (khasyat al-fitnah).⁴ Thus the moral behind this is not whether the best should rule or not but rather to what extent his election contribute to promoting internal stability and unity of the ummah. The appointment of six members to the Consultative Council was instructive. Each member-- except Ibn 'Umar--

¹ Ibid., pp. 430-31.

² al-Bāqillāni, al-Tamhīd, pp. 183-85.

³ Ibid.

⁴ Ibid.

had the right to be an Imām, if he succeeded in gaining the consent of the others, while it was a fact that not all of them were the best. The conclusion is that the imamate of the second-best was valid and permissible.¹

The impact of the exterior factor upon the election of a particular candidate was discussed by al-Māwardī. He said that "the rule of the time" (hukm al-waqt) should be taken into consideration.¹ In the face of the internal rebellion and threat of war, the more resolute and braver candidate had to be chosen. Otherwise the spread of destructive ideas and ideologies within the state necessitated a cultured, educated, and sophisticated Imām. Al-Māwardī mentioned various opinions on this question, but he said that the majority of the jurists and theologians regarded the imamate of the second best permissible.

The imamate of the best was discussed by the Ash'arites in its relationship to the imamate of the orthodox caliphs. All of them were the best in their respective times. Thus during the imamate of Abū Bakr he was the best man available. 'Umar was the best after Abū Bakr. There was disagreement among the Sunni ju-

¹al-Māwardī, al-Ahkām, pp. 7-8.

rists concerning 'Uthman and 'Ali.¹ In a tradition reported by 'Ali, the Prophet said that the best man after him was Abū Bakr, and after Abū Bakr, 'Umar. But after 'Umar, only God Knows.² According to al-'Asqalāni, ahl al-sunnah agreed that the arrangement of the four orthodox caliphs was in accordance with their services.³ This is in conformity with the theory that "the best should rule." The Shi'ah preferred 'Ali, and regarded Abū Bakr, 'Umar, and 'Uthman as usurpers. As far as 'Uthmān and 'Ali were concerned, Mālik had no opinion, because there was no textual basis to prefer one over the other.⁴

The Ash'arites position regarding the orthodox caliphs and the Companions was to justify their practices and to formulate a set of theory based on their practices.

They regarded that 'Uthmān was slain unjustly for many reasons.⁵ He was murdered without any legal reason, and while he was still in office. In Islamic legal theory, there are special reasons to inflict ca-

¹ Imām al-Haramayn, al-Irshād, p. 431.

² Ibid.

³ al-'Asqalāni, Fath al-Bārī, VIII, p. 32.

⁴ Ibid., p. 33.

⁵ Imām al-Haramayn, loc. cit.

pital punishment, none of them could be applied to 'Uthmān. He was killed not by a competent authority but at the hands of "savages, riff-raff, and rabbles from everywhere."¹ In he deserved capital punishment, he should not be executed by those people.²

The Ash'arites believed that none of the Companions could be blamed for what happened in Islamic history. The place the Prophet assigned to them forbid us to speak unfavorably about them.³

'Ali was a true Imām, assuming his office in a legal way. Those who fought him were rebels. But because the rebels were the Companions of the Prophet, the dispute ought to be treated carefully. All of them in performing their actions were guided by sound intention and good will. What they wanted was the betterment of the community, though in practice they chose a wrong course.⁴ In Islamic legal theory, wrong action after ijtihād gives the performer one reward for his endeavor to exert himself, while the right course after ijtihād deserved two rewards, one for ijtihād and another for the right course.

¹Ibid., p. 432.

²Ibid.

³Ibid., p. 433.

⁴Ibid.

Thus when 'Aishah went to Basra, her sole intention was to settle the dispute and to restore order, and not to fight Imām 'Ali. But the circumstances led her to another course.¹ According to the Ash'arites this attitude is to be maintained in judging disputes among the Companions.

