CHAPTER IV

NATURE OF THE SALJÛQ STATE

a. POLITICAL IDEOLOGUES:

The administrative system during the period of the Saljûqs (1037-1157 A.D.) cannot be studied in isolation. It can largely be regarded as representing or corresponding to the early middle ages. In fact the Saljûq administrative system is a part of that unbroken thread of socio-political history which, in spite of its Arab ethos grew out of the heritage of thought represented by the Semitic civilizations of the past.¹ This system owed much to a long administrative tradition that stretched back to Pre-Islamic times.² Thus behind this period, is a long

continuity of administrative practice. However, under the Saljūqs the old institutions gained a new meaning; developments which had begun in the preceding period, crystallized and new elements of worth were added to the Persian heritage.\(^1\) Old institutions, such as Iqtā and the Madārsā were given a new content and a new institution, the atabgate emerged. The details of this administrative system which set the pattern for succeeding centuries, were worked out by the officials of the bureaucracy\(^2\) and the religious institutions.\(^3\)

The theoretical basis of the state's administrative system was derived from two main sources: The Islamic theory of state

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\(^2\) The administrative measures of the famous Saljūq wazir Nizām ul-Mulk Tūsi as put forth in his Siyāsat Namā is a testimony to this.

\(^3\) For example Mawardi (d.450/1058) author of Al-ahkām us-Sultāniyyah, the greatest theoretical exposition of Islamic constitutional law, writing during the Buyid period made an attempt to legalise what was in effect a usurpation of the power of the Caliph. In the same way Ghazālī (d.505/1111) who in his Nasihat al-Mulūk envisaged a new association between the Caliph and the Sultan and assured cooperation among them.
and the old Persian theory. Even Al Ghazālī, who is generally considered the most important religious political thinker of medieval Islam, views the Muslim civilization as a Perso-Islamic synthesis.⁴ After Al-Mawardi,², Ghazālī, under the Saljūq’s worked out a new relationship between the Caliph and the Sultan.³ Similarly the old Persian theory of state was expressed by Nizām ul-Mulk largely in terms of political expediency.⁴

It is impossible to study the Saljūq administrative system without examining political theories and ideas of both Nizām ul-Mulk Tūsī (A.D. 1017-1092) and Abu Hamid al-Ghazālī (1058-1111 A.D.), whose thought had a profound impact on the political as well as the administrative systems of the Saljūq period.

Nizām ul-Mulk:

Khawajā Abu Ali Hassan Ibn Ishāq was born at Nuqān, Toronto 1964, P.XVI.


4. ibid.
a village of Tūs (modern Mashhad) in Persia in 408/1017. Khawāja Hassan's father was a taxation officer or revenue agent (Gāhīl-ul-Kharāj) in Tūs. He learnt the holy Qurān by heart at the age of eleven and gave evidence of his administrative talent even at his 'Madarsa' organizing the students in groups for better instruction. Tūsi studied at Baghdad and Nishāpūr, the established centres of learning and academic excellence. At Nishāpūr Khawāja Hassan studied under the guidance of famous scholar Imām Muwafiq. Later on, after studying Hadith and Fiqh, he made way to Bukhāra where he acquired the arts and Sciences of his times. He also travelled to Bukhāra, Kabul, Balkh and Ghazni. He entered into the service of Abdur Rashid (son of Sultān Mahmūd of Ghazni) and thus became familiar with Kitābat (  


2. ibid., P.495.


4. Habib us-Siyyar ibid., Ilyas Ahmad, ibid. Umar Khayyām and Hasan-i- Sabbah too had studied under him.

5. ibid, P.66.
Secretaryship) and the work of the court. At the Ghaznavid court he was intimidated by his counterpart Ibn Shazān al Amid Balkhi and therefore the Khawāja left for Merv which was then under the Saljuq Sultan Chagri Beg. The latter, being much impressed by the ability of the Khawāja appointed him as the Kātib and Muhāsib of prince Alp Arsalān as well as his Mudabbir Muhīr and Atālīq (secretary and tutor). In this way Khawāja rose to the position of the prime minister of sultan Alp Arsalān and later of Sultan Malikshah. He is unanimously called as the prime minister of the realm of Saljuqs' and one of the greatest the East has ever produced.

1. ibid.

2. Habib us-Siyyar, ibid.; cf. Ilyas Ahmad, ibid.

Khawaja Hassan became the Prime Minister in A.D. 1063 and continued to hold this position till A.D. 1091 when he was dismissed because of court intrigue and was later assassinated by a Fidâi (an agent of the Bâtiniyya). On 10th of Ramadan 485/1092.¹

Khawaja Hassan Nizâm ul-Mulk Tûsi was a staunch Sunni trained in the Ghazanavid administration in Khurasân, where the bureaucratic heritage from high Caliphal times was more nearly intact. He gave new look and new spirit to the administration which his Turkic masters admired very much. He restored throughout the empire the ancient Iranian Political institutions, thereby focussing himself on a number of attempts at socio-political re-organization of the empire.² A major aim of Nizâm ul-Mulk seems to have been to rebuild the full

1. Râwandi, P.117; Târikh-i-Guzidâ PP. 431-438; Anwari has lamented on the death of Khawaja Hasın in these words:

"حاجی جھان نہ جو ہوا انلاق بصرت، بنیاد نظام عالم خان بڑیت
آت زیاد راں راہ چو تراک بڑیت، او رہت و سعادت انجیان پان فرتد"

Mashkauti, P.14.

2. Hodgson, op.cit., P.44.
bureaucratic structure of late Sasanian and high Caliphal times as represented in the Ghaznavid administration.\(^1\) Although he did not fully succeed in his aim yet under his guidance the empire continued to extend its power and to resemble ever more, in the reach of its sway and even in the relative suppression of revolts and other military disturbances. There is no doubt that Alp Arsalân and Nizâm ul-Mulk had shared the political initiative but Nizâm ul-Mulk who dominated Alp Arsalân's young son Malik Shah (1072-1092) from the very beginning of his rule and hoped to make him adopt the political model he had established.\(^2\) Nizâm ul-Mulk found the way to assure much glory and even considerable stability to Malik Shah's throne. In his reign, the Saljûqs took from Fatimids the overlordship of the holy cities in the Hijaz and even extended their power as far as south in the Yeman. In the other directions, they imposed their overlordship on the Kara Khânid Turkic rulers in the Syr and Oxus basin and Malik Shah carried his standards as far as Kâshghar, across the mountains at the western end of the Tarîrm Basin.\(^3\) The inspiring leadership of Nizâm ul-Mulk was

\(^1\) ibid.

