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The Desacralisation of Power in Islam

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Between *Siyasah* and *Shariah*

As Islamic 'revivalist' groups have spread in numbers and influence throughout the world the belief that Islam is a political religion has become entrenched amongst Muslims and non-Muslims alike. Islam's totalising ethical system is seen to find its ultimate expression in the ideal of religion as political praxis, where Islam's implementation is incomplete so long as spiritual and temporal authority are not united in a single state and authority is given to none other than God.¹ This view manifests traditional bipolar classification schemes which see equal use by western commentators and Islamic 'fundamentalists' when dealing with each other. The fundamental West/Islam dichotomy branches into the dichotomy of modern/medieval, liberal/fundamentalist, and, most importantly, secular/theocratic. Secularism becomes the antithesis of Islam, as Islam has never relegated religion to the private sphere, nor has it known of any kind of Gelasian doctrine of separating the 'two swords' of terrestrial and heavenly authority. As already stated, advocates of an absolutist conception of Islamic political praxis (Qutb, Mawdudi, Khomeini) accept this dichotomy as much as non-Muslim academic commentators, who share no sympathies with radicalised Islam. Michael Cook writes in a study of the early history of the *murjii* sect in Islam: 'Islam, as everyone knows, is a political religion. *Umma* and imamate are at once political and religious conceptions with an ongoing significance in Islamic society – a situation to which no real equivalent can be found in Christianity' (Cook, 1981, p. 16).

Khomeini states in the opening lines of his work on Islamic government:

The governance of the *faqih* [jurisprudent] is a subject that in itself elicits immediate assent and has little need of demonstration, for anyone who has some general awareness of the beliefs and ordinances of Islam will unhesitatingly give his assent to the principle of governance of the *faqih* as soon as he encounters it; he will recognize it as necessary and self-evident. (Khomeini, 1981, p. 27)

In turn, Islamic 'revivalism' (to use Mawdudi's term) or Islamic 'fundamentalism' (to use the more popular term) is seen to carry on the tradition of Islam's antisecularism in a militant, modern context. Islam would seem to be more akin to the absolutist tradition of Hegel, where the state becomes 'God marching through history', and becomes the locus of a communal experience of God defined by a theocratic political praxis. Unlike Weber's outline of the conflict between the otherworldliness of charis-

matic religion and the profane, banal demands of daily life, the community becomes awakened and literally revived through its servitude towards a unitary, divinely anointed state power. The banal becomes sacralised in a way unknown to the 'secular' West, and herein lies the fundamental division between the two cultures.

'Islam' (as a concept) stands in contrast to 'the West' because its supposedly anti-secular nature makes it possible for the profane aspects of state and economic power to be subordinated to a spiritual purpose, as demonstrated in the expansionist Islamic state advocated by groups such as Hizb at-Tahrir. The Safavids and Ottomans perhaps best manifested this relationship between spiritual mysticism and military conquest, with hordes of Qizballashi tribesman (in the case of the Safavids) or Sufis and Janissari warrior-dervishes (in the case of the Ottomans) forming the lead ranks in wars of conquest. In modern times this has been most clearly manifested by the Iranian Revolution's use of *jihād*, especially in the context of the Iran-Iraq war, but even now in the midst of the 'culture war' much spoken of by Ayatollah Khamenei. In that context, the community's relationship to the state becomes one where the movement means everything, and where form supersedes content in the way that Hannah Arendt described as characteristic of totalitarian movements of the 1920s and 1930s. The 'fountain of blood' in Tehran in the 1980s (a large fountain set up to operate with red-coloured water, as a testimony to the war-dead) was symbolic of the Muslim's community's ability to reinvigorate charisma (rather than merely routinise it in a dry way) through its obedience to a theocratic state. All of this stands in contrast to the supposed secular tradition of the West, where spiritual energy remains private and unconnected to the political realm.

In spite of these examples, however, this bipolar view of the West's essential secularism and Islam's essential antiseccularism presents a caricature of secularism and Islam alike, and ignores the degree to which political quietism and the ideal of a pious withdrawal from the political sphere has played a dominant role in both Sunni and Shia thinking throughout history. Similarly, it downplays the degree to which the state has been viewed merely as a necessary evil, insofar as it is a barrier to anarchy, and therefore desecralised in a way completely contrary to modern revivalist movements. Contrary to the idea that Islam can never envision a separation between *umma* and imamate, it has been commonplace for Muslim thinkers (Sunni and Shiite) to posit their own bipolar distinctions inside their communities: between *milat* (the religious nation) and *dawlat* (the state), which was used quite explicitly by Ayatollah Mirza Hassan Shirazi during the time of Nasir ad-Din Shah, the Qajar leader; between *shariah* (Divine Law) and *siyasah* (politics), the reconciliation of which was the intellectual task of Ibn Taymiyya, amongst others; between *khilafah* (successorship to the Prophet) and *sultana* (naked power). The distinction between *siyasah* and *shariah* is critical. The first is the science of leadership and political authority, while the second is the formal study of law as such. Most political thinkers of the classical period observe this distinction throughout their works, signifying that almost nobody took seriously the idea of a pure *shariah* state without any admixture from the science of *siyasah*. Indeed, when Mawardi (a seminal figure in Islamic political philosophy in the last days of Abbasid period) lists the qualifications needed by someone to become imam of a Muslim people, he lists *ijtihad* and knowledge of the law (*shariah*) as a separate condition from knowledge of the political art (*siyasah*) (Mawardi, n.d., p. 6).

The most important distinction that arose from all of this was the distinction between the *ulama* and the sultan. The *ulama* were the guardians of the first bipolar term in each of the above-mentioned classifications: they were the protectors of the community (*milat*), quite often against the state. They were the interpreters of the

shariah, who would give approval or disapproval to the policies borne of *siyasah*. Finally, and most importantly, they were the true successors to the Prophet, who would have to do their best to guide the sultan to the right path. These classifications were bipolar insofar as most scholars asserted the practical impossibility of any single person or office holding both sides of the balance. For the scholar (*alim*) to become leader (sultan), given the political realities that existed after Prophet Muhammed's death, would require embarking on a path of violent and vicious revolution which would lead to the destruction of society and 'the ruin of the world', to use Ibn Al-Muqaffa's stark characterisation, discussed below.