It is a fact that each Companion was liable to mistake. No one is infallible. The infallibility of man, including to Imām al-Haramayn, is contrary to reason.²

Not a single sahabi was free of errors. Thus, how could we demand it from ordinary individuals? If the Imāmis claimed that the Imām should be free from mistakes and sin, they must prove the infallibility of his governors, his judges, and his tax-collectors.³

Al-Bāqillāni did not see why an Imām should be infallible. His job was to administer laws and regulations set by the Prophet, which were well-known to the ummah. The ummah was always "behind his shoulders", correcting, giving him warning, and if necessary, deposing him and appointing another in his place.⁴ The claim that he should be infallible,

¹ Ibid.

² Ibid., p. 434.

³ Ibid.

⁴ al-Bāqillāni, al-Tamhīd, p. 184.

because he had the right to appoint his successor, and this appointment had to be correct, was rejected on the ground that even his tax-collector and his local commander had the right to appoint successors.¹

The historical evidence concerning this is the admission of Abū Bakr, 'Umar and 'Uthmān that they were not infallible, and that every Muslim had every right to correct them in case of any error committed.²

Al-Baghdadi said that sinlessness is one of the conditions of the prophecy, but not of the imamate.³ What is required from an Imam is outward probity of character and behavior, in agreement with the shari'ah.

¹Ibid., p. 185.

²Ibid.

³al-Baghdādi, Usūl, pp. 277-78.

CHAPTER XIII

CONCLUSION

The political thought of the Ash'arites was formulated in the light of the disintegration process of the Islamic Empire, and its aim was the defense of the practices of the ummaḥ. Their main concern as mutakallimūn was not the imamate, but kalām or scholastic theology. They discussed the imamate not because they considered it an essential religious principle but because their opponents, the Shi'is, regarded it as a cardinal principle of faith.

They discussed the imamate reluctantly because of the awareness that this question was the main cause of the division of the community into various sects and denominations.

The theory they formulated was the first coherent body of political doctrine in Islam, though it was flexible, tailored along the fluctuation of political, intellectual, and social life of their respective times. It was the irony of history, that the

Ash'arites were defending the very institution which was on the brink of collapse.

In formulating their theory, they never argued the political formula upon which the political structure was established, because in Islam political questions such as "good life", "source of sovereignty", and "power, rule, or authority" are taken for granted. God is the sovereign; and good life is in following His teachings. God is the source of power, rule, or authority. In the final analysis, man's existence in this world is no more than a preparatory stage in his way to eternity.

The Ash'arites concentrated their efforts on the structural side of the Islamic polity. The lack of textual basis compelled them to interpret the purpose of the shari'ah in the light of what they considered to be the interests of the Muslims.

The Ash'arites believed that Islamic teaching requires an instrument to translate it from potentiality into actuality. That instrument was the imamate, which, at their time, was not at an envied condition. However they have done their best to defend it by referring to the historical precedents of the ummah, especially those of the orthodox caliphs.

In spite of the fiery polemics they launched against their opponents--the Khawārij, the Mu'tazilah, and the Shi'is--, they surprisingly took a moderate stand against them, and never called them infidels. This is out of their belief that however grave a sin is, except infidelity, the possibility of divine pardon is still extant.

The imamate is not a question, the discussion of which might lead to infidelity.

Their middle-of-the-road approach was impressive to the extent that they wanted to embrace any practice of the ummah no matter how far it deviated from the center, leading to what described as emptying the imamate from its moral content. In retrospect, their position was not emptying anything from anything, because if the moral content of the imamate was basic, it should be stated clearly in the religious texts. What they had done was to enlarge the adaptation capability of the imamate to prevailing conditions.

Imām al-Haramayn, on whom the special emphasis is placed, represented Ash'arism at its best.