\(^2\) Camb., P.68.

\(^3\) Râwandi, PP. 125-130. Tarikh-i-Guzidâ, P. 434.
felt in every walk of life under the Saljūq rule. This imaginative and versatile genius occupied the first place as a minister in the vast and turbulent eastern Islamic world for more than thirty years. His talent was applied to both the domestic and foreign affairs of the Saljūq empire.\(^1\) During this period he busied himself in 'modelling the new state as closely as possible on that of the Ghaznavid in which he was born and brought up.\(^2\) All the historians unanimously believe that no other minister under the great Saljūqs excelled Khawāja Nizām ul-Mulk in statesmanship, sagacity and justice. It was because of him that the grandeur and magnificence of Malik Shah's reign and the prosperity of the people rivalled the best period of Roman or Arabian domination.\(^3\)

Nizām ul-Mulk, as Prime Minister, directed his policy primarily through the great Divān or administrative office (Diwān-i-Wazīr, Divān-i-Sultān), the executive center of the state over

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\(^1\) Rizvi, Rizvan Ali, op.cit., P.112.

\(^2\) Encyclopaedia of Islam, vol.II.Part 2.

\(^3\) Faizi, op.cit., P.392
which he presided. He had considerable influence within the Sultan's standing army and played important role in the nomination of Amirs (commanders) for specific campaigns. On occasions he would undertake the campaigns himself, but the increasing age and his central position in Divan, led him, during Malik Shah's reign to prefer the role of organizer and diplomat to that of field commander. Accompanying the Sultan both at his capital at Isfahān and on his campaigns and missions, Nizam ul-Mulk supervised the operation of subordinate departments, those of the Mustaufi (chief accountant) of the Munshi or Tughra (chief secretary), of the 'Arid ul-Jaish (chief of military affairs, and organization), and of the Mushrif (chief of intelligence and investigation services). Nizam ul-Mulk moulded the administration of the empire largely to his own liking and filled the bureaucracy, whose five part division obviously followed that of the Ghaznavids, with officials who were either from his own family or were his proteges and supporters.

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2. ibid.
3. ibid.
4. ibid.
5. Rawandi, P.132.
In addition to his own family, Nizám ul-Mulk had a numerous following of secretaries and officials who were seeking his patronage, together with a personal household of Ghulams who were said to number several thousands.¹

Nizám ul-Mulk also tried to buttress the structure of the Saljūq empire, and to counter the splendor and prestige of the Fatimid Caliphate in Cairo, by encouraging the progress of the Sunni revival in Iraq and Iran. In order to counter the Mʿutazili thought and Fatimid institutions for training Ismāʿili Dāʿis or propagandists Nizám ul-Mulk desired to speed up the provision of educational institutions within the Eastern Islamic world. As a result he encouraged the introduction of a networks of collages and Madarsās throughout the Saljūq empire known as the Nizāmiyyās in his honour.² The best known among them is the Nizāmiyyā University at Baghdad and Madarsās at Balkh, Herāt, Merv, Amūl, Isfahān, Basra and Mosul. In addition to this Nizám ul-Mulk's administrative policies throughout the Saljūq empire required the training of reliable personnel as secretaries and officials.

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Moreover, not only was Madrassa education free, as of course it was in other educational institutions, but generous living allowances were provided to students at Nizāmiyyas.\(^1\) Nizām ul-Mulk regarded the appointment of suitable scholars to teach at his Nizāmiyyas as a personal responsibility. After opening the Baghdad Nizāmiyya in 459/1067, he took considerable pains to secure for it the scholar Abu Ishaq al Shirāzi,\(^2\) and later in 484/1091, he invited one of the greatest mystic and theologian of his time, Abu Hamid al-Ghazāli to lecture there on the occasion of Malik Shah's first visit to Baghdad in 479/1081. Ibn al-Athir op.cit., vol.X P.104 Montgomery Watt, Muslim Intellectual, a Study of al-Ghazali. Edinburg, 1963, PP.22-23.\(^3\)

In spite of being occupied with the state administration, he established educational institutions, hospitals, mosques.


\(^2\) Habib us-Siyar, P.500.

and palaces and covering the empire with roads and canals to facilitate the traffic and fertilize the soil.

Nizam ul-Mulk was not only a great administrator but also an eminent scholar who wrote 'Siyasat Nama' or 'Siyar ul Muluk' a work on administration and government which forms an enduring monument of his genius and capacities. The work was composed at the behest of Sultan Malik Shah. It is said that Malik Shah wanted scholars at his court including Nizam ul-Mulk, Sharf ul-Mulk, Taj ul-Mulk and Majd ul-Mulk to examine the state of affairs of his reign and realm and to find out any evil or defects at his court assemblies (Majalis) and diwan. Besides to discover or unravel to him the


3. The request was made in A.H. 479/1086, according to the Istanbul manuscript used by Darke. Like the Arabs before them in Persia, the Saljuqs employed the local dihqans, small landowners familiar with the ancient systems of taxation, to perform the only governmental task that mattered to them, namely that of collecting revenue. It is hardly to be expected that they were more considerate to the humble folk under this screw. After years of ill-treatment and extortion, the complaints of the subject peoples
shortcomings in the administration which were not known to him and remained concealed from his eyes and to tell him about the rules and regulations that were in force during the reign of his predecessors and were no longer operative in his kingdom so that he may, in the light of those, remove all defects that were to be found in administration with a view to establishing and organizing good government so that the affairs of Din-o-Dunya (spiritual and temporal affairs) be set right.

All these scholars submitted their monographs to Malik Shah but the work of Nizam ul-Mulk was approved and made as the working constitution Dastur ul-'Amal of his reign.¹

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came at last to the ears of the Saljuq Sultan and he discovered that nothing was going right in his great empire. It was when he at last realized his danger, that he commissioned his chief advisors to discover the reasons for things having gone amiss. Siyāsat Nama, op.cit., PP.7-8.

