



Shāfi'ī Political Theorists on the Imamate: Māwardī, Juwaynī, and Ghazālī

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 **UMMATICS**

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This compilation presents translated excerpts from the works of three eminent Shāfiʿī jurists whose intellectual legacies have profoundly shaped the legal and theological contours of the Shāfiʿī school and exerted considerable influence on broader Islamic thought, not least in political theory. The selected scholars—al-Māwardī (d. 450/1058), al-Juwaynī (d. 478/1085), and al-Ghazālī (d. 505/1111)—offer pivotal insights into the concept of the imamate and the communal obligation to uphold legitimate leadership. Their writings collectively underscore the centrality of political authority in maintaining social cohesion and in actualizing the higher objectives of the *shariʿa*.

The excerpts from al-Māwardī are drawn from two of his most influential works: *al-Aḥkām al-Sulṭāniyya*, a seminal treatise on Islamic governance and legal theory, and *Adab al-Dīn wa al-Dunyā*, a text concerned with ethical and social conduct. As a pioneering figure in Islamic political theory and public law, al-Māwardī's contributions have left an enduring imprint on classical Islamic scholarship. His discussions articulate the theological and legal foundations of the imamate, emphasize the practical necessity of established authority for the preservation of order, and enumerate the responsibilities incumbent upon the Imam in overseeing public affairs. While all three scholars address the responsibilities of the imamate, this study focuses specifically on al-Māwardī's enumeration of ten essential functions. To enhance accessibility and scholarly utility, explanatory annotations accompany the translation, offering both contextual and interpretive insights.

The article continues with translated passages from *Ghiyāth al-Umam fī iltiyāth al-Zulam*, a key work on constitutional theory by al-Juwaynī, a contemporary of al-Māwardī. Al-Juwaynī composed this treatise with two principal aims: to examine scenarios involving the absence of a recognized leader and the scarcity of qualified jurists. His analysis offers sophisticated treatment of the structural and normative dimensions of the imamate, which comprise a substantial portion of the work. A notable feature of his methodology is his differentiation between definitive (*qaṭʿī*) and probable (*ẓannī*) rulings—an implicit critique of al-Māwardī's framework in *al-Aḥkām al-Sulṭāniyya*.¹ To support a more nuanced reading, reference has been made to al-Juwaynī's other major works, including *Nihāyat al-Maṭlab* (a comprehensive legal compendium) and *al-Irshād* (a foundational theological treatise), with relevant commentarial notes included.²

The final excerpt is drawn from al-Ghazālī's theological treatise, *al-Iqtisād fī al-ʿItiqād*. Although al-Juwaynī and al-Ghazālī themselves maintain that the imamate properly falls under the domain of substantive law (*fiqh*), it has nevertheless been treated extensively within the discipline of theology (*kalām*). This interdisciplinary overlap reflects the imamate's doctrinal weight and the

¹ ʿAbd al-Malik al-Juwaynī, *al-Ghiyāthī*, ed. ʿAbd al-ʿAzīm al-Dīb, (Jeddah: Dār al-Minhāj 2011), 299–300 and the editorial note in the introduction, 106–107.

² For more on al-Juwaynī's thought, see ʿAbd al-ʿAzīm al-Dīb's important introduction to his edition of *al-Ghiyāthī*; ʿAbd al-ʿAzīm al-Dīb, *Fiqh Imām al-Ḥaramayn: ʿAbd al-Malik ibn ʿAbdullāh al-Juwaynī: Khaṣāʾiṣuh, Atharuh, Manzilatuh* (Jeddah: Dār al-Minhāj, 2013); Sohaira Siddiqui, *Law and Politics under the Abbasids: An Intellectual Portrait of al-Juwaynī* (Cambridge: Cambridge University Press, 2019), especially the chapter on “Political Thought,” 233–254.

contentious debates it has generated throughout Islamic intellectual history, with divergent positions on the subject often serving as markers of theological and sectarian identity.

While *al-Iqtisād* offers a systematic discussion of the imamate, a more polemical and extensive treatment appears in *Faḍā'ih al-Bāṭiniyya*, wherein al-Ghazālī critiques the Ismā'īlī doctrine of divinely-appointed Imams. He contrasts it with the Sunni principle of communal designation and defends the legitimacy of the Abbasid Caliph al-Mustaẓhir (d. 512/1118) over the Fatimid ruler al-Mustaṣir Billāh (d. 487/1094). Rejecting the notion of divinely mandated leadership, al-Ghazālī marshals theological and legal evidence to reinforce the communal obligation to appoint an Imām—an argument also articulated in *al-Iqtisād*. This translation relies primarily on the Arabic edition and commentary by the contemporary Azharite scholar Muṣṭafā 'Imrān (d. 1434/2013). Additional references have been drawn from other theological and juridical works by al-Ghazālī to contextualize his views.

Al-Māwardī, *al-Aḥkām al-Sulṭāniyya*

فإنَّ اللهَ جَلَّتْ قُدْرَتُهُ نَدَبَ لِلأُمَّةِ زَعِيمًا خَلَفَ بِهِ النُّبُوَّةَ، وحَاطَ بِهِ المَلَّةُ، وفَوَّضَ إِلَيْهِ السِّيَاسَةَ؛ لِيَصْدَرَ التَّنْذِيرُ عَنْ دِينٍ مَشْرُوعٍ، وتَجْتَمَعَ الكَلِمَةُ عَلَى رَأْيٍ مُتَّبِعٍ، فَكَانَتِ الإِمَامَةُ أَصْلًا عَلَيْهِ اسْتَقَرَّتْ قَوَاعِدُ المَلَّةِ، وَانْتَضَمَتْ بِهِ مَصَالِحُ الأُمَّةِ حَتَّى اسْتَبْثَبَتْ بِهَا الأُمُورُ العَامَّةُ، وَصَدَرَتْ عَنْهَا الوَلَايَاتُ الخَاصَّةُ، فَلَزِمَ تَقْدِيمُ حُكْمِهَا عَلَى كُلِّ حَكْمٍ سُلْطَانِيٍّ، وَوَجِبَ ذِكْرُ مَا اخْتَصَّ بِنَظَرِهَا عَلَى كُلِّ نَظَرٍ دِينِيٍّ؛ لِتَرْتِيبِ أَحْكَامِ الوَلَايَاتِ عَلَى نَسَقٍ مُتَنَاسِبٍ الأَقْسَامِ، مُتَشَاكِلٍ الأحْكَامِ.

Indeed, Allah—exalted by His power—obligated the Umma to appoint a leader to succeed the Prophet ﷺ, safeguard the religion, and govern the community. This leadership ensures that administration proceeds in accordance with the revealed way of life and that communal unity is anchored in an authoritative position. The imamate thus serves as the foundational institution upon which the pillars of the religion rest and through which the interests of the Umma are effectively ordered. It is through the imamate that public affairs are stabilized, and specific offices are administered with proper structure.³ For this reason, it is necessary to begin with a discussion of the imamate before addressing any other rulings related to political authority, and to first address those matters that fall within its jurisdiction before turning to any other religious inquiry—so that the rulings governing various political offices can be presented in a coherent and systematically organized framework.⁴

الإِمَامَةُ مَوْضُوعَةٌ لَخِلَافَةِ النُّبُوَّةِ فِي حِرَاسَةِ الدِّينِ وَسِيَاسَةِ الدُّنْيَا، وَعَقْدُهَا لِمَنْ يَقُومُ بِهَا فِي الأُمَّةِ وَاجِبٌ بِالإِجْمَاعِ وَإِنْ شَدَّ عَنْهُمْ الأَصَمُّ. وَاخْتَلَفَ فِي وَجُوبِهَا: هَلْ وَجِبَتْ بِالْعَقْلِ أَوْ بِالشَّرْعِ؟ فَقَالَتْ طَائِفَةٌ وَجِبَتْ بِالْعَقْلِ لِمَا فِي طِبَاعِ الْعُقَلَاءِ مِنَ التَّسْلِيمِ لَزَعِيمٍ يَمْنَعُهُمْ مِنَ التَّظَالُمِ، وَيَفْصِلُ بَيْنَهُمْ فِي التَّنَازُعِ وَالتَّخَاصُمِ، وَلَوْلَا الوَلَاةُ لَكَانُوا فَوْضَى مَهْمَلِينَ، وَهَمَجًا مُضَاعِينَ، وَقَدْ قَالَ الأَفْوَه الأَوْدِي، وَهُوَ شَاعِرٌ جَاهِلِيٌّ:

لَا يَصْلُحُ النَّاسُ فَوْضَى لَا سَرَاةَ لَهُمْ ... وَلَا سَرَاةَ إِذَا جُهِلُّهُمْ سَادُوا

³ There are multiple taxonomies of authority (*wilāya*), classified according to various legal dimensions and scopes. Authority may be differentiated based on: 1) the source from which the power is derived, 2) the object or domain governed, 3) the degree of authority—whether major or minor, and 4) its breadth—whether general or specific. Within the framework of the imamate, the deputies of the Imam differ in the extent of their jurisdiction, which may be general (*wilāya ʿamma*) or particular (*wilāya khāṣṣa*). Al-Māwardī classifies the administrative authority of the Imam's deputies into four categories: 1) those with general authority over all provinces; 2) those with general authority limited to specific provinces; 3) those with particular authority across all provinces; and 4) those whose particular authority is restricted to specific provinces. See Abu al-Ḥasan ʿAlī ibn Muḥammad al-Māwardī, *al-Aḥkām al-Sulṭāniyya wa al-Wilāyāt al-Dīniyya*, ed. Aḥmad al-Baghdādī (Kuwait: Dār Ibn Qutayba, 1989), 29. Jurists have examined the overlap between general and particular forms of authority, whether directly linked to the office of the imamate or other delegated roles. Specialists in legal maxims have developed principles for adjudicating such cases, including the maxim, “The particular authority overrides the general authority.” See Jalāl al-Dīn al-Suyūṭī, *al-Ashbāh wa-al-Naẓāʾir*, 7th ed. (Cairo: Dār al-Salām, 2018), 339–42.

⁴ Al-Māwardī, *al-Aḥkām al-Sulṭāniyya*, 1–2

The imamate is instituted as a succession to prophethood in preserving the religion and administering worldly affairs.⁵ Appointing someone to undertake this role within the Muslim Umma is an obligation by consensus, notwithstanding the dissenting view of al-Aṣamm.⁶ Scholars have differed over the basis of this obligation: is it established by reason or by revelation? One group argues that it is necessitated by reason, due to the natural inclination of rational individuals to submit to a leader who restrains them from mutual injustice and adjudicates their disputes and conflicts. Without rulers, people would be left in disorder and neglect, resembling scattered and unruly mobs. As the pre-Islamic poet, al-Afwah al-Awdī said:

*People do not prosper in chaos without a leader
And there is no leadership when the ignorant take charge.⁷*

وقالت طائفة أخرى: بل وجبت بالشرع دون العقل؛ لأن الإمام يقوم بأمرٍ شرعية قد كان مجزّراً في العقل أن لا يردّ التعبدُ بها، فلم يكن العقل موجّباً لها، وإنما أوجب العقل أن يمنع كل واحدٍ نفسه من العقلاء عن التظالم والتقاطع، ويأخذ بمقتضى العدل في التناصف والتواصل، فيتدبّر بعقله لا بعقل غيره، ولكن جاء الشرع بتفويض الأمور إلى وليّه في الدين، قال الله - عز وجل: {يَا أَيُّهَا الَّذِينَ آمَنُوا أَطِيعُوا اللَّهَ وَأَطِيعُوا الرَّسُولَ وَأُولِي الْأَمْرِ مِنْكُمْ}، ففرض علينا طاعة أولي الأمر فينا، وهم الأئمة المتأثرون علينا. وروى هشام بن عروة عن أبي صالح عن أبي هريرة أن رسول الله صلى الله عليه وسلم قال:

⁵ Many Sunni theologians regarded the imamate as a succession to prophethood. While neither prophethood nor the imamate is regarded as a rational necessity, both are understood as decreed by divine wisdom, with the imamate specifically prescribed by sacred law. Abu al-Ḥasan al-Ashʿarī (d. 324/936) asserted that the Imam serves as the Prophet's ﷺ deputy, responsible for implementing religious rulings, enforcing legal penalties, protecting the community, defending the oppressed, and restraining tyrants—without introducing new legislation (*sharʿ*) or altering established law. As a member of the community, the Imam's role is to uphold religious obligations grounded in the Qurʾan, the Sunna, consensus, and analogical reasoning. See Muḥammad ibn al-Ḥasan ibn Fūrak, *Maqālāt al-Shaykh Abī al-Ḥasan al-Ashʿarī Imām Ahl al-Sunna*, ed. Aḥmad al-Sāyih (Cairo: Maktabat al-Thaqāfa al-Dīniyya, 2005), 88–9. The theological debate on whether the imamate arises from rational necessity or divine mandate reflects this view of the imamate as an extension of prophethood. Proponents of rational obligation argue that both prophethood and the imamate are rationally necessary, while supporters of divine prescription maintain that Allah's sending of prophets is neither obligatory nor necessary. This debate also informs legal discussions, such as the minority opinion allowing for the simultaneous appointment of two imams, which draws an analogy to the possibility of Allah sending two prophets concurrently. See Abu al-Ḥasan al-Māwardī, *Adab al-Dīn wa al-Dunyā* (Beirut: Dār al-Minhāj, 2013), 221.

⁶ ʿAbd al-Raḥmān ibn Kaysān (d. 279/892), known as al-Aṣamm (lit. the deaf one), is noted as the only Muʿtazilite to have reportedly denied the necessity of the imamate. However, later Muʿtazilite scholars have contended that al-Aṣamm's position does not, in fact, contradict the broader consensus on the matter. They argue that this view rests on the assumption that leadership is a customary necessity for maintaining societal order and administering justice. It is therefore unlikely that al-Aṣamm believed communal affairs could be properly managed in the absence of a leader. On this reading, he effectively affirmed the obligation of leadership in all circumstances, albeit on non-rational grounds. For a detailed discussion of al-Aṣamm's view and Muʿtazilite perspectives on the imamate, see Yousef Wahb, "Shāfiʿi Jurists and Legal Theorists on the Imamate," *Ummatics*, June 27, 2023, <https://ummatcs.org/papers/shafi-i-jurists-and-legal-theorists-on-the-imamate/>.

⁷ Al-Māwardī, *al-Aḥkām al-Sulṭāniyya*, 3

«سَيَلِيكُم بَعْدِي وُلاَةٌ، فَيَلِيكُم الْبِرَّ بِيَرَّةٍ، وَيَلِيكُم الْفَاجِرُ بِفُجُورِهِ، فَاسْمَعُوا لَهُمْ وَأَطِيعُوا فِي كُلِّ مَا وَافَقَ الْحَقَّ، فَإِنْ أَحْسَنُوا فَلَكُمْ وَلَهُمْ، وَإِنْ أَسَاءُوا فَلَكُمْ وَعَلَيْهِمْ».

Another group maintains that the obligation of the imamate is established exclusively by revelation, not by reason. Their argument is that the Imam undertakes duties prescribed by the *sharī'a*—duties which, from the standpoint of pure reason, might not necessarily be mandated, as it is conceivable that no divine command regarding them is issued. Accordingly, reason does not require the imamate. What reason does require, they argue, is that every rational person restrain themselves from injustice and social discord, uphold justice in mutual dealings and cooperation, and act in accordance with their own rational discernment, rather than relying on the judgement of another. Revelation, however, introduced the principle of delegating authority to a leader. As Allah, the Exalted, says: “O you who believe, obey Allah and obey the Messenger and those in authority among you.”⁸ So He made obligatory upon us obedience to those in authority among us, and they are the imams who have assumed authority over us.