Ayatollah Mirza Hassan Shirazi, writing in the 1890s during the late Qajar period in Iran, makes the necessity of these bipolar distinctions extremely clear, while responding to a quest to involve himself in certain political issues of the time:

In the ages when government [*dawlat*] and community [*milat*] were established in one place, as at the time of the Seal of the Prophets [Prophet Muhammed], political duties regarding this kind of general affairs were entrusted to that same person. Now that according to the requirements of divine wisdom each is found in a separate place, it is upon both these [powers] to aid each other in protecting the religion and worldly interests of the servants of God and the safeguarding of the citadel of Islam. ... (Arjomand, 1984, p. 228).

Indeed, it was only during the Abbasid period that a ruling dynasty claimed serious religious legitimacy and authority. After their fall, real power passed into the hands of fiefdoms and sultans spread throughout the Islamic world, and the office of caliphate came to be almost purely ceremonial. Ghazalli reflects this reality when he discusses how the caliph in his time, rather than holding the 'sword' of temporal power himself, actually relied upon his temporal, military power by making recourse to the Seljuq armies. The two swords, then, were held in completely separate realms that had theoretical unity by being invested with authority by the ceremonial caliph (Rosenthal, 1958, p. 40). It was not until the emergence of the Safavids in sixteenth-century Persia that another dynasty came to justify its authority on religious grounds. The Safavids, unlike the Abbasids, did not extend the claim for religious legitimacy of their rule (legitimacy based solely on a fraudulent claim of lineage to the Prophet) into a general claim of religious authority, even though they had tendencies in this direction. In spite of the fact that Shah Ismail, the founder of the Safavid dynasty in Persia, claimed at times to be the incarnation of God, in practice he was quite content to leave the routinisation of religious/legal affairs in the hands of the *ulama*, who gained great power and stature during his reign.

Throughout most of Islamic history the military power of the state stood in contrast to the spiritual power of the pious *ulama*, and most Sunni and Twelver Shia scholars were generally uninterested in shaking that balance. One of the main reasons for this is the fact that the clergy as an *institution* (rather than a more amorphous body of learned scholars) with special 'ordinations' (or at least licensing procedures) and uniforms was something that occurred at the hands of the state, not at the hands of the clergy themselves (Roy, 1992, p. 45). Olivier Roy names Iran as an exception to this rule, but the institutionalisation of the Shia clergy and the establishment of a priestly hierarchy in Iran was initiated entirely by the Safavids after their rise to power (Arjomand, 1984, pp. 122–23).

The way in which the clergy have tended to be organised by the state points to the great unwillingness of most scholars to take part in government. In spite of the near

unanimity on the impermissibility of revolution in all but the most extreme cases, we find that most scholars have been extremely disinclined to work for their governments (Ayubi, 1991, p. 17). The attempt to institutionalise the clergy was an attempt to deny them the independence from politics which those clergy sought.

Nonetheless, there was some tendency to sacralise the exercise of state power during the classical period in Islam. The most notable writer on these lines would be Ibn Taymiyyah, who argued that the exercise of power was an act of religious worship (Askari, 1997, p. 91), and was vociferous about the need to wage *jihād* on those who (although nominally Muslim) failed to take part in the collective obligation of enjoining the good and forbidding the evil (Ayubi, 1991, p. 126). This still did not imply that Islam required, for its completion, full implementation of its legal norms by a state power. The notion that an Islamic state must be a *shariah* state, in the thinking of someone like Ibn Taymiyyah, did not imply that the state was primarily a vehicle for the *shariah*, and should take all of its norms and injunctions from that code of law. Rather, it meant that the *siyasah* (political jurisprudence) of the state must not contradict the *shariah*, and must, above all else, follow Islamic norms with regards to justice. Such is the condition that Mawardi lays down for a principality (emirate) established by a coup or conquest (Mawardi, n.d., p. 33). Even in this model, it is clear that the state does not assume the aura of sanctity that it does in Khomeini, or in the idealised perceptions of the Ottoman period found in Hizb at-Tahrir and Al-Muhajirun. Mawardi (and other scholars) are, instead, seeking to find a way to justify the kind of takeovers that were (and perhaps still are) common throughout the Muslim world, without obligating the common people or other sultans to go to war. Rather, they make a quite clear distinction between *siyasah* (which, for Ibn Taymiyyah, is motivated primarily by *maslihah*, the well-being of the Muslims) and the *shariah*, and the duty of the guardians of the *shariah* (the *ulama*) was to voice their approval or disapproval of things decided by the sultan in the realm of *siyasah* (Rosenthal, 1958, p. 41). This is in line with Ghazali's frequent use of the famous *hadith* 'The best *jihād* is a word of reprobation before an unjust ruler.' Indeed, part of the idea favouring separation of power between the *ulama* and the sultan was the belief that the sultan, being a political leader, was better equipped to make decisions with regard to *siyasah* than an *ulama* whose training lay in the *shariah*. In turn, however, the sultan would be in need of an *ulama* who could keep him from contravening Islamic law in the course of pursuing his independent duty as a ruler. Voicing approval or disapproval, then, was the limit of clerical involvement in politics. The idea of overturning sultanic rule in favour of creating a totalised state based on *shariah* is generally alien to the classical tradition, though one can find a fair number of scholars who rejected the validity of *siyasah* that was not directly derived from *shariah* (Mikhail, 1995, p. 46).

The *siyasah/shariah* paradigm is a particularly explicit acceptance of the separation between religious and political law, and belies the notion of a '*shariah* state', which is common amongst revivalist 'Islamists' now. Even then, most scholars were willing to accept that the *shariah* did not present a broad-based blueprint for government, and it was for this reason that scholars were compelled to legitimate just policies based on *siyasah* (Mikhail, 1995, p. 10). If a rapprochement between *siyasah* and *shariah* was not obtained, then Islam could have no role in government. Throughout history there has always been a clear divide between these domains, particularly in the court system, where *shariah* judges would always stand alongside 'secular' (meaning, in this case, non-*shariah*) courts, which often did the bulk of the work. The Ottoman legal system followed this model, with Islamic scholars holding the position of *qadi*,

while the sultan issued his various *kanun* for the sake of administrative regulation. During the Safavid and Qajar period in Iran the *shariah* courts were left by the wayside as the vast majority of disputants chose to take their cases to the king's secular courts. According to Arjomand, much of this tradition was based upon Persian notions of monarchical patrimony (ideas which had influenced the Abbasids and had spread throughout the non-Persian world), whereby the king was seen to be the friend and guardian of the people, who could always be relied upon in cases of dispute (Arjomand, 1984, pp. 270–75). The traditional *ulama*, on the other hand, had far less standing in many (though certainly not all) dynasties.