1. Siyāsat Nama, op.cit., P.2. Ilyas Ahmed, op.cit. P.72. The reasons for accepting the monograph of Nizam ul-Mulk by Sultan Malik Shah are not very prominent and striking except the fact that Nizam ul-Mulk was the most experienced of them all, who had held control for decades, coldly and clearly pointed out where the faults lay, though without a work in self-exculpation. Besides, the Sultan himself justified his choice in these words: These chapters have
The Political Theory of Nizām ul-Mulk Tusi as Advocated in Siyāsat Nāma:

The Siyāsat Nāma deals not only with the duties of the king and his ministers but also with all the details of the court and of the different departments of administration, such as revenue, military and civil affairs. All his ideas and formulations have been reasoned out on the basis of the Qurān, Hadith, fiqh and history.¹

The Siyāsat Nāma, which was written by Nizām ul-Mulk after having a century’s experience of office, consists of his suggestions for reform. Some of these suggestions follow the line of traditional maxims but others are more specific and detailed.

The author highlights the acts of dishonesty and extortion by tax collectors, qādis (judges), and military holders of estates granted by the Sultān in fiefs. In order to detect heresy, he

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been written exactly as I desired there is nothing to add to them:

I will make this book my guide and follow its precepts. Siyāsat Nāma, op.cit., P.2.

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1. ibid.
calls for the re-establishment of a state intelligence service, and for the regular holding of royal audiences. Both were traditional Sasanian and Muslim practices, but the Sultan Alp Arsalan had renounced the former on the ground that spying was unchivalrous, and the latter had evidently fallen into neglect.

The author also highlights the example of Saffarid king Yaqūb ibn Layth (d.265/879) as a warning against defiance of Abbasid Caliphal suzerainty, the main aim of Malik Shah. He has much to say about army organization and recommends traditional practices, also apparently neglected by the Saljuq regime, such as employing troops among various nationalities and taking hostages from the conquered populations. The last chapters of Siyasat Nama, which comprises of fifty chapters, appear to have been written at a later date, probably not long before Nizam ul-Mulk's death. In these chapters he deplores the practices of making plural appointments and of employing heretics and

1. Traditionally this was a function of postal officials, Encyclopaedia of Islam, 2nd ed. art. Barid.


3. ibid.

4. Siyasat Nama, PP.2-6.
non-Muslims at a time when there was unemployment among the educated classes, and complains of excessive granting and consequent conferring of titles and of interference in state affairs by women (no doubt with Malik Sha's ambitious wife Turkan Khatun in mind).\(^1\) In Siyāsat Nāma, Nizām ul-Mulk exhibits statesmanship and lays great stress on promoting justice, orthodox religion and the stability and prosperity of the kingdom.\(^2\)

Tūsi begins his treatise, _Siyāsat Nāma_ on the Art of Government with a historical setting that in all ages Allah has bestowed royal dignity on a king for the care and welfare of his people so that, after Allah the king on earth was to see that His commands and wishes were carried out and the justice was maintained.\(^3\)

Although Tūsi speaks of the 'divine right' of a king, yet he has tried to put (moral) checks on the authority of the king. "The King" he says should not act against the Shari'a and should always keep before his mind the 'Day of Judgment' when he will have

\(^1\) ibid.

\(^2\) Ghazālī, _op.cit._, p.15

\(^3\) _Siyāsat Nāma_, p.9.
to account before Allah".\(^1\)

According to Tûsi, the King is there only to see that Divine laws and commands are not violated; he should always seek the pleasure of Allah by maintaining justice so that he may not earn good name only in this world but get salvation in the hereafter too.\(^2\)

According to Tûsi a Muslim ruler has the following duties:

I. He should maintain peace and order, put down disorder and anarchy, punish the criminals in proportion to their crime and established justice.\(^3\)

II. He should apply his wisdom and knowledge for the welfare of the people and should appoint proper officers to proper places in accordance to their ability and worth and that these officers should apart from regulating the affairs of religion, serve the people in the real spirit.\(^4\) If the negligent and oppressive officers won't

\(^1\) ibid., P.12.  
\(^2\) ibid., PP.142-143.  
\(^3\) ibid., PP.143 ff.  
\(^4\) ibid., P.125.
mend their ways, they should be replaced by others. In order to deliver efficient administration, no officer should be given the charge of two duties. Nor should one post be given to two officers for, they will transfer the responsibility to one another.

III. The king should also take welfare measures by constructing canals and bridges and the improvement of agricultural lands and villages. Tusi expects the king to make his state a "service State" instead of making it a "Police State".

IV. The king should himself listen to the complaints and grievances of the people, twice a week, by allowing them direct access to himself so that the chances of tyranny may vanish and real justice be established.

V. The king should always consult the wise and learned men who are experienced in affairs for, prophet of Allah would also hold

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1. ibid., P.144
2. ibid., P.163. ff.
3. ibid., P.143. ff.
4. ibid.
VI. The King should keep an eye of vigilance over his vazīra and officers for, it is their performance which ultimately guarantees the welfare of the people and for this purpose the king should appoint informants and spies if necessary.

Nizām ul-Mulk Tūsi had himself been one of the greatest chief ministers of medieval times, he had a comprehensive assessment and experience of the responsibilities and difficulties of the institution. In Siyāsat Nāma he, therefore provides us the stories of the oppressions and tyrannies of ministers and the subsequent treatment meted out to them by their masters (rulers). Therefore he suggests that a minister should never be corrupt or unjust, for his subordinates will also resort to the same malpractice and injustices. (ii) His characters and actions should be in accordance with the thinking of his ruler. (iii) He should be a man of strong religious conviction and preferably, he should belong to a line of Wuzrā' (iv) The Wazir should be ready to give any sacrifice for his king and (v) All renowned prophets and kings had had good, pious and conscientious wuzrā' and this great office should

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1. ibid., P.14 ff.; P.121 ff.; P. 247.
2. ibid., P.95.
3. ibid., PP.49ff.; 66 ff.; 78 ff.
always be given to the most worthy man.