Hishām ibn ‘Urwa narrated from Abu Ṣāliḥ, from Abu Hurayra, that the Messenger of Allah ﷺ said:⁹ “You will be ruled after me by governors—some righteous and others corrupt. Listen to them and obey them in all that accords with the truth. If they act justly, it will be to your benefit and theirs. If they act unjustly, the burden will be upon them while the reward remains yours.”¹⁰

والذي يلزمه من الأمور العامة عشرة أشياء:

أحدها: حفظ الدين على أصوله المستقرّة، وما أجمع عليه سلف الأمة، فإن نجم مبتدع أو زاغ ذو شبهة عنه، أوضح له الحجة، ويبيّن له الصواب، وأخذه بما يلزمه من الحقوق والحدود؛ ليكون الدين محروسًا من خلل، والأمة ممنوعة من زلل. والثاني: تنفيذ الأحكام بين المتشاجرين، وقطع الخصام بين المتنازعين حتى تعمّ النصفّة، فلا يتعدى ظالمٌ، ولا يضعف مظلومٌ. والثالث: حماية البيضة والذبّ عن الحريم؛ ليتصرّف الناس في المعاش، وينتشروا في الأسفار آمنين من تغرير بنفس أو مال. والرابع: إقامة الحدود؛ لتضام محارم الله تعالى عن الانتهاك، وتُحفظ حقوق عباده من إتلاف واستهلاك. والخامس: تحصين الثغور بالعدّة المانعة والقوّة الدافعة حتى لا تظفر الأعداء بغرّة ينتهكون فيها مُحرمًا، أو يسفكون فيها لمسلم أو معاهد دمًا.

⁸ Qur'an, *al-Nisā'*, 4:62.

⁹ *Sunan al-Daraqutnī*, 1759, and al-Tabarānī in *al-Awsaṭ*, 6310, both include the phrase “and pray behind them” after the command to obey them in truth—an addition absent from al-Mawardī's citation of the ḥadīth. Some commentators have therefore interpreted the subsequent clause (“If they do wrong...”) to the end of the ḥadīth as referring specifically to the leadership of prayer. In any case, this narration is considered very weak according to al-Arnā'ūt, al-Albanī and others. However, sound narrations conveying a similar meaning appear in Muslim, 1847 and 1854.

¹⁰ Al-Māwardī, *al-Aḥkām al-Sulṭāniyya*, 3–4

والسادس: جهاد من عاندَ الإسلام بعد الدعوة حتى يُسلم أو يدخل في الذمة؛ ليقام بحق الله تعالى في إظهاره على الدين كله.

والسابع: جباية الفيء والصدقات على ما أوجبه الشرع نصًّا واجتهادًا من غير خوفٍ ولا عسفٍ.

والثامن: تقدير العطايا وما يستحق في بيت المال من غير سرفٍ ولا تقتيرٍ، ودفعه في وقتٍ لا تقديم فيه ولا تأخير.

والتاسع: استكفاء الأمناء وتقليد النصحاء فيما يُفوض إليهم من الأعمال ويكله إليهم من الأموال؛ لتكون الأعمال بالكفاءة مضبوطةً، والأموال بالأمناء محفوظة.

والعاشر: أن يباشر بنفسه مشرفة الأمور، وتصفُّح الأحوال؛ لينهض بسياسة الأمة وحراسة الملة، ولا يعوّل على التفويض تشاغلاً بلدّة أو عبادة، فقد يخون الأمين ويغشّ النَّاصح، وقد قال الله تعالى: {يَا دَاوُدُ إِنَّا جَعَلْنَاكَ خَلِيفَةً فِي الْأَرْضِ فَاحْكُم بَيْنَ النَّاسِ بِالْحَقِّ وَلَا تَتَّبِعِ الْهَوَى فَيُضِلَّكَ عَنْ سَبِيلِ اللَّهِ}، فلم يقتصر الله سبحانه على التفويض دون المباشرة ولا عذره في الإتياع حتى وصفه بالضلال، وهذا وإن كان مستحقاً عليه بحكم الدين ومنصب الخلافة، فهو من حقوق السياسة لكل مُستَرعٍ، قال النبي -عليه الصلاة والسلام: «كلكم راعٍ وكلكم مسئولٌ عن رعيتِهِ».

The duties incumbent upon the Imam in matters of public concern are ten in number:

1. Preservation of the religion in accordance with its established principles and the consensus of the early generations of the Muslim Umma. Should a heretic arise or an individual deviate due to dubious reasoning, the Imam must present conclusive evidence, clarify the correct path, and apply the appropriate legal rights and penalties, thereby safeguarding the integrity of the religion and shielding the community from doctrinal error.
2. Enforcement of legal judgments and resolution of disputes among litigants, so that justice may be fully realized—ensuring that no oppressor exceeds his bounds and no victim is left without redress.
3. Defense of the territory and protection of the community's sanctity, so that people may engage in their livelihoods and move about freely in travel, secure from threats to their lives or property.
4. Implementation of *ḥadd* penalties, so that the sanctities of Allah remain inviolate and the rights of His servants are protected from transgression and harm.¹¹
5. Fortification of the frontiers with sufficient defensive equipment and repelling force, so that the enemy does not seize upon a moment of vulnerability to violate sacred boundaries or to shed the blood of a Muslim or a legally protected non-Muslim (*mu'āhid*).¹²

¹¹ *Ḥadd* punishments are the fixed penalties prescribed in the Qur'ān and hadith for specific offenses deemed violations of the rights of Allah, such as theft, illicit sexual relations, false accusations of fornication, and consumption of intoxicants. These punishments are distinguished from *ta'zīr*, which are discretionary penalties determined by judicial authorities for offenses not subject to fixed sanctions.

¹² A *mu'āhid* is any non-Muslim who received protection from the Muslim state by virtue of a peace agreement.

6. Engagement in *jihād* against those who oppose Islam after having received its call, until they either embrace Islam or enter into a protected covenant (*dhimma*)—in order to uphold the right of Allah in manifesting His religion over all others.¹³
7. Collection of spoils (*fay'*) and alms in accordance with the prescriptions of the revealed law, whether by explicit texts or juristic reasoning, without coercion or injustice.¹⁴
8. Allocation of stipends and entitlements from the public treasury (*bayt al-māl*) without extravagance or miserliness, and disbursing them at their appointed time—neither prematurely nor with undue delay.
9. Selection of trustworthy officials and appointment of sincere advisors to oversee the duties delegated to them and the funds entrusted to them—so that administrative affairs are managed with competence, and public wealth is preserved through reliable custodianship.
10. Direct supervision of affairs and continual review of conditions, so that the Imam may effectively govern the community and protect the religion. He must not rely solely on delegation—whether due to indulgence in pleasure or preoccupation with worship—for even the trustworthy may betray and the sincere may be mistaken. As Allah, Exalted is He, says: “O Dāwūd, indeed We have made you a successor upon the earth, so judge between the people in truth and do not follow desire, for it will lead you astray from the path of Allah.”¹⁵ Allah did not consider delegation sufficient without direct involvement, nor did He excuse the mere following of desire; rather, He described it as misguidance. While this responsibility is incumbent upon the Imam by virtue of his religious duty and the office of the caliphate, it is also a matter of sound political governance incumbent upon anyone entrusted with authority. As the Prophet ﷺ said:¹⁶ “Each of you is a shepherd, and each of you is responsible for his flock.”¹⁷

¹³ The term *dhimmīs* refers to non-Muslim subjects living under Muslim rule who are granted legal protection in exchange for the payment of *jizya*.

¹⁴ *Fay'* refers to property or wealth acquired by Muslims without armed combat, typically through the enemy's surrender or other peaceful means, and is distinct from *ghanīma* (war booty obtained through battle).

¹⁵ Qur'an, Sād, 38:26.

¹⁶ *Bukhārī*, 5200; *Muslim*, 1829.

¹⁷ Al-Māwardī, *al-Aḥkām al-Sulṭāniyya*, 22–3.