BIBLIOGRAPHY

ORIGINAL SOURCES

- Abū Daūd Sulaymān ibn al-Ash'ath al-Sijistāni. Sahih Sunan al-Mustafa. Ed. Muhammad Muhy al-Din 'Abd al-Hamid. 4 vols. Cairo: 1950/1369.
- Abu Ya'la, Muhammad ibn al-Husayn ibn Muhammad ibn Khalf. Al-Ahkām al-Sultāniyah. Cairo: 1937/1356.
- Abū Yūsuf Ya'qub ibn Ibrāhīm. Kitāb al-Khayrāj. Cairo: 1352 A.H.
- 'Ali, Maulana Muhammad, A Manual of Hadith. Lahore: n. d.
- al-Ash'ari, Abu al-Hasan 'Ali. Kitāb al-Luma' fi al-Rad 'ala Ahl al-Ziyagh wa al-Bida'. See MacCarthy.
- _____. Maqālāt al-Islāmiyyīn wa Ikhtilāf al-Musallīn. Ed. Hellmut Ritter. Wiesbaden: 1963.
- _____. Risālat Istihsān al-Khaud fi 'Ilm al-Kalām. Hyderabad: A.H. 1344.
- al-'Asqalāni, Shihāb al-Din Abu al-Fadl, ^{Ibn Hajr} Fath al-Bāri bi Sharh al-Bukhāri. 17 vols. Cairo: 1959/1378.
- al-Baghdādī, Abu Mansūr 'Abd al-Qāhir ibn Tāhir ibn Muhammad. Kitāb al-Farq bayn al-Firaq. Ed. Muhammad Badr. Cairo: 1910.
- _____. Kitāb Usūl al-Dīn. Istanbul: Matba'at al-Dawlah, 1346/1928.
- al-Bāqillāni, Abu Bakr Muhammad ibn Tayyib ibn. Al-In-saf. Cairo: 1963.

- . Al-Tamhīd fī al-Rad 'ala al-Mulhidah al-Mu-
'attilah wa al-Rāfidah wa al-Khawārij wa al-
Mu'tazilah. Cairo: Dar al-Fikr al-'Arabi,
1366/1947.
- al-Bayhaqi, Abu al-Fadl. Tārīkh al-Baihaqi. Trans. Yah-
ya al-Khashshab and Sadiq Nashat. Cairo:
Anglo-Egyptian Library, n.d.
- al-Dāwāni, Muhammad ibn As'ad. Sharh al-'Aqāid al-'A-
dadiyah. Cairo: n.d.
- al-Ghazzālī, Abu Hamid. Faysāl al-Tafrīqah bayn al-Is-
lām wa al-Zindāqah. Ed. Dr. Sulayman Dunya.
Cairo: 1961.
- . Al-Iqtisād fī al-I'tiqād. Cairo: n.d.
- al-Hilli, Hasan ibn Yusuf ibn 'Ali ibn al-Muttahhar.
Al-Bābu 'l-Hādī 'Ashar: A treatise on the
Principles of Shi'ite Theology. Trans.
William McElwee Miller. London: The Royal
Asiatic Society, 1928.
- Ibn al-Athīr, Abu al-Sa'ād Mubārak ibn Muhammad al-Shaybāni.
Jāmi' al-Usūl fī Ahādīth al-Rasūl. 12 vols.
Cairo: 1368/1949 + 1374/1955.
- Ibn al-Athīr, Abi al-Hasan 'Āli ibn Muhammad al-Shay-
bāni. Al-Kāmil fī al-Tārīkh. 12 vols.
Cairo: n.d.
- Ibn al-Jawzi. Talbīs Iblīs. Cairo: 1927.
- Ibn 'Abd al-Wahhāb, Sulaymān ibn 'Abdullāh. Al-Tawdīh
'an Tawhīd al-Khalīfah. Cairo: A.H. 1319.
- Ibn 'Abd Rabbihī al-Andalūsi. Al-'Iqd al-Farīd.
3 vols. Cairo: A.H. 1293.
- Ibn al-Khaldun. Muqaddimah. Cairo: ^{al-}Maktabah al-Tijāriyah
al-Kubra, n.d.
- Ibn Khallikān, Abu al-'Abbas. Wafayāt al-'A'yān. 2 vols.
Cairo: A.H. 1275.
- Ibn Taqtiqa, Muhammad Ibn 'Ali. Al-Fakhri. Cairo: Mak-
tabah Muhammad 'Ali Sabih & Sons, 1962.