The neglect of *shariah* courts in the various dynasties of the Middle East reflected the degree to which *shariah* was unable to meet the needs of governance, and the degree to which this was practically accepted and legitimised by the *ulama* and laity alike. The only part of jurisprudence that really has much bearing on the sphere of government is that which deals with adjudication (*qada*) and punishment (including *hudud*, *qisas* and *diyah*), but even this is an underdeveloped body of regulations. The *fiqh* (jurisprudence) of *qada* deals only with the actual process of how a judge is to go about making his decision, once a plaintiff (*mudai*) has come to him with a complaint. It does not provide much in the way of a canon of legal practices related to governance. Criminal law basically overlaps with the same purely adversarial model found in other kinds of adjudication, since criminal cases are dealt with almost purely on the basis of witnesses. Dealing with criminal cases, then, takes the form of 'settling a dispute' between witnesses, just as civil cases consist of settling disputes between plaintiffs. In any case, criminal law (if one is following the strictly *shariah* criterion, as opposed to *siyasa*) is a body which should be rarely invoked. On the one hand Islamic law prohibits seeking out fornicators and drunks,² however contrary this may be to the practice of police services in Saudi Arabia and Iran. On the other hand, the evidence standards are so high that it is doubtful whether such a case would ever make it to a *shariah* judge who was following the strict *shariah* standards, without any intermingling of *siyasa*. In a case of fornication, for example, four pious witnesses would have to have actually seen the man's sexual organ enter the woman's; merely having seen an act of copulation would not suffice. If anyone brings an accusation of fornication without such four witnesses, the accuser is to receive the lashes which would have accrued to the fornicator. Indeed, Islamic legal penalties seem to be more of an act of last resort for blatant, public acts of debauchery rather than a code for the individual moral policing of people (as has been the case in Saudi Arabia, Afghanistan, Iran and other places).

All of this belies the simplistic notions of government advocated by someone like Khomeini, who dismissed the importance of settling a proper constitution with slogans such as 'the Quran is our constitution'. This was also a slogan of the Muslim Brotherhood (of which Sayyid Qutb was the most famous member) in Egypt, but however impressive it may be as a slogan, it is nothing more than a hollow political chant. This is something that became more and more apparent to Khomeini, who himself (after long struggle) was forced to admit the necessity, even primacy, of what was traditionally known as *siyasa* over *shariah*. The future Supreme Leader Ali Khamenei stated in a speech on economic matters that 'the executive branch ... should have a permanent presence in society ... within the limits of Islamic laws and Islamic principles' (Brumberg, 2001, p. 135). Khomeini fulminated at the idea that the state should be constrained by the *shariah*. After years of arguing that Islam was a religion of laws, and that government was the sole means of executing those laws and 'completing' Islam, he dispensed with those laws for the sake of a conception of

siyasah far more extreme than that advocated by people like Ibn Taymiyyah. In response to Khomeini's words, he stated explicitly, in his famous *fatwa* on 1 January 1988, the inability of *shariah* to establish a framework for government and the consequent need for non-*shariah*-based *siyasah*:

Government is among the most important divine injunctions and has priority over all peripheral divine orders. Your [Khomeini's] interpretation of what I said, that is, the government has jurisdiction within the framework of divine injunctions ... is contradictory to what I said. Were the powers of government to lie only within the framework of secondary divine decrees, the designation of the divine government and of absolute deputed guardianship to the Prophet of Islam (peace be upon him and his progeny) would have been in practice entirely without meaning and content. Let me refer to the consequences of such a view – consequences which no one would accept. For example, the laying of roads that necessitates the confiscation of houses or of the land on which they stand is not provided for within the framework of the secondary divine ordinances. Military conscription and the compulsory dispatch of soldiers to the front; forbidding the import or export of foreign currency, or of various kinds of goods; the prohibition of hoarding; customs duties, taxation, the prohibition of exorbitant pricing, price regulation; the prohibition of narcotics and addiction, with the exception of alcoholic drinks; the prohibition against bearing all kinds of arms; and hundreds of similar measures, none of these, according to your interpretation, are among the powers of the state. I must point out, the government ... is among the primary ordinances of Islam, and has precedence over all secondary ordinances, such as prayer, fasting, and pilgrimage The government is empowered to unilaterally revoke any lawful agreement ... if the agreement contravenes the interests of ... the country. It can prevent any matter, whether religious or secular, if it is against the interests of Islam. (Sachedina, 2001, p. 136)

Traditionally, *siyasah* stood in contrast to the *shariah*, and *siyasah* was legitimised when it concurred with the spirit of the *shariah*. It was the agreement between *siyasah* and *shariah* that determined the legitimacy of the former, and *siyasah* did not require direct canonical support in order for it to be valid. As such there is no 'transcendental' source of legitimacy that gives a particular kind of state, a particular mode of *siyasah*, the right to exist and rule (Roy, 1992, pp. 45–46). The *shariah* was preserved in that context, and its autonomy gave it a continued presence within the space of law. Ironically, when the 'two swords' were united under the rule of the *wilayat-e-faqih* (ruling jurist) in Iran, *shariah* was obliterated as an independent force and became subordinated to *siyasah* as defined and implemented by the ruling jurist. The state, which was proclaimed to be a *shariah* state which would fully implement the religion of laws became, less than a decade after the revolution, a pure *siyasah* state. Whereas a traditional sultanate could be legitimised by its concordance with the *shariah*, the *shariah* has lost this legitimising role in Iran. Instead, the state is legitimised by its leader: in Khomeini's doctrine, the state is Islamic so long as it is being ruled by a proper *mujtahid*, even if it is contradicting Islamic law. The ruling jurist's implementation of *siyasah* is defined not by Islamic laws, but rather by the interests (*masalihah*) of the Islamic community, and he has free reign to decide what these interests are through the use of his own *ijtihad* (jurisprudential deduction). One

should bear in mind that the primary interest of Islam, according to Khomeini, is the rule of the jurist itself, so *siyasah* has as its primary goal the maintenance of clerical power. The breakdown of the rule of law in Iran is not just in the sphere of civil society, as argued by Khatami, but in the sphere of religious law as well. It is shocking that the word *maslihah*, which usually means 'the common good' in this context, has been translated as 'expediency' in Iranian political literature translated into English, making 'Islamic government' the 'rule of expediency' (Kermani, 2000, p. 99). The difference between the 'rule of expediency' and perpetual emergency rule is, indeed, slight.