Al-Māwardī, Adab al-Dīn wa al-Dunyā

فهذه آثارُ السلطان في أحوال الدنيا وما ينتظمُ به أمورُها. ثم لما في السلطان من حراسةِ الدين والدنيا والذبَّ عنهما ودفعِ الأهواءِ منه، وحراسةِ التبديلِ فيه، وزجرٍ من شذَّ عنه بارتدادٍ، أو بَغَى فيه بعنادٍ، أو سَعَى فيه بفسادٍ. وهذه أمورٌ إن لم تنحسم عن الدين بسلطانٍ قويٍّ ورعايةٍ وافيةٍ أسرعَ فيه تبديلُ ذوي الأهواءِ، وتحريفُ ذوي الآراءِ، فليس دينٌ زال سلطانهُ إلا بُدِّلَتْ أحكامُهُ، وطُمِسَتْ أعلامُهُ. وكان لكل زعيمٍ فيه بدعةٌ، ولكل عصرٍ فيه وهائيةٌ أثرٌ. كما أن السلطانَ إن لم يكن على دينٍ تجتمعُ به القلوبُ حتى يرى أهلُ الطاعةِ فيه فرضًا، والتناصرَ عليه حتمًا، لم يكن للسلطانِ بُتٌ ولا لأَيامِهِ صَفْوٌ، وكان سلطانَ قهَرٍ، ومَفْسَدَةٍ دهرٍ. ومن هذين الوجهين وجب إقامةُ إمامٍ يكون سلطانَ الوقتِ وزعيمَ الأمةِ ليكون الدينُ محروسًا بسلطانهُ، والسلطانُ جاريًا على سننِ الدينِ وأحكامِهِ. قال عبد الله بن المعتز: المُلْكُ بالدينِ يَبْقَى، والدينُ بالملكِ يَفْوَى.

These are the effects of political authority on worldly affairs and the order it brings to them.¹⁸ Governance protects both religion and worldly life: it shields them from distortion, repels the intrusion of misguided desires, guards against alteration, and restrains those who deviate—whether by apostasy, rebellious defiance, or acts of corruption. If such threats are not decisively checked by strong authority and sufficient oversight, the distortion of religious principles by those of passion and the misrepresentation of doctrine by those of [deviant] opinion would quickly follow. No religion whose political authority has collapsed has been spared the alteration of its rulings and the effacement of its defining features. In such cases, every leader introduces a new heresy, and every era of weakness leaves behind the traces of its decline.

Likewise, when political authority is not anchored in a religion that unites hearts—such that its adherents regard obedience as an obligation and mutual support as a binding duty—that authority cannot endure, nor will its reign be marked by felicity. It becomes a reign of coercion and a source of abiding corruption. For these two reasons,¹⁹ it is necessary to appoint an imam who serves as the sovereign of the time and the leader of the community—so that religion is protected by his rule, and governance proceeds according to the norms and rulings of the religion. As ‘Abdullāh ibn al-Mu‘tazz said: “Kingship endures through religion, and religion is strengthened by kingship.”²⁰

¹⁸ Al-Māwardī makes these remarks after presenting several reports emphasizing the necessity and significance of stable governance and the appointment of an imam.

¹⁹ That religion requires political authority for its protection, and political authority requires religion for its legitimacy and efficacy.

²⁰ Al-Māwardī, *Adab al-Dīn wa al-Dunyā*, 220.

Al-Juwaynī, *al-Ghiyāthī*

الإمامة رياسة تامّة، وزعامة عامّة، تتعلق بالخاصّة والعامة، في مهمّات الدين والدنيا. مهمّتها حفظ الحوزة، ورعاية الرعيّة، وإقامة الدعوة بالحجّة والسيف، وكفّ الخيف والخيف، والانتصاف للمظلومين من الظالمين، واستيفاء الحقوق من الممتنعين، وإيفائها على المستحقّين. [...] فنصب الإمام عند الإمكان واجب، وذهب عبد الرحمن بن كيسان إلى أنه لا يجب، ويجوز ترك الناس أخياراً، يلتطمون اثلاًفاً واختلافاً، لا يجمعهم ضابط، ولا يربط شتات رأيهم رابط. وهذا الرجل هجوّم على شقّ العصا، ومقابلة الحقوق بالعقوق، لا يهاب حجاب الإنصاف، ولا يستوعر أصواب الاعتساف، ولا يُسمّى إلا عند الانسلاخ عن ريقّة الإجماع، والحيد عن سنن الاتباع، وهو مسبوّق بإجماع من أشرقت عليه الشمس شارقةً وغاربةً، واتفاق مذاهب العلماء قاطبةً.

أما أصحاب رسول الله صلى الله عليه وسلم رأوا البدار إلى نصب الإمام حقّاً، فتركوا لسبب التشاغل به تجهيز رسول الله ودفنه مخافة أن تتغشاهم هاجمةٌ محنةٌ.

ولا يرتاب من معه مُسكةٌ من عقل أن الذبّ عن الحوزة، والنضال دون حفظ البيضة محتومٌ شرعاً، ولو ترك الناس فوضى لا يجمعهم على الحقّ جامع، ولا يزعمهم وازع، ولا يدعهم عن اتباع خطوات الشيطان رادع، مع تفنّن الآراء، وتفرّق الأهواء لأنشتر النظام، وهلك العظام، وتوتّبت الطغام والعوام، وتحزّبت الآراء المتناقضة، وتفرّقت الإرادات المتعارضة، وملّك الأزدلون سراة الناس، وفُضّبت المَجامع، واتّسع الخرق على الراقع، وفشّت الخصومات، واستحوذ على أهل الدين ذوو العرامات، وتبدّدت الجماعات، ولا حاجة إلى الإطناب بعد حصول البيان، وما يزعّ الله بالسلطان أكثر مما يزعّ بالقرآن.

The imamate is a comprehensive leadership and general authority that pertains to both the elite and the common people, and extends to the essential concerns of religion and worldly life.²¹ Its

²¹ A standard definition of the imamate describes it as “a general leadership over both religious and worldly affairs, in succession to the Prophet.” The qualifier “general” serves to exclude more limited administrative or executive roles whose authority is restricted by territorial or jurisdictional bounds. The reference to succession distinguishes the imamate from prophethood itself, which—despite being referenced—is not included within its scope. It is important to note that this notion of succession does not entail a direct delegation of authority by the Prophet ﷺ, but is understood more broadly, whether mediated or otherwise. Fakhr al-Dīn al-Rāzī (d. 605/1210) introduces a further important qualification: “a general leadership in religious and worldly affairs assigned to a single individual among the people.” This clause emphasizes the singularity of the Imam: the simultaneous appointment of multiple imams is deemed invalid. It also addresses scenarios in which a ruler is deposed, affirming that authority must be reestablished in an individual rather than in a collective body such as a group of community leaders or the populace at large. While proponents of the former definition do not necessarily disagree with al-Rāzī’s additional qualification in substance, they object to its inclusion in the technical structure of the definition. From their perspective, al-Rāzī’s stipulation constitutes a condition for the validity of the imamate, rather than an essential element, and thus should not appear in the definition itself. Mas‘ūd ibn ‘Umar al-Taftāzānī, *Sharḥ al-Maqāṣid*, ed. ‘Abd al-Rahmān ‘Umayra, 5 vols. (Beirut: ‘Ālam al-Kutub, 1998), 5:234. On the requirement of singular and centralized authority, scholars consistently rejected the view that the objectives of the imamate could be

responsibilities include preserving the integrity of the community, ensuring the welfare of the populace, upholding the religious call (*daʿwa*) through both persuasion and authorized force, averting fear and injustice, securing justice for the oppressed against their oppressors, reclaiming rights from those who withhold them, and delivering them to those entitled.²²

The appointment of an imam, when possible, is an obligation.²³ ʿAbd al-Raḥmān ibn Kaysān, however, held that it is not obligatory, and that it is permissible for people to remain in scattered factions, tossed between agreement and disagreement, without a unifying authority or any cohesive principle binding their divergent views.²⁴ This man is an advocate for division and the opposition of rights with wrongs. He shows no regard for the bounds of fairness and does not hesitate to pursue the path of injustice. He is mentioned only in contexts that signify a breach of consensus (*ijmāʿ*) and a deviation from the path of rightful adherence. His view stands in contradiction to the established consensus of all scholars across the lands where the sun rises and sets, and against the agreement of all schools of thought.