- Ibn Taymiyah, Taqi al-Dīn. Ma'ārij al-Wusūl. Cairo: A.H. 1323.
- _____. Al-Siyāsat al-Shar'iyah. Ed. 'Ali Sami al-Nashshar and Ahmad Zaki 'Atiyah. Cairo: Dar al-Kitab al-'Arabi, 1951.
- al-Īji, 'Adūd al-Dīn 'Abd al-Rahmān ibn Ahmad. Kitāb al-Mawāqif. 8 vols. Cairo: 1325/1907.
- Imam al-Haramayn, al-Juwayni. Kitāb al-Irshād. Ed. Dr. Muhammad Yusuf Musa and 'Ali 'Abd al-Mun'im 'abd al-Hamid. Cairo: 1950.
- al-Kashānī, Muhammad ibn al-Murtadā. Al-Nawādir fī Jam' al-Ahādīth. Teheran: n.d.
- al-Khawarzami, Abu 'Abdullah Muhammad ibn Ahmad ibn Yusuf. Mafātih al-'Ulūm. Cairo: A.H. 1342.
- al-Mas'ūdi, Abu al-Hassan 'Ali ibn al-Husayn. Murūj al-Dzahab. 4 vols. ~~Cairo~~: Cairo: 1958.
- al-Māwardī, Abu al-Hasan 'Ali ibn Muhammad ibn Habib. Al-Ahkām al-Sultāniyah. Cairo: 1960.
- McCarthy, S.J., Richard J. The Theology of al-Ash'ari. Beirut: Imprimerie Catholique, 1953. Including the Arabic texts of Kitāb al-Luma' and Risālat al-Khaud fi 'Ilm al-Kalam of al-Ash'ari and their English translation.
- al-Mulk, Nizam. The Book of Government or Rules for Kings. English translation of Siyasat-Nama. Trans. Hubert Darke. London: Routledge & Kegan Paul, 1960.
- Muslim ibn al-Hajjaj al-Qushayri al-Nisaburi. Sahīh. 5 vols. Cairo: 1955.
- al-Rāzi, Fakhr al-Dīn. I'tiqādāt Firaq al-Muslimīn wa al-Mushrikīn. Ed. 'Ali Sami al-Nashshar. Cairo: 1938.
- al-Shahrastāni, Abu al-Fath Muhammad ibn 'Abd al-Karīm. Al-Milal wa al-Nihal. 5 vols. Cairo: A.H. 1317.

- al-Shawkani, Muhammad ibn 'Ali ibn Muhammad. Nayl al-Autar. 9 vols. Cairo: 1344.
- al-Subki, Taj al-Din Abi Nasr 'Abd al-Wahhab ibn Taqi al-Din. Tabaqāt al-Shāfi'iyah al-Kubra. 6 vols. Cairo: 1323-1324.
- al-Tabari, Abu Ja'far Muhammad ibn Jarir. Tarikh. Ed. de Goeje. Leiden: 1879-1901.

SECONDARY SOURCES

- al-'Ajlāni, Munir. 'Abqariyat al-Islām fi Usūl al-Ahkām. Beirut: Dar al-Kitab al-Jadid, 1965.
- 'Ali, Mawlana Muhammad. Muhammad the Prophet. Lahore: Ahmadiya Anjuman-i-isha'ati-Islam, 1924.
- _____. The Religion of Islam. Lahore: 1950.
- Ali, Syed Ameer. The Spirit of Islam. London: Methuen, University Paperbacks, 1965.
- _____. A Short History of the Saracens. London: Mcmillan, 1899.
- Alatas, Hussein. The Democracy of Islam. The Hague and Bandung: W. van Hoeve, 1956.
- Arnold, Sir Thomas W. The Caliphate. London: Routledge & Kegan Paul, 1965.
- _____. The Preaching of Islam. New York: Charles Scribner's Sons, 1913.
- _____. and Guillaume, Alfred (eds.). The Legacy of Islam. London: Oxford University Press, 1952.
- Bakhsh, Khuda. Politics in Islam. Lahore: Muhammad Ashraf, 1954.
- Barakatullah, Muhammad. The Khilafet. London: Luzac & Co., 1924.
- Barthold, V.V. Turkistan Down to the Mongol Invasion. London: 1928.
- Bhargava, K.D. A Survey of Islamic Culture and Institutions. Allahabad: Kitab Mahal, 1961.
- Binder, Leonard. "Al-Ghazali's Theory of Islamic Government," The Muslim World, XLV (July, 1955), No. 3, pp. 229-41.

