

Texts

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Among the political theorists of classical Islam invoked by scholars today, particularly in the context of discussions on 'democracy within Islam' and/or 'civil society in Islam', the name of 'Amr b. Bahr al-Jahiz (d. 255/869) is, to the best of my knowledge, never mentioned. Yet, his political treatises or epistles have much to tell us moderns about the conceptualization of the ideal Muslim polity and its leadership by the turn of the 3rd century of the Islamic era. One of his epistles in particular, 'Risalat al-'Uthmaniyya' (The Epistle of the 'Uthmaniyya), deserves closer study due to its possible implications for legitimizing modernist discourse on the extrapolation of democratic principles from the Islamic tradition.

Al-Jahiz (literally 'the bug-eyed', referring to his protruding eyes) is regarded until today as the best litterateur ever produced within the Arabo-Islamic civilization. It seems almost certain that he composed the 'Risalat al-'Uthmaniyya' during the reign of the Abbasid caliph al-Ma'mun (d. 218/833) and that it was among a series of treatises presented to the caliph on political governance by the courtier al-Yazidi (d. 202/817-18). This dating would make the epistle one of the earliest Islamic political tracts we have from the medieval period composed before the classical work on political theory by al-Mawardi (d. 450/1058). The 'Uthmaniyya is consequently the repository of much earlier layers of political and religious thinking.

According to the 'Uthmaniyya, legitimate leadership of the Muslim polity is primarily predicated on the individual's precedence in piety, on his election by popular consent and accountability to the populace. As far as the individual leader is concerned, he must be acknowledged as the most morally excellent of his time, possessing and demonstrating in abundance traits such as generosity, superior knowledge of worldly and religious matters, courage, and truthfulness. According to al-Jahiz, invocation of these criteria establishes that Abu Bakr was the best-qualified candidate to assume the caliphate after the death of the Prophet. His arguments are briefly delineated below.

Precedence in piety

The Qur'anic principle of granting precedence to believers solely on the basis of piety (for example, Qur'an 49:13) is central to al-Jahiz's discourse on just and legitimate leadership. In the 'Uthmaniyya, he inveighs against the classic Shi'ī position that legitimates leadership based on blood-kinship to the Prophet, a position that lends itself to the assumption of the genealogical superiority of certain individuals over others, which militates against this basic Qur'anic principle. He points out that God had assured Abraham:

'I will make of you a leader (imam) over the people.' Abraham asked, 'whether of a desire to know or as a request, 'And of my progeny?' He said, 'My promise does not extend to those who do wrong.' (Qur'an, 2:124)

Thus, al-Jahiz affirms, Abraham learned that 'the covenant of his leadership and vicegerency' did not extend to the wrongdoer, even though he may be from the best stock of God's creation. In this is proof that leadership (*al-riyasa*) is concerned with religiosity (*din*) and does not extend beyond religiosity (al-Jahiz 1955:210).

Al-Jahiz then proceeds to demonstrate how the Qur'an's uncompromising stance on individual moral accountability is reflected in the operational principles of the *diwan* or the register of pensions established by the second caliph 'Umar. Al-Jahiz painstakingly

'Civil' and 'Democratic' Polity A 9th-Century Treatise

ingly establishes that the Qur'anically derived principles of *sabiqa* ('precedence' in Islam) and *fadl/fadila* ('virtue' or 'moral excellence') guided the *diwan's* organization, and that kinship, ethnicity, or tribal affiliation had little to do with its overall function (al-Jahiz 1955:211ff.).

Election and public accountability of the leader

If the relevance of kinship is thereby thoroughly discounted, then it is the piety of the caliphal candidate, as evidenced by his demonstrated moral righteousness and a track record of early and distinguished service to Islam, that makes him acceptable to the public as their leader.

Al-Jahiz relates that Abu Bakr stressed piety in his inaugural address before the Muhajirun (emigrants from Mecca) and the Ansar (their helpers in Medina) and dis-

Individual moral traits of the leader

On the subject of personal traits, as mentioned before, al-Jahiz particularly highlights generosity, exceptional knowledge, courage, and truthfulness. With regard to generosity, he adduces as proof-texts specific *hadith* that testify to Abu Bakr's reputation for generosity. He quotes, for instance, the following *hadith* in which the Prophet says '[t]he most gracious of people toward me with regard to his wealth and his companionship is Abu Bakr' (Muslim 1995:7:108).

He further points out that only Abu Bakr, in recognition of his truthful nature, was regularly called al-Siddiq (the Veracious) in the *hadith* and historical and biographical literature. Examples of his courage in adverse circumstances, for example, during the three nights he spent in a cave with Muhammad on their way to Medina while