Indeed, the Companions of the Messenger of Allah ﷺ regarded the prompt appointment of an imam as a necessary obligation. Preoccupied with this task, they delayed the preparation and burial of the Messenger of Allah ﷺ, fearing that a sudden trial might descend upon them [if leadership were left unsettled].²⁵

No one possessing even a trace of sound reason would doubt that defending the religious domain and safeguarding the collective integrity of the community is a duty prescribed by the *sharīʿa*. Were people left in a state of lawlessness—with no leader to unite them upon the truth, no authority to restrain them, and no force to deter them from following the footsteps of Satan—

fulfilled by multiple dispersed rulers. Their objection was based on the concern that such plurality would generate rivalry and lead to disunity and conflict. Al-Taftāzānī, *Sharḥ al-Maqāṣid*, 5: 237–8.

²² This introductory paragraph is paraphrased similarly in many subsequent Shāfiʿī works.

²³ The possibility qualification indicates that the obligation to appoint an imam does not preclude the possibility of periods during which legitimate rule is absent, due to circumstances that render such appointment unfeasible. Addressing this contingency is one of the two principal objectives al-Juwaynī sets out to explore in *al-Ghiyāthi*.

²⁴ Most Muʿtazilites affirmed the obligation of appointing an imam but disagreed over the basis of this obligation. The Baṣran school generally held that the obligation is rooted in revelation, as reason alone does not necessitate it. By contrast, the Baghdād school—along with figures such as al-Jāḥiẓ (d. 255/868) and Abu al-Ḥusayn al-Baṣrī (d. 436/1044), even while affiliated with the Baṣran tradition—maintained that reason independently recognizes the necessity of the imamate. For further discussion of Muʿtazilite views on this topic, see Ibn Abī al-Ḥadīd's (d. 656/1258) commentary on ʿAlī ibn Abī Ṭālib's ﷺ response to the Khārijite slogan, "No judgment but God's." See Ibn Abī al-Ḥadīd, *Sharḥ Nahj al-Balāgha*, ed. Muḥammad Ibrāhīm, 11 vols. (Baghdad: Dār al-Kitāb al-ʿArabī, 2007), 1:417–18. Patricia Crone identifies five Muʿtazilite strands that either rejected or significantly qualified the obligation of the imamate: (1) Muʿtazilite ascetics, who preferred no ruler to a corrupt one; (2) al-Aṣamm, who argued that consensus is impossible given the community's size; (3) Hishām al-Fuwaṭī (d. before 230/845), who required a unanimous and righteous community for legitimate leadership; (4) ʿAbbād ibn Sulaymān (d. 250/864), who denied the possibility of any future imamate; and (5) al-Nazzām (d. 221/836), who held that if a society without an imam is conceivable, the imamate cannot be obligatory. Patricia Crone, "Ninth-Century Muslim Anarchists," *Past and Present*, no. 167 (2015): 12–15.

²⁵ The initial disagreement among the companions over who should assume the caliphate after the Prophet's ﷺ death does not negate their consensus on the obligation to appoint a caliph. Ibn Ḥajar al-Haytamī, *al-Ṣawāʾiq al-Muḥriqa fi al-Radd ʿalā Ahl al-Bidaʿ wa al-Zandaqa*, ed. Muṣṭafā al-ʿAdawī (al-Mansoura: Maktabat Fayyāḍ, 2008), 55.

the diversity of opinions and the divergence of passions would unravel the social order. The pillars of the community would collapse; the rabble and the ignorant would rise up; conflicting factions would multiply; opposing wills would splinter the public good; the ignoble would gain mastery over the noble; assemblies would be dissolved; the rupture would exceed the capacity of any to repair it; disputes would spread unchecked; the malicious would prevail over the devout; and communities would disintegrate.

There is no need to elaborate further once the truth has been made evident. Indeed, what Allah restrains through political authority is greater than what He curbs through the Qur'an alone.²⁶

ومن العبارات الرائقة الفائقة المرضية في الإعراب عن المقاصد الكلية في القضايا الشرعية أن مضمونها دعاء إلى مكارم الأخلاق ندبًا واستحبابًا، وحثًا وإيجابًا، والزجر عن الفواحش وما يخالف المعالي، تحريمًا وحظرًا، وكرهيةً تبين عيافةً وحجراً، وإباحةً تُغني عن الفواحش، كإباحة النكاح المُعني عن السفاح، أو تُعين على الطاعة، وتُعزِد أسباب القوة والاستطاعة.

ثم لما جُبلت النفوس على حبِّ العاجل، والتطَلُّع إلى الضئيلة بالحاصل، والتعلق في تحصيل الدنيا بالوسائل والوسائل، والاستهانة بالمهالك والعوائل، والتهاكك على جمع الخطام من غير تماسك وتمالك، وهذا يجزُّ التنافس والازدحام، والنزاع

²⁶ Al-Juwaynī, *al-Ghīyāthī*, 217–219. This statement is frequently cited in discussions of governance, politics, and related legal matters. It has been variously attributed to the Prophet ﷺ, to certain companions, and to the successors (*tabi'ūn*), or reported more generally as a maxim of wisdom. However, no continuous chain of transmission links it directly to the Prophet ﷺ, and it is more accurately classified as a *mawqūf* report—attributed to one or more of the companions. For example, Abu Ja'far al-Nahās and al-Khaṭīb al-Baghdādī attribute it to 'Umar ibn al-Khaṭṭāb رضي الله عنه. Abu Ja'far al-Nahās, *Umdat al-Kuttāb*, ed. Bassām al-Jābī (Dār Ibn Ḥazm, 2004), 117; Abu Bakr Aḥmad al-Khaṭīb al-Baghdādī, *Tarīkh Baghdad*, ed. Bashshār Ma'rūf, 17 vols., (Beirut: Dār al-Gharb al-Islāmī, 2002), 5:173.

The most commonly cited attribution of this statement in early Islamic tradition is to 'Uthmān ibn 'Affān رضي الله عنه, as reported by numerous sources, including Mālik ibn Anas. Ibn Rushd relates, "Malik said: The righteous servant, 'Uthmān ibn 'Affān رضي الله عنه, stated: 'What restrains the people most is the authority of the Imam, more than the Qur'an—meaning that it is the Imam's power to enforce the law that deters transgression.'" Ibn Rushd affirms Mālik's interpretation, commenting: "the meaning is that those who refrain from violating Allah's prohibitions due to fear of political authority are more numerous than those who refrain out of obedience to divine commands. In the Imam lies the rectification of both religious and worldly matters. There is no disagreement among scholars regarding the obligation of the imamate and the necessity of obedience to the Imam." Ibn Rushd, *al-Bayān wal-Taḥṣīl*, ed. Muḥammad Ḥajjī, 20 vols., (Beirut: Dār al-Gharb al-Islāmī, 1986), 18:494–5.