This idea has serious repercussions for the basic premise of *wilayat-e-faqih*. Since Islam is a religion of laws, it is natural (according to Khomeini and his supporters) that the leader of Islam must be a scholar of laws. Once law becomes replaced by *maslihah* in the context of *siyasah*, the basis for arguing that the *faqih* (jurisprudent) should be the leader of the nation becomes obliterated. The Iranian clergy's inept political and economic management in Iran would seem to bear out (as many classical scholars have argued) the fact that a statesman was best fit to rule in the realm of *siyasah* and the state, whereas an *alim* was fit to rule over religious matters. The damaging effects which subordinating *shariah* to *siyasah* have had on the *ulama* are best summed up in the statement of Asghar Schirazi in his *The Constitution of Iran*, which sheds light on the reasons why the classical *ulama* were loath to assume the office of leader:

While members of the clergy have held on to their turbans and robes ever more tenaciously, they have at the same time increasingly taken over the offices of state and thus neglected their religious duties. Indeed, they have been transformed into state functionaries. It is not they, the bearers of religious authority, who have conquered the state and subordinated it to the rule of religion. Instead the reverse has happened: the state has conquered the clergy and along with them religion. (Boroujerdi, 2001, p. 22)

The Absence of a Revolutionary Tradition in 'Mainstream' Islam

The separation of *siyasah* from *shariah* is bound up with the conflict between the ideal, even utopian, polity which Islam would seem to hope for, and the tragic reality which most Muslims have faced living under ostensibly Islamic governments. Most abandoned the quest for a political utopia, with Twelver Shi'ite quietism being the most explicit rejection of the possibility of establishing a just political order. Conversely, much of the doctrine (*aqaid*) and jurisprudence (*fiqh*) of the various Sunni schools of law has been focused on grudgingly legitimating the sultanates that ruled over the Muslim world for most of Islam's history. One could easily interpret Sunni jurisprudential rulings that require obedience to the sultan, even if he is an unjust usurper, as the Machiavellian manoeuvres of a 'court clergy'. A deeper analysis would seem to indicate that such rulings were motivated by fear of the chaos (*fitna*) that comes from revolution, along with the same despair of establishing justice which motivated Shi'ism's messianic quietism. This was a manifestation of a kind of 'antiutopianism', which (to varying degrees) held the terrestrial world to be a dark and evil place, with no hope of reform until the coming of a messiah, usually embodied in the figure of the Mahdi.³ With such dark prospects for change, some chose to withdraw altogether, while many others sought to work for a society that created order, albeit under unjust leaders.

What is surprising about the wide spectrum of Islamic radical movements which exist today (from Hizb at-Tahrir to the radicals in the Iranian government) is that this is the first time in history that traditional 'orthodox' Sunni and Shiite doctrine has been used to justify and motivate movements which are fundamentally utopian. Historically, the immediate, revolutionary quest for utopia has been mainly the preserve of Shiite 'extremist' (*ghulat*) groups seeking to establish leadership of an imam believed to be endowed with mystical knowledge and a divine mandate for authority. Such movements have existed since the time of Muhammad ibn Hanafiyyah, son of Ali ibn Abi Talib and brother of the Shiite imams Hassan and Hussain. He (perhaps unwittingly) spawned the first *ghulat* revolutionary movement in the Muslim world, a movement that held him to be the promised Mahdi who would deliver salvation to the community (Jafri, 1989, pp. 301–2). Such groups, however, always existed on the fringes of the Muslim world. Sunnis regarded them as out and out infidels, and they were cursed by the imams of the Twelver Shia tradition, which has now become the largest Shiite sect (Jafri, 1989, p. 304).

Surprisingly, there is really only one revolutionary figure in the Muslim tradition who is held in wide esteem by both Sunnis and Shiites: Imam Hussain, grandson of the Prophet, who rebelled against the caliph Yazid and was killed with his party at the Battle of Karbala. Even though he is a focal point for all the Shiite sects, the Twelver Shias have tended to view his act of sacrifice as merely an attempt to prove, by his own blood, the illegitimacy and criminality of Yazid and his dynasty (Jafri, 1989, p. 178). His path of martyrdom, having served its purpose in exposing Yazid, did not need to be repeated by later Shiites. As such, his omnipresence in Shiite cultural rituals has only recently led to a revolutionary movement for social justice, with most Twelver Shias (especially the imams after Hussain) choosing to await the Mahdi, who will finally establish justice on the Earth. Sunnis who have venerated Imam Hussain have treated him more as a kind of Sufi saint rather than a political figure, and his sacrifice (though often mentioned) has never become an inspiration for political action. Islam, then, has had a very weak 'revolutionary' tradition, and the utopian, revolutionary anger of modern Islamic radical movements is something new and very alien to the classical tradition. Even now, Khomeini's radicalised Shiism has been rejected by most of the senior Shiite *ulama* (Magniyah, 1979; Menashri, 2001, pp. 13–18), who regard it as usurping the chiliastic role of the Hidden Imam.

To understand the tensions between utopianism and antiutopianism in Islam, one must first look to the power struggles that took place immediately after the death of Prophet Muhammed. Almost immediately after his departure from the world the community he had helped create began to disintegrate. The power struggles that marked the period of the *rashidun* (the first four caliphs Abu Bakr, Umar, Uthman and Ali) resulted in the eventual rupture between religious and political leadership, leading to a system of caliphate that claimed religious legitimacy without making any claims to serious religious authority. The installation of the Umayyad dynasty forever changed the way that Muslims would view their own polity, and many came to the conclusion that proper spirituality demanded that one avoid politics and the corruption which comes from holding the reins of power.

What most clearly separates modern Islamic radicalism from the 'classical' tradition of Islamic scholarship (in Sunni as well as Shia circles) is the elevation, even exaltation, of political action as the prime form of religious worship (*ibadat*) in radical movements. In contrast, as stated, the classical tradition of Sunni and Shia thought generally emphasised a separation of power between the *ulama* and the sultan or caliph, and severely cautioned the *ulama* against over-involving themselves in the

muddy world of politics. Many others advocated a pious withdrawal from the political sphere. Almost nowhere in the mainstream of Sunni or Shia thinking do we find utopian prescriptions for a revolutionary change of the social order. Similarly, we do not find the totalising conception of the 'shariah state', but rather a constant tension between the demands of politics (*siyasa*) and the demands of religious law. This, in the end, led to a quite explicit doctrine of the two swords, in many ways identical to that espoused by Pope Gelasius in the Middle Ages.