Tūsi, besides reiterating that the king should take personal interest in dispensing justice, emphasises upon the methodology of judiciary as a whole. He opines that a King should see that the judges (qādis) appointed by the state are learned, pious and honest and those who are corrupt and dishonest should be dismissed and replaced by others.¹ In order to check even the least chances of bribery and corruption in the judiciary, Tūsi emphasizes that the judges should be paid a handsome salary so that lack of money may not force them to resort to illegal practices of earning money.² On holding the supremacy and sovereignty of the judiciary he opines that all the officers should be helpful and cooperative to the qādis in dispensing justice and that even if the highest ranking bureaucrat or officer is summoned by the court, he should readily attend it. "If anyone makes excuses and fails to appear in court, however exalted he may be, he must be forcibly compelled to be present".³ Even if a petition has been sent against a king, he should see that first of all justice is done against him and the

¹ 1. ibid. PP.43 ff.; 49 ff.; P.25.
² 2. ibid. P.43.
³ 3. ibid., P.44.
Tūsi makes it obligatory for the King to give judgment in-person and hear the words of opposing parties with his own ears. If the King is not in a position to converse in Arabic language and has not learned well the precepts of Qurān and Hadith, on account of being a Turkish or Persian, then he needs a deputy through whom he may perform his function. "It is the judges who are King's deputies, therefore the King should strengthen their hands. Besides their reputation and dignity must be above reproach because they are the lieutenants of the Caliph and bear his standard".\(^2\)

Mizām ul-Mulk is equally concerned about the religious life of the people and puts forth that a king should see to it that people perform their religious obligations 'Farā'id' with full zeal and regularity. For this purpose he expects the king to ensure that those at the helm of religious institutions (ʿUlamā) are pious and learned and are held in high esteem and are provided their living allowances from the state exchequer (Bait ul-Māl).\(^3\) The king should listen once or thrice a

\(^{1}\) ibid.

\(^{2}\) ibid., p.46.

\(^{3}\) ibid., p.62.
week to the ulema who may relate to him extracts from Qurān and Hadith. So that he obtains enlightenment about the affairs of Din and Duniyā. Only those should be appointed as Imāms of mosques who are pious and learned in religion.

The landlords, when they are given the charge of a fief or jagir should be very careful in collecting the taxes from the peasants. Tūsī puts forth that "tax collectors must be instructed to deal honorably with their fellow creatures and to take only the due amount of revenue, that too with civility and courtesy, and not to demand anything from them until the time comes for them to pay." Tūsī is abreast of the fact that if the peasants are demanded to pay the tax before the due time, "they will be compelled and obliged to sell their crops for half (of what they would be worth when they ripen), whereby they are driven to extremities and have to emigrate."

Nizām ul-Mulk expects the officers of the state to give all cooperation and help to the peasants in providing to them the tools

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1. ibid., P.62.
2. ibid., P.46.
3. ibid., P.67.
of agriculture." If any peasant is in distress and in need of oxen and seed, let him be given a loan (Tagāvi grants) to ease his burden and keep him viable, lest he be cast out from his home into exile.\(^1\) The tax collectors should be, according to Tūsi, kept under permanent vigil. The corrupt officials should be removed and dismissed.\(^2\) If any of them is found to possess more wealth than what he should normally have according to his status, it should be taken away from him being the result of illegal extortions, and given back to peasants."After that if he has any property still left with him, it must be seized and brought into the treasury. The (accused) officer should be dismissed, and never employed again. Others will then take warning and give up practicing extortion.\(^3\)

Tūsi seems to have been convinced about the need of a high network of intelligence and espionage which must not spare even the wazirs and other confidents of the king. This network of intelligence should see whether the vazir is conducting the affairs well, to the
Like an ideal political theorist Tūsī gives a due place to the religious institutions of the state and takes their care in the most reasonable way. He considers the mosque as the real fountain head of the socio-political and religio-cultural ethos. That is why he emphasizes that Imāms of mosques and preachers must be men of piety and knowledge of the Qurān, for the position of Imām in society is very crucial.

Regarding the prices of the market and legitimacy of scales, weights and measures and the commodities that are sold in the market, Tūsī writes that "in every city an inspector must be appointed whose duty is to check scales and prices and to see that the business is carried on in an orderly and upright manner. He must take particular care in regards to goods which are brought from out lying districts and sold in the bazars to see that there is no fraud or dishonesty, that weights are kept true, and that moral and religious principles are observed."

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1. ibid.
2. ibid., p.46.
3. ibid., p.46-47.
Again, to see that the people observe their religious duties with punctuality and responsibility and to look into the performance of judges, prefect of police, inspector of weights and measures and the conduct of tax collectors, every city was given in the charge of an inspector general (Muhtasib) who would accordingly submit his report to the king about the above mentioned agencies.¹

To keep the king informed about the condition of masses and about the evil designs of commanders it is necessary, Tūsi advocates, that spies must constantly go out to the limits of the kingdom in the guise of merchants, travellers, Sufis, pedlars (of medicines) and mendicants, and bring back reports of everything they hear and see so that no matters of any kind remain concealed and if anything (untoward) happens it can in due course be remedied.²

To collect the first hand information about the happenings in the empire and to deliver royal decrees and messages promptly and well in time, Tūsi says that messangers must be posted along the principal highways, and they must be paid monthly salaries and allowances. With this, "everything that happens throughout the twenty four hours within a radius of 'fifty farsangs' will come to their

¹ ibid., pp. 49, 66-67.
² ibid., p. 73.
knowledge. In accordance with the established custom they may have sergeants to see that they do not fail in their duties.¹

In order to check the arbitrariness of a king in taking decisions about both important and simpler matters, the king should always consult the wise learned and experienced men in accordance to the Prophet's⁰ principle. Nizām ul-Mulk throws sufficient light on the advantages of counseling by quoting verses from the Holy Qurān and Hadith. Thus a king is saved from doing things in haste and deciding arbitrarily.²

Showing a genuine concern about the security of the king both at the court and abroad, Tūsī says that there should be kept at court two hundred men called 'special guards' men chosen for good appearance and stature as well as for great manliness and bravery. They should be of two ethnic groups: Khurāsānis and Daylamites,³ and their duty is to be in constant attendance upon the king both at home—