Ibn al-'Arabī (d. 543/1148) referenced the same maxim in *Aḥkām al-Qur'ān* within his discussion of human tendencies toward rivalry, competition, and conflict. He notes that Allah has ordained the establishment of political leadership to ensure social cohesion and public security. Every time a caliph is replaced or a king dies, another ruler is appointed in their place, thus ensuring continuity of governance. In His wisdom, Allah restrains people through this mechanism. According to Ibn al-'Arabī, leadership is necessary because the injustice of a ruler for one year is less harmful than leaving people in chaos for a single hour. Abu Bakr ibn al-'Arabī, *Aḥkām al-Qur'ān*, ed. Muḥammad 'Aṭa, 4 vols. (Beirut: Dār al-Kutub al-'Ilmiyya, 2003), 2:208. Elsewhere in the same work, Ibn al-'Arabī clarifies that some misinterpret this statement, wrongly assuming that it implies political authority is more effective than the divine limits set by the Qur'an. He argues that such an understanding betrays ignorance of Allah's wisdom and His legislation. Allah has instituted boundaries for the realization of public welfare but wrongdoers fail to observe them due to their lack of commitment to divine justice. If rulers governed with justice and sincere intention, society would be reformed, and the majority would live in harmony. Ibn al-'Arabī, *Aḥkām al-Qur'ān*, 3:474.

والخصام، واقتحام الخطوب العظام، فاقترضى الشرع فيصلاً بين الحلال والحرام، وإنصافاً وانتصافاً بين طبقات الأنام، وتعليق الإقدام على القرب والطاعات بالفوز بالثواب، فيربط اقتحام الآثام بالعقاب.

ثم لم ينحجز معظم الناس عن الهوى بالوعد والوعيد، والترغيب والتهديب، فقيض الله السلاطين وأولي الأمر وأزعين، ليؤفروا الحقوق على مستحقيها، ويبلغوا الحظوظ ذويها، ويكفوا المعتدين، ويعضدوا المقتصدین، ويشيّدوا مباني الرشد، ويحسموا معاني الغي والفساد، فتتنظم أمور الدنيا، ويستمد منها الدين الذي إليه المنتهى.

Among the most refined and eloquent formulations that effectively convey the overarching objectives of the sacred law is the recognition that its substance is, at its core, a call to noble character—at times by way of recommendation and encouragement, and at other times by way of obligation and command. It likewise involves a deterrence from indecencies and from that which contradicts virtuous conduct, through prohibition and restriction, as well as through disapproval that expresses aversion and imposes restraint. The law also includes permissions that serve to prevent indecency—such as the permissibility of marriage, which averts fornication—or that facilitate acts of obedience and reinforce the means of strength and capacity.

Since human nature is predisposed to the love of immediate gratification, to clinging tightly to what one possesses, and to seeking worldly gains through all available means and intermediaries—while showing little regard for dangers and perils, and recklessly pursuing the accumulation of wealth without restraint or self-possession—this breeds rivalry and jostling, quarrel and contention, and headlong plunges into grave calamities. In response, the sacred law established a clear criterion between the lawful and the unlawful, and instituted fairness and reciprocal justice among all classes of people. It also tied the pursuit of nearness to God and acts of obedience to the promise of reward, while linking the commission of sins to the threat of punishment.

Furthermore, most people are not restrained from their desires merely by promises and warnings, encouragements and moral refinement. Therefore, Allah appointed rulers and those in authority as enforcers—so that they may ensure rights are delivered to their rightful claimants, privileges reach those entitled to them, aggressors are restrained, the moderate are supported, the structures of guidance are reinforced, and the roots of misguidance and corruption are eradicated. In this way, the affairs of the world are properly ordered, and from that order, religion—toward which all aims ultimately converge—can be sustained.²⁷

وما ابتعث الله نبياً في الأمم السالفة حتى أيده وعضده بسلطان ذي عُدَّة ونَجْدَةٍ، ومن الرسل عليهم السلام من اجتمعت له النبوة والأيد والقوة كداود وموسى وسليمان - صلوات الله عليهم أجمعين. ولما اختتم الله الرسالة في العالم بسيد ولد آدم أيده بالحجة البيضاء، والمحنة الغراء، وشد بالسيف أزره، وضمن إظهاره ونصره، وجعله إمام الدين والدنيا، وملاذ الخلق في الآخرة والأولى، ثم أكمل الله الدين واختتم الوحي، فاستأثر برسوله سيد النبيين، فخلفه أبو بكر الصديق ليدعو

²⁷ Al-Juwaynī, *al-Ghiyāthī*, 326-327.

إِلَى اللَّهِ دُعَاةً، وَيُقَرَّرُ مِنْ مَصَالِحِ الدُّنْيَا وَمَرَاشِدِهَا، وَيَنْتَجِي فِي اسْتِصْلَاحِ الْعِبَادِ انْتِحَاةً. [...] فَالْقَوْلُ الْكَلْبِيُّ أَنَّ الْغَرَضَ اسْتِيفَاءُ قَوَاعِدِ الْإِسْلَامِ طَوْعًا أَوْ كَرْهًا، وَالْمَقْصَدُ الدِّينُ، وَلَكِنَّهُ لَمَّا اسْتَمَدَّ اسْتِمْرَارَهُ مِنَ الدُّنْيَا، كَانَتْ هَذِهِ الْقَضِيَّةُ مَرَعِيَّةً.

Allah did not send a prophet to any previous nations without supporting and strengthening him by an authority endowed with resources and succour. Among the messengers ﷺ were those who were given both prophethood, strength, and power, such as Dāwūd, Mūsā, and Sulaymān ﷺ. When Allah sealed His message to the world with the Master of the children of Adam (the Prophet Muhammad ﷺ), He supported him with the radiant proof and the clear path, reinforced him with the sword, guaranteed his manifest victory, and appointed him as the leader of both religious and worldly affairs, the refuge of creation in this life and the next. Then, when Allah completed the religion and sealed revelation, He took His Messenger ﷺ—the master of prophets—unto himself.²⁸ Thereafter, Abu Bakr al-Ṣiddīq ﷺ succeeded him: to call people to Allah's path, to establish the worldly interests that support guidance, and to pursue the reform of humanity in the manner of the Prophet ﷺ.²⁹ [...] In sum, the overarching objective is the fulfillment of the foundations of Islam—whether through voluntary acceptance or through compelled compliance under legitimate authority. Religion is the ultimate aim; but because its continuation depends on the order of worldly life, this dimension of political leadership becomes essential and worthy of attention.³⁰

²⁸ Ibn al-ʿArabī notes that when Allah sends a prophet who lacks temporal authority, divine intervention ensures that the prevailing political power of the time is subordinated to the prophet's mission. This is exemplified in the case of the Prophet Dānyāl ﷺ. Conversely, when a prophet is granted worldly power at the outset of his mission, Allah facilitates his rise over the people, dismantling existing forms of rule and consolidating both religious and political authority—as seen in the case of Mūsā ﷺ. Regarding the Prophet Muhammad ﷺ, Ibn al-ʿArabī explains that Allah prepared the circumstances to honor him and elevate his community. This included the settling of Ismāʿīl ﷺ in a barren and uninhabited sanctuary, where his descendants would flourish. Populations from surrounding regions were drawn to this site by divine decree, thereby weakening their own sovereignties to make room for the emergence of Islamic leadership. The pre-Islamic condition of humanity—characterized by rivalry, conflict, and violence—was transformed by the establishment of prophethood and divinely sanctioned leadership, which provided both religious and worldly restraint. Ibn al-ʿArabī, *Aḥkām al-Qurʾān*, 2:208–9.

²⁹ The first rightly guided caliph was Abu Bakr ﷺ. Some scholars have inferred his legitimate succession to the Prophet ﷺ from verses of the Qurʾān. For instance, “O you who have believed, whoever among you turns back from his religion—Allah will bring forth a people whom He will love and who will love Him” [Qurʾān, 5:54] has been interpreted as alluding to Abu Bakr ﷺ, who decisively led the campaign against the apostasy movements following the Prophet's death. Similarly, the verse “Say to those who remained behind of the Bedouins, ‘You will be called to [fight] a people of great military might; you may fight them, or they will submit’” [Qurʾān 48:16] has been interpreted as referring to the tribe of Banū Ḥanīfa. Since Abu Bakr ﷺ led the military campaign against Banū Ḥanīfa due to their organized apostasy, some scholars have cited this verse as implicit textual support for his rightful caliphate. This latter interpretation is attributed to Ibn Qutayba (d. 267/889), al-Ashʿarī, and Ibn Abī Ḥatīm (d. 327/938). See ʿAbd al-Ḥayy al-Kittānī, *al-Tarātib al-Idāriyya*, ed. ʿAbdullāh al-Khālidi, 2 vols. (Beirut: Dār al-Arqam, n.d.), 1:79–80. Al-Shāfiʿī is also reported to have affirmed legitimacy of Abu Bakr's caliphate, stating: “The people unanimously agreed upon the caliphate of Abu Bakr. This was because, after the Prophet ﷺ, the people were in urgent need, and they found no one under the heavens better than Abu Bakr, so they entrusted him with leadership.” See Abu al-Qāsim Hibatullāh al-Lālikāʾī, *Sharḥ Uṣūl Iʿtiqād Ahl al-Sunna wal-Jamāʿa*, ed. Aḥmad al-Ghāmdī, 9 vols. (Saudi Arabia: Dār Ṭibah, 2003), 8:1476 (report no. 2673).