The Golden Age

Thomas Naff has argued that the religiously motivated study of history is an ethical obligation for any Muslim (Naff, 1981, p. 21). The community of Prophet Muhammed, according to Naff, was considered to be a perfect application of the Kingdom of God on Earth, and the study of history becomes a means by which that experience of utopia may inspire and guide future generations (Naff, 1981, pp. 22–25). That polity holds a great sway over the Muslim mind, insofar as the existence of that community (putting aside the question as to whether or not it was truly idyllic) was a historical reality, which nobody doubts, and plays a role very different from that of the mythical tales of lost ages common amongst many civilisations. Many ideologies have been motivated by the pursuit of a lost utopia, but usually this has taken the form of a phantasmal, idealised state of nature, like the precivilisational golden age Seneca describes in his Ninetieth Letter. Such myths have as much sway over people as stories of Garden of Eden; but the case of Prophet Muhammed's Medinan polity is very different, insofar as Muslims possess a concrete, tangible, and well-documented time in history which can be latched onto for inspiration in the course of political action.

For modern day revivalist movements, the Medinan polity is less like Seneca's phantasmic golden age, and more like the idealised perfection of the Roman Empire, which is best manifested in Dante's *De Monarchia*. Dante argued that the perfection of his (mostly imagined) Roman Empire lay in the universality of that state. As the system of nature is perfect because it is united entirely under the authority of God, so the most perfect human society is that which unites all human beings under a single head, who creates the universal peace necessary for human beings to achieve their *telos* as rational beings. Dante's vision was, of course, not theocratic in the way that Islamic revivalist movements are, and his writings were an attempt to assert imperial independence from the papal hierarchy. Nonetheless, the idea of universal peace having been manifested through a universal empire is the same in his writings as it is in people such as Mawdudi and Qutb who look towards the Madinan polity as the summit of collective human perfection. This explains the emphasis given to establishing an expansionist Islamic polity which is found in the literature of groups like Hizb at-Tahrir and Al-Muhajirun, and even Sayyid Qutb. Indeed, the legendary legacy of Rome haunted much of Europe's medieval political discourse, which reached its summit in the attempt to reestablish a universal empire under Charlemagne. The question was how to revive the 'lost unity' of the Roman Empire in the face of increasing schism and lack of cohesion between temporal and spiritual power on the one hand and between various temporal states on the other.

This history, however inspiring it may be to Islamic radical groups, has until very recently weighed upon the minds of Muslims more 'like a nightmare', to borrow from Marx, rather than a fantasy. This is another key difference between the revivalist movements of today and the classical Islamic tradition: the period of the *rashidun*

inspired fear more than chiliastic ambition, and left most scholars loath to enter the realm of radical politics. The classical conception of the state has been based on an attitude of deep anxiety with regard to early Islamic history, an attitude reflected in both Sunni and Shiite schools of thought. The state in the classical tradition has been viewed as a necessary evil, the removal of which would create an anarchy which would destroy all of civilisation. Because of this, it was imperative for Sunni Muslims to hold fast to the state at almost all cost. This anxiety ruled over the Muslim *umma* until modern times, beginning with the disintegration of the Ottoman caliphate. Once this state was finally destroyed, Muslims were able, for the first time, to think about politics in a more abstract and utopian fashion. Instead of being shackled by the fear that any attempt at creating a perfect political order would lead to the destruction of the only thing preventing anarchy, the sultan or the caliph, Muslims were now 'free' to start from scratch. In 1924, with the abolition of the Ottoman caliphate, the worst nightmare feared by most Sunni scholars had finally happened; after that, there was nothing more to lose.

Contemporary radical Sunni 'Islamist' groups, as well as many past scholars who hoped for the establishment of a just social order (such as Ibn Taymiyya), have always taken their inspiration from the supposed golden age of the first four caliphs, the *rashidun*. For such thinkers the time of the Prophet's rule was perfect insofar as the position of divinely anointed religious leader was combined with the office of terrestrial leadership. In recent years the growth of the *Salafi* movement⁴ has accented this utopian ideal in the Muslim mind. With Saudi Arabian backing, Salafism has come to have more and more influence over Sunni Islamic thinking (with some influence on Shiites as well), even amongst those who distance themselves from the theoretical and physical excesses of that movement. Salafism is based upon a somewhat cyclical notion of history, whereby every generation must struggle to remove whatever has been developed and introduced into the religion by the previous generation(s), in order that one's life be lived exactly as it had been lived in the Prophet's lifetime. This underlies the idea of religious 'revival' (*tajdid*), which inspired thinkers such as Mawdudi. This doctrine stems from a *hadith* of Prophet Muhammed in which he states that every generation will have a reviver (*mujadid*) of the religion. Mawdudi goes so far as to devote the latter half of his book *A Short History of Islamic Revivalist Movements* (Mawdudi, 1981) to biographies of various revivers throughout history, presenting them as a model for aspiring mujadids in this era. The proper development of history in the Muslim polity, then, is one of punctuated periods of disequilibrium where cultural accretions and religious innovations are purified by the socio-political action of pious religious leaders (Naff, 1981, p. 28).

Though that period in history may be tangible in a way that Seneca's golden age was not, this does not mean that the period has been free from a process of mythologisation, any more than Rome was demythologised in Dante's *De Monarchia*. The desire for a return to a lost golden age has always required an act of psychological repression, where the violent struggles for power after the Prophet's death are generally overlooked, and the tyranny and corruption of the caliphate systems which emerged are generally ignored. In contrast to the Twelver Shias, for whom recollecting the history of oppression in the Islamic world is a cardinal act of faith, most members of the *khilafah* movements (such as Hizb at-Tahrir or Al-Muhajirun, which seek to reestablish the caliphate) have a remarkable tendency to ignore the actual history of the caliphate system, a time marked by war, violence, and licentiousness on the part of the ruling elite.