¹. ibid., P.91.
². ibid., P.95-96.
³. The details of the troops of being of two nationalities are already discussed.
and abroad.¹ Tūsī even mentions the arms they should be provided with and says that they should be paid adequate salaries and allowances.² To keep a vigil upon the conduct of these guards there should be a sergeant to every fifty men of them.³ Nizām ul-Mulk's suggestion of having the king's guards of different ethnic groups, as mentioned above, points to his profound understanding of a social psychology of the masses. He is abreast of the possible dangers of the forces being of one single race or ethnic group who may unite against the existing power with less difficulties. On another occasion he suggests that the armed forces should consist of various races. Justifying this he says that 'when the troops are all of one race dangers arise. They lack zeal and are apt to be disorderly. It is necessary that they should be of different races. Tūsī substantiates his thesis by referring to the Ghazanavid tradition whereby Sultān Mahmūd had employed troops of various races such as Turks, Khurasanis, Arabs, Hindus, men of Ghūr and Daylam. He refers to Sultān Mehmud who would, while on an expedition, assign the duty of being on guard to each group by allotting each one of them their separate station; and for fear of one

¹ ibid. P.96.
² ibid.
³ ibid.
another no group dared to move from their places until daybreak.\textsuperscript{1}

In order to avert any chance of rebellion from the subject nationalities/provincial governors, Tūsī is of the opinion that their rulers should regularly keep one of their brothers or sons as resident at the King's court\textsuperscript{2}

Besides this at least five hundred men of those ethnic groups should be kept (as hostages) at the court. They can be shifted at the end of the year only after an equal number of their relievers reaches the King's court. "In this way no one will be able to rebel against the king because of the hostages."\textsuperscript{3}

Nizām ul Mulk has put forth a definite method of submitting the requests and petitions of the soldiers, servants and retainers. He holds that every request of a soldier must be passed on through proper channel (through troop leaders) and superior officers, so that if a favorable answer is given it will be received from their

\begin{itemize}
\item \textsuperscript{1} ibid., P.P.103-104.
\item \textsuperscript{2} ibid., P.104.
\item \textsuperscript{3} ibid.
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With this, he feels, the respect of the officer will be maintained and the subordinates also are disciplined. Regarding the conduct of disciplinary action against any member of a troop who is insolent to his superior officer or fails to give him due respect and oversteps his bounds, he must be punished so that the proper distinction between the superiors and subordinates is maintained.

On reprimanding those who are in high positions when they are guilty of mistakes or wrongs, Tusi suggests that if these high officers, who are supposed to spend time and trouble in the performance of their duties, are publicly reprimanded they suffer loss of honor and no amount of goodwill or favour will restore them to their position. It is better that such a guilty officer should be summoned and informed about his mischief. This way he will take more care and wont commit such a mistake again.

The titles that were conferred upon Nobles, commanders of distinction and other prominent citizens were being misused in the sense that they were given to even commonplace people with less
distinct performance, thereby lowering the prize and dignity of the
titles. Nizām ul-Mulk wanted to check this practice and therefore
envisaged in Siyāsat Nāma that "There has become an abundance of
titles and whatever becomes abundant loses value and dignity. Kings
and Caliphhs have always been sparing in the application of titles; for it
is one of the principles of government to see that titles are kept in
relation to each man's rank and importance. When the title of a bazaar
merchant or a farmer is the same as that of a civil governor, there is
no difference between humble and noble and the notable and the
insignificant are of the same degree."¹

As pointed out earlier also, Tūsi was desperately
against the practice of one man's holding two posts at the same time.
This, he thought, was one of the reasons of red tap and inefficient and
slow conduct of administrative affairs. In addition to this he intended to
solve the problem of unemployment also by distributing the work among
more and more people. In this behalf he says," and whenever a single
officer is given two posts by the Divān it is a sign of the incompetence
of the wazīr and the negligence of the king. Today there are men
utterly incapable, who hold ten posts, and if another appointment were
to turn up, they would spend their efforts and money to get it. And all

¹. ibid., P.152.
the time there are capable, earnest, deserving, trustworthy, and experienced men left unemployed, sitting idle in their homes and no one has the interest or judgment to enquire why one unknown incapable, base-born fellow should occupy so many appointments, while there are well-known noble, trusted and experienced men who have no work at all, and are left deprived and excluded, particularly men to whom this dynasty is greatly indebted for their satisfactory and meritorious services."

Nizām ul-Mulk was against the interference of Queen's into the affairs of the state. In his opinion women, by dint of their sentimental character, are easily exploited by the vested interests at the court and if their (Queen's) wishes are obeyed, it would lead to the chaos and utter imbalance in state machinery. He feels that women are not accustomed and exposed to the vicissitudes of practical life therefore their commands can not bear any positive and healthy results and are "opposite of what is right, and mischief ensues; the king's dignity suffers and the people are afflicted with trouble; ruin comes to the state and the religion; men's wealth is dissipated and the ruling class is put to vexation."

1. ibid., P.164.

2. ibid., P.185.
He further says, "in all ages nothing but disgrace, infamy, discard and corruption have resulted when kings have been dominated by their wives."¹

After dealing with the delicate and intricate affairs of the state administration and with the pattern of holding darbār (court), Tūsi turns towards the financial aspect of the State. He says that each 'Amil (governor) should keep a record of the income and expenditure and if he fails to keep the account, he should provide the deficit from his own pocket. The king should neither be a miser nor extravagant; he should rather adopt moderate policy in spending the money.²

The salaries of the soldiers of army and all officials should be paid in cash and as far as possible. The king should himself pay them so that this personal touch may enliven people’s allegiance and affection for their king.