³⁰ Al-Juwaynī, *al-Ghiyāthī*, 327–328.

Al-Ghazālī, *al-Iqtisād fī al-ʿItiqād*

ولا ينبغي أن تظنَّ أنَّ وجوب ذلك [نصب الإمام] مأخوذ من العقل، فإنَّا بيَّنا أنَّ الوجوب يُؤخذ من الشرع، إلا أن يُفسر الواجب بالفعل الذي فيه فائدة وفي تركه أدنى مَضرة، وعند ذلك لا يُنكر وجوب نصب الإمام لما فيه من الفوائد ودفع المضارِّ في الدنيا، ولكنَّا نقيم البرهان القطعي الشرعي على وجوبه ولسنا نكتفي بما فيه من إجماع الأمة، بل ننبِّه على مستند الإجماع ونقول: نظامُ أمر الدين مقصودٌ لصاحب الشرع عليه السلام قطعاً، وهذه مقدمة قطعية لا يتصور النزاع فيها، ونُضيف إليها مقدمة أخرى وهو أنه لا يحصل نظام الدين إلا بإمامٍ مطاع، فيحصل من المقدمتين صحة الدعوى وهو وجوب نصب الإمام.

فإن قيل المقدمة الأخيرة غيرُ مسلمة وهو أن نظام الدين لا يحصل إلا بإمامٍ مطاع، فذكِّروا عليها. فنقول البرهان عليه أنَّ نظام الدين لا يحصل إلا بنظام الدنيا، ونظام الدنيا لا يحصل إلا بإمامٍ مطاع، فهاتان مقدمتان ففي أيهما النزاع؟ فإن قيل لِمَ قلتم إنَّ نظام الدين لا يحصل إلا بنظام الدنيا، بل لا يحصل إلا بخراب الدنيا، فإنَّ الدين والدنيا ضدَّان والاشتغال بعمارة أحدهما خراب الآخر، قلنا هذا كلام من لا يفهم ما نريده بالدنيا الآن، فإنَّه لفظ مشترك قد يُطلق على فضول التنعم والتلذذ والزيادة على الحاجة والضرورة، وقد يُطلق على جميع ما هو محتاج إليه قبل الموت. وأحدهما ضد الدين والآخر شرطه، وهكذا يغلط من لا يميِّز بين معاني الألفاظ المشتركة.

فنقول نظامُ الدين بالمعرفة والعبادة لا يتوصل إليهما إلا بصحة البدن وبقاء الحياة وسلامة قدر الحاجات من الكسوة والمسكن والأقوات، والأمن هو آخر الآفات، ولعمري من أصبح آمناً في سربه معافى في بدنه وله قوت يومه فكأنما حيزت له الدنيا بحذافيرها، وليس يأمن الإنسان على روحه وبدنه وماله ومسكنه وقوته في جميع الأحوال بل في بعضها، فلا ينتظم الدين إلا بتحقيق الأمن على هذه المهمات الضرورية، وإلا فمن كان جميع أوقاته مستغرقاً بحراسة نفسه من سيوف الظلمة وطلب قوته من وجوه الغلبة، متى يتفرغ للعلم والعمل وهما وسيلتاها إلى سعادة الآخرة، فإذن بانَّ أنَّ نظام الدنيا – أعني مقادير الحاجة – شرطٌ لنظام الدين.

One should not suppose that the obligation [to appoint an Imam] is derived from reason alone.³¹ We have already established that obligation is determined by revelation, unless one interprets “obligatory” as referring merely to an action whose performance yields benefit and whose omission entails some degree of harm. In that case, one may not deny the obligatoriness of appointing an imam, given the worldly benefits and the harms it prevents. Nevertheless, we offer a conclusive legal proof derived

³¹ Al-Juwaynī stated in *al-Irshād*, “Discussing this issue [of the imamate] does not pertain to the fundamental principles of belief. The danger for one who slips in it is greater than that for one who is simply ignorant of its foundation. It comprises two tendencies that are deemed impermissible by those skilled in dialectical reasoning. The first is the inclination of each group towards partisanship and exceeding the bounds of truth. The second concerns speculative matters that admit no definitive judgments.” ‘Abd al-Malik al-Juwaynī, *al-Irshād ilā Qawāṭi’ al-Adilla*, eds. Muḥammad Mūsā and ‘Alī ‘Abd al-Ḥamīd (Cairo: Maktabat al-Khānjī, 1950), 410.

from revelation to establish its obligatory nature. We do not rely solely on the consensus of the Muslim community; rather we draw attention to the foundation of this consensus.³² We say: the proper ordering of religious affairs is unquestionably among the intended aims of the Lawgiver ﷺ. This is a definitive premise about which no disagreement is conceivable. To this we add a second premise: religious order cannot be established except through a leader (imam) who is obeyed. From these two premises, the conclusion necessarily follows: appointing an imam is obligatory.³³

Should it be said that the second premise is not conceded—namely, that religious order cannot be achieved except through an imam who is obeyed—so provide a proof for it, we respond: the proof for it is that religious order is not attained except through worldly order, and worldly order is not attained except through an imam who is obeyed. These are two premises: which one is in dispute? If it is said, “Why do you claim that religious order depends on worldly order? On the contrary, it is only attained through the ruin of worldly life, for religion and the world are opposites, and devoting oneself to the cultivation of one is the ruin of the other,” we reply: this is the statement of one who does not understand what we mean by “the world” in this context. The term is polysemous (*mushtarak*), and may denote either excessive indulgence in luxury, comfort, and superfluity beyond necessity, or everything one requires before death. One of these is indeed opposed to religion, while the other is a condition for it. Thus errs the one who fails to distinguish between the meanings of polysemous terms.

We say that the ordering of religion through knowledge and worship cannot be attained except with soundness of body, preservation of life, and the safeguarding of the necessary needs of clothing, shelter, and sustenance. Security is the final condition [needed to ward off harm]—for indeed (*la-ʿamrī*), “whoever wakes up secure in his dwelling, sound in body, and possessing his daily sustenance, it is as if the entire world has been gathered for him.”³⁴ Yet a person does not enjoy security over his life, body, wealth, home, and sustenance in all situations, only in some. Thus, religion cannot be properly ordered without achieving security in these essential matters.³⁵

³² The obligation to appoint an *imam* is founded on the authority of consensus, which might generate definitive knowledge. The legal justification for the imamate cannot be established without upholding the authority of consensus. See al-Juwaynī, *al-Irshād*, 417. Given that the majority of legal theorists require a consensus on any point of law to have a clear textual basis (*mustanad*), it is plausible to question why the textual foundation for this consensus has not been widely transmitted (via *tawātur*), especially considering the significance of the imamate, which would make such a report worthy of mass-transmission. Some scholars countered this by suggesting that it was the consensus itself that was transmitted. Since the requirement is for the *mustanad* to exist, the transmission of the consensus suffices. Moreover, it is possible that the textual basis for this consensus belongs to the category of matters that cannot be transmitted, such as circumstantial evidence that can only be known through direct observation by those who lived in the time of the Prophet ﷺ. Al-Sharīf al-Jurjānī, *Sharḥ al-Mawāqif*, ed. Maḥmūd al-Dimiyāṭī, 8 vols., (Beirut: Dār al-Kutub al-ʿIlmiyya, 1998), 8:377; Ibrāhīm al-Laḳānī, *ʿUmdat al-Murīd Sharḥ Jawharat al-Tawḥīd* (Amman: Dār al-Nūr al-Mubīn, 2016), 4:2088. This elucidates why al-Ghazālī provides an argument here solely for the rational foundation of the consensus, which underlies its textual basis.