What makes this golden age so ideal is that it was a time when separation between religious life and political life was (supposedly) unthinkable. Though Khomeini, being a Shiite, never looked towards such a golden age, he nonetheless followed an ethos that had been laid down by radicals such as Hassan al-Banna, Mawdudi and Sayyid Qutb, whereby Islam is incomplete so long as it is not 'established' through a state entity. The imagined golden age is important because it was the only time of such complete implementation, and one must therefore fight to restore it. History is not moving towards any kind of ultimate utopian *telos* (as in Marxism), but rather is a continual attempt at return. For some Sunni scholars (such as Mawdudi) who are more willing to acknowledge the scandalous behaviour of most sultans through history, this period is alleged to have existed from the beginning of the Prophet's rule in Medina until the installation of Muawiyah as the *khalif*. For other more radical movements, like Hizb at-Tahrir, this period of 'complete Islam' existed all the way up until 1924, when the Ottoman *khalifah* was formally abolished. Groups like Al-Muhajirun, a radical offshoot from Hizb at-Tahrir, annually memorialise the passing of the Ottoman caliphate on their website, declaring that anniversary to be a day of mourning for all true Muslims. The reasons why most of the Muslim world was content to let that corrupt and decayed dynasty pass into oblivion remain, of course, unaddressed.

The reality is that the golden age espoused by thinkers such as Qutb, and now being espoused by more radical movements such as Hizb at-Tahrir and Al-Muhajirun, never really existed on any level. It is a mere fantasy, and in many ways has become entirely independent of historical realities (Roy, 1992, p. 26). The period of the *rashidun* witnessed more civil war and conflict amongst the Muslims than perhaps any other time in history, and three of the four *rashidun* had their lives ended by assassination. Nonetheless, Sunni political thinking has been propelled by two competing dynamics: though love of the *rashidun*, and all the Companions of the Prophet, is a pillar of faith for all Sunnis, Sunni political thought has been based on making sure that the slaughter which these beloved figures visited upon each other is never repeated again.

The low-point of the *rashidun* period came in the rule of the last two *rashidun*, Uthman ibn Affan and Ali ibn Abi Talib. The period of Uthman's caliphate, who is considered to be the third of the *rashidun*, was a disaster from start to finish, something that is not denied by any except the most radical of Sunni Islamists (Momen, 1985, p. 28). While Umar ibn al-Khattab, the second caliph, at least lived some kind of an ascetic life, Uthman was the first caliph who began to live as a true sultan, enjoying all the luxuries that came with that office. Worse, his rule was characterised by constant nepotism and corruption, with huge sums of money being transferred from state coffers to his own relatives and friends. The opulent living of his own clan, in comparison with the poverty of much of the population, sparked rebellion, until his house was finally surrounded by an angry mob (whipped up and led mainly by Aisha, the Prophet's wife), which finally assassinated him. Ali ibn Abi Talib ascended to the position of caliph after him, though all the narrations which come from him seem to indicate that he was loath to assume this office, and resentful of the corrupting effects of power. He was perhaps the first Muslim figure to embark on a pious withdrawal from politics. He expressed disdain for assuming the office of leadership, and when he was asked to by the people, he openly declined. His leadership, he said in many places, would be entirely based upon the truth and what was right from the Islamic point of view: something which most people would not be able to bear. Warning the people, he said

Leave me, and seek somebody else. ... If I responded to what you ask of me [to become leader], I would rule you as I know best, and I would not listen to what you would have to say to me, or any insults which might come. If you left me, then I would be just like one of you, and in that situation I might listen to you and follow whoever you gave authority to. I am better to you as a *wazir* [adviser or minister] than I would be as a leader.⁵

Since Ali, the experience of Islam with state power has not been the prettiest. Ali was succeeded by Muawiyah, the first sultan of the Umayyad dynasty. Almost all the Umayyad caliphs (with the exception of the ascetic Caliph Umar ibn Abd al-Aziz, regarded by some as a 'fifth' member of the *rashidun*) were the epitome of libertinism and moral corruption. Though more extreme groups such as Hizb at-Tahrir will view the entire age of the caliphate as a golden age, scholars of the classical period were unanimous in their (often indirect) condemnation of most of the rulers over the Muslims since that time. Mawardi writes that the *rashidun* '... were succeeded by those who desired this world ... and put it first; lived in luxury; utilized the wealth of God and his servants as means of their own power and dominance; and neglected the flock' (Mikhail, 1995, p. 40).

This statement was an example of the *ulama* asserting their right, even obligation, to verbal reprobation of the sultans. In the end, though, the sword of temporal (i.e. physical authority) was firmly in the hand of the sultan, and the use of force was his prerogative alone. Ghazali argues this quite explicitly (Mikhail, 1995, p. 50), and this argument would become the mainstay of Sunni and Shia arguments about the state throughout the classical period. Scholars advocating blind obedience to the sultan, without criticism, were generally a minority (Mikhail, 1995, p. 43). The distinction between *siyasa* and *shariah* would be meaningless if the guardians of the *shariah* were shackled to whatever was decided in the realm of *siyasa*. As has been stated, the *ulama* were quite intent upon preserving this distinction to the best of their ability, making sure that the balance was tipped neither towards themselves nor towards the sultan.

The Umayyad tendency to flout Islamic law openly and explicitly reached its peak in Yazid, the son of Muawiyah and second Umayyad sultan, who wrote poetry praising the drinking of wine and damning Islam for prohibiting it. Yazid went farther than any other caliph in history in his excesses, at least from the standpoint of the Muslims with all their veneration of the Prophet: he massacred the grandson of the Prophet, Hussain, and his supporters at Karbala. The degree to which this event shocked the Muslim world cannot be overestimated. The event is one of the most widely recorded, if not *the* most widely recorded, in the histories written by Muslim scholars. For the Shia, this event has become a focal point for the community, but the event was shocking and stunning for the Sunni community as well. The massacre of Hussain and his party was followed by the revolt of the *tawabun* (the repentants) in Kufa. The *tawabun* were a movement of Muslims who felt that their own inaction during Karbala made them tacitly complicit in his murder, and that the only way for them to repent was to rebel against Yazid and seek martyrdom. The revolt was very widespread and attracted many followers, and it took years for the Umayyad authorities to suppress it. Today only groups like the Taliban will defend Yazid's actions, with the vast majority of Sunnis looking back in disgust at his actions and life.