Tūsi has devoted seven chapters, (41-47) to highlight the activities of heretics, in Siyāsat Nāma and has denounced the role of heretic sects especially that of Ismā‘īlis and Batinīs.³

¹ ibid.
² ibid., p.250-251.
³ ibid., p.193 ff.
Towards concluding his treatise, Tūsi has put forth the guidelines about the treasuries and the procedures and arrangements for looking after them.\(^1\) Once again he has dealt with subject of dealing with the complaints, giving answers and dispensing justice.\(^2\)

Abu Hāmid Ghazālī:

Born in Khurāsān near Tūs in 450/1058. Ghazālī lost his father at an early age, but through the care of his guardian received a good education from scholar theologians at Tūs and Gurgān. In or about 473/1080 he entered the Madrassa Nizāmiyāh at Nishāpūr which had been entrusted by Nizām ul-Mulk to the direction of Abul Māli abd al-Malik al-Juwainī the leading Shafīite theologian of the day.

Ghazālī spent five years working under Juwini at Nishāpūr. After Juwini's death he went to Nizām ul-Mulk's camp \(^3\) and in 484/1091 the later appointed him to professorship at the Nizāmiyāh at

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\(^1\) ibid. P.246.

\(^2\) ibid. P.247.

\(^3\) According to D.B. Macdonald, art. 'Ghazālī' in Shorter E.I. he spent the next years in Nizām ul-Mulk's retinue of canonists and theologians, but he may have remained in the Nizāmiyāh at Nishāpur.
Baghdad. Here his worldly career prospered. Notwithstanding his youth, students flocked to his lectures and honours were heaped upon him.

Besides orthodox law and theology, and sufism, Ghazâlî studied the ideas of those whom he considered to be the most dangerous opponents of the true faith, namely the Bâtînîtes¹ and the philosophers. As an Asharite² and a trained theologian, he regarded the 'aql (intelligence, sometimes translated 'reason') as God's highest gift to man. He was opposed to 'Naql' (copying) whether in its Bâtînite form of blind obedience to an Authoritative teacher or in the form of rigid adherence to custom and precedent (Taqlîd) as practiced by Hanbalîtes and some other Sunnites. He favored the use of 'aql (intelligence) in support of religion, as well as for practical proposes. He objected, however, to the attempts of philosophers to find intellectual proofs of the existence of God and the reality of Prophet-hood (Nabuwah) and Revelation (wayh), and to the attempts of Bâtînîtes to prove the logical necessity of there being an Authoritative teacher³

¹ For details of Bâtînîtes see: infra chapter Five.
² The follower of Abul Hasan al 'Ashari, the 10th century theologian (died. in 935. A.D.)
³ Nasihat ul Mulûk, op.cit., Introduction, P.34.
In his first years at Baghdad Ghazâli wrote numerous works on legal and other subjects. In 487/1094 and 488/1095 he wrote his Mustazhiri and other refutations of Bâtinism, his magâsid al-Falâsifâh (aims of the Philosophers) and Tahâfat ul- Falâsifâ (self contradiction of the Philosophers), and Al Iqtisâd fil 'Itiqâd and his 'Happy Mean' in dogmatic theology. With all his academic engagements, together with responsibility for teaching 300 students and various official duties, was too great a burden to be borne. He may also have been distressed by political events including Berkyarq's victory over TuTûsh, who had been acknowledged as Sultan by Caliph al-Mustazhir and other dignitaries at Baghdad.¹ In Rajab 488/ July 1095 he suffered a nervous breakdown and spiritual crises. Realizing that his best work had been motivated by desire for influence and recognition, he was assailed by doubts. He became skeptical about everything not only about reason but about the evidence of the senses and for two month he was without the religious faith.² He resolved 'after being answered by God in his prayer' to follow the sufi path, and after giving away his wealth except enough for his children's and his own subsistence, left Baghdad in Dul Q'adah 488/Dec. 1095, secretly in the guise of a Dervish for fear lest his

¹. ibid., P.135.
². ibid.
friends or the Caliph al-Mustazhir might restrain him. For two years he lived a retired life in Syria, studying and practicing spiritual purification as taught by the sufis. Then he made his pilgrimage to Mecca visited Medina and returned to Damascus. During these years he worked on his great treatise Revivification of the ‘Sciences of Religion’ (Ihya al-‘Ulūm al-Dīn). He spent some time at Baghdad without resuming his official position and finally reached Tūs in 493/1099.

In Dul-Q’adah 499/July 1106, Ghazālī received an order from the ‘Sultan of the time’ to resume public teaching at Nishāpūr. Sultan Sanjar’s order was delivered by his wazīr Fakhr ul-Mulk son of Nizām ul-Mulk. Ghazālī, however, could not disobey this order because he now realized that his clinging to retirement in the hope of preserving himself from worldly contamination had been selfish in

1. ibid. He abandoned all the occupations in which he had been engaged including the office of Muddarīs (head) of the Nizāmiyya in Baghdad, and a year later he vowed never to take money from Sultan; to attend the audience of a Sultan or to engage in legal disputation (mānāzara) in public. Camb. P.208.
2. ibid., P.35.
3. ibid., P.36.
therefore he spent some three years teaching in the Nizâmiyyah
college at Nishāpūr, Sanjar's capital. In or about 503/1109, he again
retired to Tūs, and lived a Sufite life, while continuing to give private
lessons and to write until his death at the age of fifty three on Jamād
II, 505 A.H./ December 1111 A.D. Apart from writing a number of works
on sufism, logic, kalâm jurisprudence and philosophy, which we have
not enumerated in detail, he must have spent many of his last days in
compiling his book of 'counsel for kings' (Nasihat ul-Mulūk) which is a
commendable work on Islamic political theory. 3

The Political Theory of Ghazâli as Advocated in Nasihat ul-Mulūk:

Besides having a bulk of traditional Islamic and old
Persian counsels, Nasihat ul-Mulūk expresses a Sufi view of life and
politics. The book has been divided into two parts. The main theses of
part one are regarding the spiritual life; the ruler must sincerely
believe in the true faith and fulfil its imperatives, he should govern
justly, and sincerely resist the temptation to love worldly power and

1. ibid.
2. ibid.
3. ibid.
wealth and pleasure. These themes include the fact that ruler ship (sultanah) is a gift bestowed, i.e. predestined by God, and that the ruler will be accountable for it to God on the day of judgment. This implies that the ruler does not own his power to or is accountable for it to his fellow men (whether subjects, troops or 'Ulamā) but to God only.  