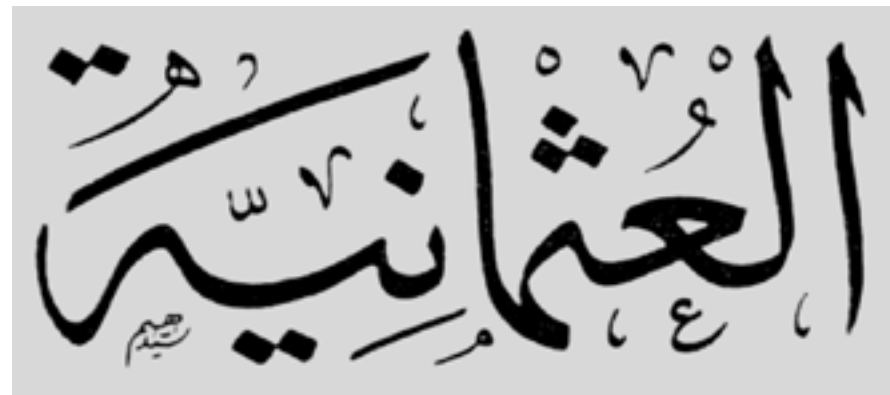
sources from after the 9th century, like *al-Ahkam al-Sultaniyya* of al-Mawardi and *al-Siyasa al-shar'iyya* of Ibn Taymiyya (d. 1328). Ibn Taymiyya, for example on the topic of governance, is of the opinion that Muslims must discharge their duties to the ruler (*al-sultan*) to the fullest, 'even though he may be a tyrant' (Ibn Taymiyya 1951:28). Al-Mawardi refers to the Qur'anic verse 'O ye who believe! Obey God, and obey the Apostle, and those charged with authority (*ulu 'l-amr*) among you' (Surat al-Nisa' 4:59) and explicates it as mandating virtually unquestioning obedience on the part of Muslims to their appointed leaders (*al-a'imma al-mutta'amarun*) (al-Mawardi 1996:13). In the 'Uthmaniyya, al-Jahiz indicates, however, the range of possible interpretations of this verse: some Qur'an exegetes have understood the phrase *ulu 'l-amr* to have a restricted application and to apply only to specific agents (*'ummal*) of the Prophet, or to specific commanders of his armies such as Abu Musa al-Ash'ari. Others have understood it to refer to political rulers (*salatin; umara'*). Yet others have interpreted this phrase to refer more broadly to the Companions of the Prophet as a group, and/or to Muslims in general (al-Jahiz 1955:115ff.). The last interpretation would invest the entire Muslim community (or, at the very least, its righteous members) with moral and political authority.

This discussion was intended to show that recourse to the panoply of early literature at our disposal – historical records, exegetical works, and treatises such as al-Jahiz's al-'Uthmaniyya in addition to the Qur'an and *hadith* – opens up the parameters of the discourse on legitimate leadership and organization of the Muslim polity. This admits of a much more creative engagement with the early history of Islam and also, one should add, allows for a more realistic retrieval of the political consciousness of early Muslims. This consciousness appears remarkably hospitable to certain concepts associated with the modern civil and democratic polity: consultative government, public accountability of political leaders, and citizenship of the individual. The Islamic medieval discourse on the politics of piety, reconstructed from these diverse sources, may indeed be recast today in the idiom of civil society and made relevant once again.

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SABD AL-SALAM HARUN (ED.), CAIRO, 1955

counted the pre-Islamic notion of *hasab* ('[collective] merit inherited from one's forefathers') as having any bearing on legitimate leadership. He is quoted as counselling the people gathered before him:

You must be Godfearing, for piety is the most intelligent practice and immorality is the most foolish. Indeed I am a follower, not an innovator; if I perform well, then help me, and if I should deviate, correct me. O gathering of the Ansar, if the caliphate is deserved on account of *hasab* and attained on account of kinship (*bi-'l-qaraba*), then Quraysh is more noble than you on account of *hasab* and more closely related than you [to the Prophet]. However, since it is deserved on account of moral excellence (*bi-'l-fadl*) in religion, then those who are foremost in precedence (*al-sabiqun al-awwalun*) from among the Muhajirun are placed ahead of you in the entire Qur'an as being more worthy of it compared to you. (al-Jahiz 1955:202)

In this speech, Abu Bakr foregrounds personal moral excellence of the leader as establishing his claim to leadership and clearly indicates his accountability to the people who are vested with the right to correct him should he lapse into error. The assembly of people, according to al-Jahiz, was swayed by the cogency of Abu Bakr's arguments and proceeded to give their allegiance to him in recognition of his superior qualifications for the caliphate.

being pursued by hostile Meccans, are similarly stressed by al-Jahiz. Superior knowledge of genealogical relationships and of the religious law that allowed Abu Bakr to speedily end the *ridda* wars and restore political unity are extolled in the 'Uthmaniyya as pointing to his greater qualifications for the office of the caliph (al-Jahiz 1955:122ff.).

Implications for modern discourses

It is clear from this exposition that al-Jahiz's political thought has potentially great relevance for Muslim modernist and reformist thinkers who wish to tap into the classical period for broad directives on sound political governance. Al-Jahiz's exposition is firmly grounded in Qur'anic principles and relevant *hadith*, understood by him (and like-minded others) to point to a piety-based Muslim polity that selects its leader on the basis of his superior individual attributes and record of service to the community rather than out of considerations of kinship and worldly status. In addition to the Qur'an and *hadith*, al-Jahiz's arguments also appeal to the praxis of the Companions of the Prophet as recorded in historical and biographical works. He therefore mines the gamut of religious, historical, and biographical sources available to present a cogent and holistic account of the political consciousness of the earliest Muslims.

It is no wonder that some contemporary Muslims often repeat the same sterile discourse on 'Islamic government' and its supposedly authoritarian nature because they restrict themselves to a few, standard