In the wake of Karbala, where the grandchildren of the Prophet were massacred at

the hands of the person who claimed to be the Prophet's caliph (successor), more and more Muslims (especially amongst those associated with mysticism and philosophy) began to opt more for a pious withdrawal from the state as being central to a religious life. While still accepting the state as a necessary evil, they would attempt to avoid interaction with it as much as possible. Much of this idea has its basis in the Islamic canonical sources, and there is a large body of *hadiths* that curse the scholars who visit and associate with the courts of kings. In his *Kitab al-Ilm* Ghazalli narrates a number of these *hadiths* in an attempt to warn the student of religious study from twisting Divine Knowledge in the service of king (Ghazalli, 1991, pp. 78–82). As sultans were viewed to be increasingly unqualified to carry the mantle of the Prophet, religious authority passed on to several different groups: the 'pious' *ulama* in many Sunni circles, the imams in Shiite circles, and the saints in Sufi circles. While the mainstream Sunni *ulama* would always pay lip-service in acknowledging loyalty to the ruling powers, Sufis and Shiites alike have held that the universe is endowed with a human *qutb* (spiritual pole) who is the real sovereign of the Muslims, regardless of whether this *qutb* has actually held state power or not. It was at this stage that the 'two swords' passed into two separate hands, at least in the mind of many Muslims. The ideal for a Muslim polity was irrelevant, as separation between genuine *khilafah* (successorship to the Prophet) and *sultana* (naked power) was a *fait accompli*. Millenarian political movements were left to extreme Shiites and militant Sufis; for the mainstream, the question was what to do now that this schism had occurred.

The possession of the sword of spiritual power by the *ulama*, however, did not grant them the right to revolt, as Khomeini would later argue. Whatever claims to spiritual authority the *ulama* would make, this claim was always tempered by the obsessional fear of the repeating the *fitna* (strife) of Islam's early years. This fear led them to argue that sedition against the government, almost whatever government might be in power, would become a cardinal sin, as revolt against the ruling powers would create the greatest strife of all. For many, the only grounds for rebellion would be explicit apostasy on the part of the ruling authorities. The fear of *fitna* revolved around the power struggles during the time of the *rashidun*, but it always had the Shia as its specific focus. The Shia were seen by scholars such as Hanbal as being the ultimate source of *fitna*, and much of his jurisprudence was surrounded by this anxiety. A strong sultan who was supported by the majority of the Muslim *umma* was seen as necessary in counterbalancing the *rafidah* (rejecters), a derogatory term for Shiites. Alongside this fear of the Shia came the attempt to gloss over the *fitna*, which tore the Muslim community apart after the Prophet's death. The feuds of that time lived on in many of the religious sects which had developed during the period of the Umayyads, and continued during the 'Abbasid period; there was always the fear that new war could break out between these different groups once again. The Khawarij, who killed Ali because he had agreed to negotiate with the enemy during the battle of Siffin, continued to exist. The Uthmaniyyah, who had led the demands for retribution after Uthman's assassination, still existed at least until the Abbasid period. The Shia, of course, continued to exist, and there were a growing number of Shia sects, some very militant and revolutionary. In order that the conflict of that period would not continue to incite new feuds, it became a cardinal tenet of Sunni Islam that it was an act of apostasy to criticise any of the Companions, regardless of which side they had taken. All were held to be equal in the eyes of God, and all were held to have been sincere in their acts, even if some might ultimately be held in the wrong on the Day of Judgment. Abu Hanifa was one of the first to make this doctrine, called *irja*, into the mainstream, advocating that one 'suspend' judgment on the Companions until the

Day when Allah Himself would judge amongst them (Cook, 1981, p. 16). When confronted with questions about the piety or impiety of certain Companions (especially by groups like the Khawarij, who had revolted against Ali and declared any sinning Muslim to be a disbeliever), Sunnis who would later be called *muriji* (believers in *irja*) would merely respond that the judgment on such issues was left to God, and that it was not their affair to decide (El Hocine, 1992, p. 21). This kind of *irja* had the affect of minimising, to the point of nonexistence, the entire conflict of the period, and thereby glossing over any questions about the legitimacy of sultanic rule. The rule of sultans was a *fait accompli*, dating back to a period of history that must now be forgotten. This rendered moot any debates about the nature of political authority, and helped to contribute to an attitude that created a pragmatic view of politics, where the state was something to be 'dealt with' rather than used as an instrument in a utopian religious project.

Pious Withdrawal and Neoplatonism

The attitude of pious withdrawal was very common amongst philosophers, who were enticed by the love of the contemplative life found in Socratic and Platonic writings. Plato, more than anybody else, shaped Islamic political philosophy and defined the way Muslim philosophers would relate themselves to state power. Islamic logic and metaphysics were influenced by the corpus of Aristotle's works, which were translated into Arabic, such as the *Organon* and the *Categories*, but Plato's works were the chief source of inspiration in political philosophy. Aristotle's *Politics* was never 'discovered' by Muslim scholars, and was viewed as kind of a lost treasure in much of the Arab philosophical literature, and so Plato's political works came to fill this vacuum. Plato's elevation of philosophy as the supreme form of human *praxis*, combined with his notion of the intrinsic falsity and corruption of the objects of worldly life, helped created an attitude (at least amongst philosophers) that politics was best ignored.

Given their circumstances, many Muslim political philosophers tended to focus on an antiutopian undercurrent which can be gleaned from Plato, whose ideal polity stood in contrast to his condemnation of Athens for her execution of Socrates. The life and death of Socrates made many Muslim philosophers ask how a philosopher was to cope in a corrupt society that is uninterested in his ideals. The Andalusian philosopher Ibn Tufayl, author of the allegorical tale *Hayy ibn Yazqan*, manifests an attitude of despair in this regard. Motivated by a kind of philosophical altruism, Hayy ibn Yazqan, the protagonist, seeks to instruct and guide the naive human beings in whose midst he finds himself. The more he teaches the more the people recoil in horror, until finally Hayy is finally forced to abandon his attempts to spread philosophical knowledge. In the end he returns to a life of isolation on a lonely island.