In part II, chapter I of the book, on 'Qualities Required in the Kings', Ghazālī reiterates the importance given to examples and practices of the Sasānid kings: "You must understand that the development or desolation of this universe depends upon the kings for if the king is just, the universe is prosperous and the subjects are secure as was the case in the times of Arslān, Fāridūn, Bahā’ūn Gu. Kīsra and other kings like them whereas when the king is tyrannical the universe becomes desolate as it was in the times of Dahāk, Afrasiyāb and others like them."  

Besides justice, another recurring theme before Ghazālī is the need for security. "To establish security, the sultan must ruthlessly enforce discipline and inspire awe for, insecurity is even

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1. Ibid., P.130.
worse than injustice."\(^1\) Ghazālī has pointed out that the complaints of bribery are prevalent in the administration of justice as a result of slackness and negligence by the Sultan,\(^2\) and the extortion of taxes by the revenue officials of the sultan is declared as the Sultan's personal responsibility.

Ghazālī enumerates the moral and intellectual qualities required in kings. One of these qualities is the ruler's determination to avoid drunkenness, which is a form of madness. "Happy and radiant faced is the king who is vigilant against royal drunkenness."\(^3\)

In general, the detailed maxims of the first chapter embody two basic principles of the need for royal justice and the need for royal vigilance.\(^4\)

In the 2nd and 3rd chapters of Nasīḥat ul-Mulūk, Ghazālī describes the qualities required in wazīrs and secretaries, who

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1. ibid., P.77
2. ibid., P.93.
3. ibid. P.85.
4. ibid. introduction, P.45.
were the pillars of the civilian bureaucracy in Medieval Muslim States.¹

Ghazālī² first, about the origin of the institution of Wizīrate says that the need for a wazīr is attested by one of the Qurānic verses.³

"And give me a minister from my family, Aaron, my brother; add to my strength through him". Ghazālī further says, "you should understand that a king will be successful with the help of a virtuous, worthy and competent minister, because no king can reign without a minister and any king who acts (solely) on his own judgment will surely fall.⁴ Ghazālī has praised the role of Barmikid wazīrs and the great Nizām ul-Mulk Tūsi. He asserts that it is the duty of wazīrs and officials to work for the welfare of the subjects and they must levy taxes according to the ability of the subjects and in due seasons.⁵

¹ ibid.
² ibid. P.106.
³ Al Qurān, 20,(29-32).
⁴ Nasihat ul Mulūk, ibid.
⁵ ibid., P.112.
The necessity of secretaries for the state is similarly attested by Qur'anic verses and Persian maxims. Among the five points of the pen, one is that God on high has sworn oaths by it: "Nun, by the pen and what they inscribe."

\[\text{\'And your Lord is the most generous, who taught by the pen.'}\]

The position and necessity of secretaries is extolled in the light of the historical fact that military upheavals seldom disturbed the position of the secretaries, who continued under Samanid kings, Arab Caliphs, Persian princes and Turkish Sultans alike, to perform the indispensable tasks of recording tax assessments and revenues and composing official correspondence.

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1. For details about secretaries, see: ibid., PP.46-47.

2. ibid., P.113.


4. ibid., 96,3-4

In chapter four of the *Nasīḥat al-Mulūk*, Ghazālī deals in detail about the 'Magnanimity in Kings'. He defines magnanimity or high-mindedness as courage and self respect derived from self restraint and self knowledge - a concept perhaps Greek in origin. Ghazālī believes that courage and magnanimity are innate in kings and noblemen and it is not readily acquired by others. In spite of insisting on the kings to be generous in financial matters it seems that Ghazālī, at the same time, does not want the kings to do it at the cost of state treasury, for he praises the conscientious stewardship of Caliphs Umar I and Umar II, who never spent money from the public treasury improperly.

The last three chapters of the book *Nasīḥat al-Mulūk* deal with "the aphorisms of sages and saints", "Intelligence and intelligent persons" and "describing women and their good and bad points" respectively.

1. ibid., P.49.
2. ibid., P.47.
3. ibid., P.49.
4. ibid., P.47.
The early period of the Saljūq rule saw not merely the re-imposition of Sunnism after a time Shi'i supremacy, but a reaffirmation of the Caliphs position as head of the Islamic community, together with the incorporation of Sultanate as a necessary element into the ideal of Islamic government. This development gave birth to such a system of administration, whose stability depended, not on a separation of civil administration from the military, but on orthodoxy or "right religion" and personal loyalty of Sultan to Caliph and of subordinate officials to Sultan. The man who formulated this new relationship between the Caliphate and the Sultanate was Ghazali. He envisaged a new relationship between the caliph and the Sultan and assumed cooperation between them. On the one hand the caliph was to be designated by the Sultan, who through his exercise of constituent

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1. In a forthcoming chapter we are dealing in detail about the revival of Sunnism.

2. The position of caliph was rendered to a sheer non-entity during the period of Buyids.

3. Camb., P. 207.

ibid.

authority, recognized the institutional authority of the Caliph and on the other hand the validity of the Sultan's government was established by his oath of allegiance to that Caliph who authorized his rule.

In the *Nasihat ul-Mulûk* addressed to Sultan Sanjar, Ghazâli puts forward his conception of the Sultanate as distinct from the Caliphate, describing the Sultan as the shadow of God upon Earth.\(^1\) Ghazâli seems to have had in mind not the preservation of the religious life of the community only, but the maintenance of the power of the Sultanate, which was necessarily for the establishment of order.\(^2\) He, further, wanted to emphasize that the power of the Sultanate should be used with justice. "Know", he writes, "That God has singled out two groups of men and given them preference over others: first prophets, upon them be peace, and secondly kings, prophets He sent to His servants to lead them to Him and kings to restrain from (aggression against) each other and in His wisdom He handed over to them (kings) a high status".\(^3\) Therefore the obedience and love for the kings was incumbent upon men, and opposition and enmity towards them was

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2. Camb., P.208.

unseemly provided that the sultan acted with justice.¹

The main thrust of Ghazali in Nasīhat ul-Mulūk is on political moral duties based on the grounds of political expediency. His exposition of government is over-influenced by Islamic ethic. At the same time this theory of government is strongly influenced by old Persian theory of state which is a clear example of the close nexus between Zorastrian religion and the Sasanian state.²

In the light of the above discussion it becomes abundantly clear that the approach of Tūsi as a political thinker differs from that of Ghazali. The former bases his exposition of the administration of state and the duties of the ruler on his long drawn personal experience and the administrative legacy of the Sasanian state. While as the later approach is more juristic and philosophic.

b. PATTERN OF ADMINISTRATION:

In order to understand the Nature of the State and


Pattern of Administration during the period of the Saljūq (1037-1157 A.D), it is necessary to discuss first in brief the political scenario of the contemporary world, so that one can appreciate the exact position and conditions in which the Saljūq State came into existence.