³³ Al-Ghazālī provides similar arguments for both premises in *Faḍāʾih al-Bāṭiniyya*. Abu Ḥāmid al-Ghazālī, *Faḍāʾih al-Bāṭiniyya*, ed. ʿAbd al-Raḥmān Badawī (Kuwait: Muʾssasat Dār al-Kutub al-Thaqāfiyya, 1964), 170–172.

³⁴ *Sunan Ibn Māja*, no. 4141; *al-Tirmidhī*, no. 2347.

³⁵ In this sense, the establishment of the imamate is a prerequisite for the fulfillment of various religious obligations, such as, as noted earlier, the enforcement of penalties, the defense of territorial frontiers, and the mobilization of military forces for jihad, along with numerous other responsibilities necessary for preserving public order and protecting the sanctity of Islam. These objectives cannot be achieved without an imam.

Otherwise, one whose time is entirely consumed in guarding himself from the swords of tyrants and struggling to secure his subsistence, when will he have time for knowledge and worship, the two means to the felicity of the Hereafter? It therefore becomes clear that the ordering of worldly life—by which I mean the [fulfillment of] necessary needs—is a condition for the ordering of religion.³⁶

وأما المقدّمة الثانية، وهو أن الدنيا والأمن على الأنفس والأموال لا يَنْتَظِم إلا بسلطانٍ مطاعٍ، فتشهد له مشاهدة أوقات الفتن بموت السلاطين والأئمّة، وإنّ ذلك لو دام ولم يُتداركُ بنصب سلطان آخر مطاع دام الهرج وعمّ السيف وشمل القحط وهلكت المواشي وبطلت الصناعات، وكان كلّ مَنْ غلبَ سلبَ، ولم يتفرّغ أحدٌ للعبادة والعلم إن بقي حيّاً، والأكثرُ يهلكون تحت ظلال السيوف، ولهذا قيل: الدين والسلطان توأمان، ولهذا قيل: الدين أسُّ والسلطان حارسٌ وما لا أسَّ له فمهْدومٌ وما لا حارسَ له فضائعٌ.

وعلى الجملة لا يتمارى العاقل في أنّ الخلق على اختلاف طبقاتهم وما هم عليه من تشبّت الأهواء وتباين الآراء لو خُلوا وآراءهم، ولم يكن لهم رأيٌّ مطاعٌ يجمع شتاتهم، لهلكوا من عند آخرهم، وهذا داءٌ لا علاج له إلا بسلطان قاهر مطاع يجمع شتات الآراء، فبان أنّ السلطان ضروري في نظام الدنيا، ونظام الدنيا ضروري في نظام الدين، ونظام الدين ضروري في الفوز بسعادة الآخرة، وهو مقصودُ الأنبياء قطعاً، فكان وجوب نصب الإمام من ضروريّات الشرع الذي لا سبيل إلى تركه، فاعلم ذلك.

As for the second premise—that worldly life and security over lives and property cannot be properly ordered except through a ruler who is obeyed—this is borne out by what we witness in times of strife following the deaths of rulers and imams. If such a state were to persist without being remedied by appointing another obeyed authority, chaos would endure, the sword would prevail, famine would spread, livestock would perish, industries would come to a halt, and every act of domination would lead to plunder. No one would have the opportunity for worship or knowledge, if indeed they remained alive, while most would perish beneath the shadows of swords. It is for this reason that it has been said: “Religion and political authority are twins,” and likewise: “Religion is a foundation, and the ruler is its guardian. That which has no foundation is demolished, and that which has no guardian is lost.”

In sum, no rational person would doubt that humankind, given the diversity of their social ranks and the dispersion of their inclinations and divergence of views, if left to their own opinions without an authoritative will to unify their fragmentation, would ultimately perish. This is a malady for which there is no remedy except through a dominant and obeyed ruler who can consolidate divergent views. It thus becomes clear that rulership is indispensable for the ordering of worldly life; that the ordering

According to the legal maxim, whatever is necessary to fulfill an obligation becomes obligatory, provided it lies within one's capacity. An objection may arise, however, that if the enforcement of legal penalties is conditioned on the presence of an imam, it cannot be considered an absolute obligation, and thus does not necessitate appointing one. Al-Taftāzānī addresses this by distinguishing between a restriction placed on the obligation (*wujūb*) itself and one placed on the object of the obligation (*wājib*). In this case, the obligation itself remains absolute and unconditioned; what it is conditioned is the object of that obligation, just as the obligation of prayer is absolute, but its performance is conditioned on purification. Al-Taftāzānī, *Sharḥ al-Maqāṣid*, 236–237.

³⁶ Abu Ḥāmid al-Ghazālī, *al-Iqtīṣād fī al-I'tiqād: Wa ma'ahu Kitāb al-Sadād fī al-Irshād ilā al-Iqtīṣād fī al-I'tiqād*, ed. Muṣṭafā 'Imrān (Cairo: Dār al-Baṣā'ir, 2009), 504–505.

of worldly life is indispensable for the ordering of religion; and that the ordering of religion is indispensable for attaining the felicity (*sa'āda*) of the Hereafter, which is without doubt the ultimate aim of the prophets.³⁷ It follows, therefore, that the obligation to appoint an imam is among the necessities of the revealed law, leaving no room for its neglect. Let this be clearly understood.³⁸

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³⁷ It may nonetheless be argued that appointing an imam entails certain harms, which would appear to conflict with the prophetic hadith and the legal maxim, “There is no harm and no reciprocating harm.” These harms can manifest in various forms. First, assigning authority to one individual over his peers may itself be a source of injury or offense. Second, it is likely—indeed historically attested—that some will resent or oppose the imam, thereby inciting discord and conflict within the community. Third, since the imam is not infallible, he may lapse into sin or even disbelief. If he is not deposed, his conduct may lead to harm; but if he is deposed, the process of removal often entails violent upheaval. In response to such concerns, scholars have argued that the harm incurred by failing to appoint an imam is significantly greater than the potential harms entailed in appointing one. When harms are in conflict, it is legally incumbent to avert the greater of the two. See al-Jurjānī, *Sharḥ al-Mawāqif*, 8:378.

³⁸ Al-Ghazālī, *al-Iqtisād fī al-ʿItiqād*, 505–506. Opponents of appointing an imam raised several objections. First, they argued that individuals, driven by self-interest and religious motivation, are capable of managing their own affairs without centralized governance, evidenced, in their view, by the apparent order among Arab tribes and bedouins living outside the authority of rulers. Second, they claimed that the benefit of an imam depends on access to him, which is not feasible for the entire community, especially in urgent matters. Third, they noted that the requisite conditions for valid imamate are rarely met, such that appointing an unqualified imam leaves the obligation unmet, while no appointment at all constitutes neglect. Muslim scholars, echoing the reasoning of al-Ghazālī, addressed these claims. They maintained that while self-governance is theoretically possible, experience shows that the absence of leadership leads to chaos and conflict, particularly after the death of rulers. As for the bedouin example, it fails to account for the prevalence of disorder and religious neglect in such settings. Regarding access, the imam’s role lies in implementing justice and policy, not in personal availability; intermediaries fulfill that function. Finally, if valid conditions for imamate are genuinely absent, the obligation is suspended rather than violated. See al-Jurjānī, *Sharḥ al-Mawāqif*, 8:378–379. For early views that questioned or denied the necessity of the imamate, see Crone, “Ninth-Century Muslim Anarchists.”

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