- Boer, T.D. de. The History of Philosophy in Islam. Trans. E.R. Jones. London. 1933.
- Bowen, Harold. "The Last Buwayhids", Journal of the Royal Asiatic Study, 1929, pp. 225-45.
- Brockelmann, Carl. History of the Islamic Peoples. Trans. Joel Carmichael and Moshe Perlmann. New York: Capricorn Books, 1960.
- Calvery, E.E. Islam: An Introduction. Cairo: The American University, 1958.
- Donaldson, Dwight M. The Shi'ite Religion. London: Luzac & Co., 1933.
- Elder, Earl Edgar (trans.). A commentary on the Creed of Islam. Sa'd al-Din al-Taftazani on the Creed of Najm al-Din al-Nasafi. New York: Columbia University Press, 1950.
- Fyze, Asaf A.A. A Modern Approach to Islam. Bombay: Asia Publishing House, 1963.
- _____ (ed. and trans.). A Shi'ite Creed. London: 1942.
- Gardet, Louis, and Anawati, M.+M. Introduction à la Théologie Musulmane: Essai de Théologie Comparée. Paris: Librairie Philosophique J. Vrin, 1948.
- Gaudefroy-Demombynes, Maurice. Muslim Institutions. Trans. John P. Mac Gregor. London: George Allen & Unwin, 1954.
- Gibb, H.A.R. Mohammedanism: An Historical Survey. 2nd. ed. London: Oxford University Press, 1961.
- _____ . Studies on the Civilization of Islam. Boston: Beacon Press, 1962.
- _____ . Whither Islam. London: Victor Gollanz, 1932.
- _____ , and Bowen, Harold. Islamic Society and the West. 2 vols. London: Oxford University Press, 1960.
- _____ , and Kramers, J.H. (eds.). Shorter Encyclopaedia of Islam. Leiden: E.J. Brill, and London: Luzac & Co., 1961.

- Goldziher, I. Le Dogme et la Loi de l'Islam. Trans. Felix Arin. Paris: Librairie Orientaliste Paul Geuther, 1958.
- Grunerbaum, G.E. von. Modern Islam : The Search for Cultural Identity. New York: Vintage Books, 1964.
- Guillaume, Alfred. Islam. England: Penguin Books, 1964.
- Hasan, Hasan Ibrahim, and Hasan, 'Ali Ibrahim. Al-Nuzuh al-Islamiyah. Cairo: Maktabah al-Nahdah al-Misriyah, 1939.
- Hitti, Philip K. History of the Arabs. 8th ed. London: Macmillan, 1964.
- _____. Islam and the West. Princeton: D. van Nostrand Co., 1962.
- Hourany, Albert. Arabic Thought in the Liberal Age: 1798-1939. London: Oxford University Press; 1962.
- Hughes, C.M.S. Notes on Muhammadanism. 3rd ed. London: W.H. Allen & Co., 1894.
- Ibish, Yusuf. The Political Doctrine of al-Baqillani. Beirut: American University of Beirut, 1966.
- Iqbal. Islam as an Ethical and Political Ideal. Ed. S.Y. Hashimy. Lahore: Orientalia, 1955.
- Issawi, M.A., Charles. An Arab Philosophy of History. London: John Murray, 1958.
- Khan, Muhammad Zafrulla. Islam & Its Meaning for Modern Man. London: Routledge & Kegan Paul, 1962.
- Klopfcr, Hellmut. Das Dogma des Imam al-Haramain al-Djuwaini. Cairo: Arab Library, 1958 (Preface).
- Laoust, Henry. Les schismes dans l'Islam: Introduction a une etude de la religion musulmane. Paris: Payot, 1965.
- Lammens, S.J., H. Islam: Beliefs and Institutions. Trans. E. Denison Ross. London: Methuen & Co., 1929.