This abandonment of the political life mirrors Weber's discussion of the rejection of the economic sphere by charismatic religions. Because charismatic authority is always otherworldly, the charismatic leader will take great pains to avoid getting himself trapped in a work-a-day life. His source of income will be conquest and booty, or alms, or something else that is directly related to his charismatic position, so that he can avoid sullyng his hands by getting dragged too deeply into the banality of daily economic life. The shocking corruption of the Umayyad and Abbasid periods, and the oppression and violence which characterised all the other sultanates, made the political realm seem as 'banal' as the economic did to Weber's theoretically posited charismatic leaders. For the Muslim philosopher, who according to al-Farabi

was granted the same knowledge (and therefore charismatic status) through the completion of his intellect that the Prophet was granted through inspiration (Farabi, 1985, p. 245) purity required abstinence from the quest for political power, a quest that had destroyed so many souls in the past. Though al-Farabi may have written at length about the 'virtuous city' and its inhabitants, he and other philosophers knew that they were, in reality, trapped in the most unvirtuous antiutopia of Socrates's Athens.

The impossibility of living virtuously amongst the wicked led to desperation in much of the philosophical and jurisprudential literature: either one must flee the wicked polity, or one must die. Al-Farabi writes:

A virtuous man is prohibited from staying in an iniquitous polity and is obligated to migrate to virtuous polities if such actually exist at his time. But if they are non-existent, the virtuous man would be a stranger in the world, his life abominable, and death better for him than life. (Mikhail, 1995, p. 37)

Ibn al-Muqaffa, one of the earliest political philosophers in the Islamic world (dying only a century after the Prophet), despaired of political revolution as a way of curing the ills of a sick polity. On the other hand, blind obedience to an oppressor was seen as equally unpalatable. He writes in his *Al-Adab al-Kabir*, addressing the bureaucrats and functionaries of the state:

If you have the misfortune to be associated with a ruler who does not desire the well-being of his flock, you are faced with two choices that are equally bad. Either you side with the ruler against the flock, which would be the ruin of religion, or you side with the flock against the ruler, which would be the ruin of the world. You have no way out except death or flight. (Mikhail, 1995, p. 37)

We see, however, that supporting the powers-that-be was still viewed as something necessary for the community's survival. This is what put the pious man in his terrible double mind: both swords, the temporal and the spiritual, were necessary for human life. Breaking the sword of temporal power, then, would lead to the 'ruin of the world'. Ibn Tufayl may have been roundly critical of the violent ignorance that characterised his society (perhaps even all societies), but he nonetheless held that stability and order prevailed through strict adherence to the law, and that stability and order were naturally preferable to anarchy and chaos. The presence of a large body of literature where scholars and philosophers seek to chart out the structure and workings of an ideal polity does not conflict with their despair at obtaining real reform within their societies. Their writings about politics were a Platonic contemplation upon an Ideal, which could never, by its nature, exist in this world. For men like Al-Farabi, philosophy and contemplation of the Ideal was an end in and of itself, even the ultimate end of life, regardless of how ineffectual such ruminations might be in the corrupt, real world. Philosophy was, in many ways, a way of retreat for the virtuous individual, who could content himself with the joys of thought as the world was crumbling around him. If there was any task beyond philosophy, then it was to ensure that existing human communities did not collapse into absolute anarchy and war by not resisting the powers-that-be.

Conclusion

The need for a state in the classical tradition was not based upon any idea that Islam was not fully implemented without such a state, and hence the realm of state power and politics never attained the degree of sacralisation it has received by modern-day Islamist movements. It was rather that human life would become impossible without such a state, as factionalism and war would ravage people and lead to the ruin of civilised life. Though there may be a Hobbesian moment in this, it is clear that the fear of statelessness was not motivated by an idea of the integral violence and greed of human beings that motivated thinkers such as Hobbes. There was no state of nature in the thought of Muslim scholars, a primordial period of anarchy which led to the collective covenant to establish a state. Human life, for the Muslim, began with Adam the Prophet, and as such the first leader over humanity was divinely appointed. Similarly, the absence of a doctrine of original sin, and the doctrine that human beings are inherently pure and sinless when born, has prevented sin from assuming the kind of omnipresent role that it does in someone like Augustine. Unlike Hobbes, Muslim scholars were not basing their anxieties about anarchy on an intrinsic, essential fear about human nature; rather, they were simply looking back to a very specific, concrete, historical example of what happens to Muslims when sovereignty is contested. Caught in a situation where the sultans and caliphs were dramatically falling short of religious ideals, and were therefore being contested in power by many millennialist and revolutionary movements, they saw the distinct possibility that things would boil over once again. The fact that they did not boil over again to the degree that they did during the *rashidun* period may be a testament to the work of such scholars in creating a system of *de facto* legitimisation for rulers whose power was automatically self-legitimated by its own existence (in a predestinationist sort of way, reminiscent of Calvin's arguments for obedience to the state). At the same time, however, this approach prevented the development of an Islamic political programme in the classical period; such a development has begun only in the modern period, where state power has come to be sacralised and theocracy has risen to become an unquestioned part of Islamic doctrine.

Notes

- ¹ Such is the basic formulation of the Islamic political stance given by almost all those who have been granted the title 'Islamists'. Sayyid Qutb makes this explicit in his *Maalim fi at-Tariq (Milestones)*, which has become a kind of 'Bible' for Islamist groups. For a brief discussion on Qutb's writings, see Ayubi, 1991, pp. 139–40.
- ² As an example, it is narrated in some Sunni *hadith* literature that Umar ibn al-Khattab, the second caliph, was chastised for climbing onto the roof of a house in order to witness a drinking gathering going on there. He later repented of this act. It is also considered impermissible (by Sunnis and Shiites alike) for a person who knows about someone else's sins to speak about that person's sins in public.
- ³ Almost all Muslim sects are agreed that at the end of time a descendent of the Prophet's family will rise up in order to establish a final, just order on the Earth. This figure is called the Mahdi.
- ⁴ With the word *Salafi* I am not referring to the movement of Afghani or Muhammad Abduh, but rather to that set of ideas characteristic of those who are pejoratively referred to as the 'Wahabbis'. The Salafi or Wahabbis observe the utmost strictness in matters of law and refuse to allow any practice that cannot be decidedly grounded in the canonical sources. This includes even minor practices such as the use of rosary-type prayer beads (like the famous 'worry beads' of Turkey), or the wearing of western-style clothing.

- ⁵ *Nahj al-Balagh*, sermon 92. This book is a canonical work of the sayings of Ali ibn Abi Talib and like the Bible or the Quran is generally quoted without publication reference, and with reference to 'sermon number' rather than to page number to facilitate reference to any of hundreds of different editions. A specific reference to one suitable edition is: Ali ibn Abi Talib (1990) *Nahj al-Balagh* (Beirut, Dar at-Taruf li Al-Matbuat).

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