- Levy, Reuben. "The Nizamiya Madrasa at Baghdad," The J Journal of Royal Asiatic Society, 1928, pp. 265-70.
- _____. The Social Structure of Islam. Cambridge: University Press, 1962.
- Lewis, Bernard. The Arabs in History. New York: Harper & Row, 1960.
- Macdonald, D.B. Development of Muslim Theology, Jurisprudence and Constitutional Theory. London: 1903.
- Mahmud, Fauziyah Husayn. Al-Juwayni: Imam al-Haramayn. Al-Ilam al-Arab series 40. Cairo: Dar al-Misriya, 1964 (intr.).
- Makdisi, George. "Ash'ari and the Ash'arites in Islamic Religious History," Studia Islamica, XVII, 37-80 and XVIII, 18-40.
- Margoliouth, D.S. The Early Development of Muhammadanism. London: 1914.
- Muir, Sir William. The Caliphate: Its Rise, Decline and Fall. Ed. 1898. Beirut: Khayats, 1963.
- Nallino, C.A. Notes on the Nature of the Caliphate in General and the Alleged ((Ottoman Empire)). Rome: Ministry of the Colonies, 1919.
- Nasr, Seyyed Hossein. "Spiritual and Temporal Authority in Islam," Iqbal, III, No. 1 (July, 1959), pp. 38-44.
- Niewenhuijze, C.A.D. van. "The Ummah: An Analytical Approach," Studia Islamica, X (1959), pp. 5-22.
- Noldeke, Theodore. Sketches from Eastern History. Trans. J.S. Black. London: Adam and Charles Black, 1892.
- O'Leary, de Lacy. Arabic Thought and Its Place in History. London: Routledge & Paul Kegan, 1958.

- Osborn, Robert D. Islam under the Khalifs of Baghdad. London: Seeley, Jackson and Halliday, 1878.
- Rosenthal, Erwin I.J. Political Thought in Medieval Islam. Cambridge: 1958.
- Salem, Elie A. "Muslim Administration," Islamic Culture, XXXII, No. 1 (January, 1959), pp. 19-30.
- _____. Political Theory and Institutions of the Khawarij. Baltimore: The Johns Hopkins Press, 1956.
- Sanhoury, A. Le Califat. Paris: Librairies Orientaliste Paul Geuthner, 1926.
- Schacht, Joseph. "New Sources for the History of Muhammadan Theology," Studia Islamica, I, (1953), pp. 23-42.
- _____. The Origins of Muhammadan Jurisprudence. Oxford: The Clarendon Press, 1950.
- Seale, Morris S. Muslim Theology. London: Luzac Co., 1964.
- Shiddiqi, A.H. "Caliphate and Kingship in Medieval Persia," Islamic Culture, X (1936), pp. 97-126; 260-79; and 390-408.
- Shiddiqi, M. Mazheruddin. Development of Islamic State and Society. Lahore: Institute of Islamic Culture, 1956.
- Tritton, A.S. Muslim Theology. Bristol: Luzac & Co., 1947.
- Watt, W. Montgomery. The Faith and Practice of al-Ghazali. London: George Allen and Unwin, 1963.
- _____. Islamic Philosophy and Theology. Edinburgh: University Press, 1964.
- Wellhausen, Julius. The Arab Kingdom and Its Fall. Trans. Margaret G. Weir. Calcutta Press, 1927.

Wensinck, A.J. The Muslim Creed. Cambridge: The University Press, 1932.

Wismar, Adolph L. A Study in Tolerance. New York: Columbia University Press, 1927.

Zahrah, Muhammad Abu. Al-Ma^{dh}āhib al-Islā^{mī}yah. Alaf Kitab No. 177. Cairo: Maktabah al-Adab, n.d.