If we look at the political conditions in the west, we find that the eleventh century of the Christian era was one of the great turmoil there. On the one hand both Spain and Portugal were ruled by Asiatic and African races and on the other, in spite of forced conversion to Christianity by Germany, Europe was still a prey to schism and disunion.¹ England had already been weakened by the civil wars and France and Germany were on a perpetual war path with each other. The church had come to exercise the most direct influence over the politics of this continent and the Christian Europe was full of monasteries and nunneries; the inmates of which lived a life of luxury and plenty at the cost of sweat and blood of common masses, which, of course, was the worst phase of religions hegemony and exploitation.²

In the face of this State of affairs which was found to have its reaction to the deteriment of Europe, the people of Islam were acting as the champions of a political and social order. Muslims had

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¹ Sherwani, Ḥarūn Khan, op.cit., P.16.
² Ibid, P.17.
already disseminated the political and moral influence of Muhammad's S.A.W. "world order", to the farthest possible lands of the earth. They had already established the political as well as the cultural superiority over a formidable part of the Globe, which roughly extended to the pyrenees in the West and Central India in the East.

Although during the period of our survey there was not as much coherence among the Muslim peoples, as had existed during the first four Caliphs. However, still if we take into consideration the fact that in all the countries which were under the control of the Muslims the same legal system and the same constitution of Government were in force, we are obliged to conclude that a real similarity existed between the various parts which composed the Muslim world. 1

There is no doubt that the gamut of this vast empire—the person and the office of the Caliph at Baghdad, had greatly been weakened in prestige and the Caliph had become a puppet in the hands of the Turkish guards. 2 But even then, contrary to the general belief of the Students of Islamic history the power of Muslim State was not decreasing at all and the tremendous prestige it had, was not

1. ibid.
underestimated by the rival contemporary political powers. The Ghaznavid Sultans who had sought the recognition from the ruling Caliph of Baghdad were making inroads in the Indian sub-continent and had defeated the Eastern Roman empire in Asia Minor, while the falcons of the family of Umayyads were bravely knocking at the Gates of France, Germany and Italy in the West.

But then the fact is that the downward trend during the successors of Harun Ar-Rashid and Mamun or-Rashid had set in. The center of the gravity of Islamic State was gradually shifting from Baghdad towards East where the Samanids and Ghaznavids had established their independent kingdoms.

As early as during the region of the Caliph Abul Qasim Abdulláh al-Mustakfi Billah (944-46 A.D.). Bani Buwaih (Buyids-932-1055 A.D.), had taken possession of Isfahan, a had invaded the rich plains of Iraq and risen to such power and prominence that the Caliph became dependent on their military support. Their over-whelming rapport and prestige in Baghdad knew no bounds and checks. They were not only granted the high-Sounding titles of M'uizz-ud-Daulah

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(Honour of the State) 'Imād ud-Daulah (Pillar of the State) and Rukn ud-daulāh (Cornerstone of the State) but the Caliph had also designated the oldest of them as Amīr ul-Umarā and the 'Sultān'. The Sultāns name also began to appear on the coins of the realm along with that of the Caliph himself. Ultimately the power of Buyids began to wane owing to internecine feuds, and they failed to check the rising power of the Fatimids.(909-1171 A.D.) of Egypt who had captured a number of provinces of the Baghdad Caliphate including the Hijaz itself. In Spain the Umayyads were including running their own Caliphate.

In the East, the Ghaznavids especially Mahmūd of Ghazna, became famous by his daring exploits, earning the gratitude of Caliph Al-Qādir (991-1031) who honoured him by granting the titles of Yāmīn ud-Daulāh (Right arm of the State) and Amin ul-Millat (Guardian of the Ummah/community). Sultan Mahmūd, the hero of "Thousand Romances", became the ruler of all the lands from the oxus and jaxartes to the Ganges and the city of Khurasan. However, Sultan Mahmud's successors were not capable and his own son Mas'ūd was defeated by

1. Sherwani, op. cit, P.18.
2. Hubib us-Siyār, P. 375; Tārikh-i-Guzida, P.391.
a Turk leader of Khurasan, Saljūq by name 1 After the latter's death, his people elected Tughril Beg as their leader who put to flight the Buyid forces at a number of places, thus taking possession of various provinces in charge of Jurjān and Khawārizm.

Like their predecessor Turk families the Saljūqs soon became the power behind the throne of the Abbāsid Caliph who supported the Saljūqs against the Buyids and Fātimids. He also recognised them as the real defenders of the Caliphate and Dar ul-Islam. In 1058 A.D, at Baghdad, Caliph Kā'īm in a magnificent ceremony at Baghdad put two crowns over the head of Tughril Beg which were the symbols of his regal authority over East and West (Sultan ul-Mashriq wa al-Magrib). 2 In this way the Amir ul-Muminin (Commander of the Faithful) had delegated his Sultanate to his Turkish lieutenant- the Saljūq Sultan. It was now the Sultāns duty to act as the early Caliph had done, to defend the Ummah, to extirpates Schism and heresy and to resume his war against the nations who rejected Allah and His Prophet.S.A.W 3 Thus Saljūqs became the most powerful people of Western

1. Rāwandi, P.102; Habīb-us-Siyyar, PP.392-3; Tārikh-Guzida, P.398.
2. Rāwandi, PP.98,105-6; Ibnul-Athir,IX,P.436; Bundari, op.cit.P.14; Muir, op.cit, P.580; Hitti, op.cit, P.474.
and Central Asia. After the accession of Alp Arsalān there was no nation "on earth which could vie with them in prowess and military might"\(^1\).

The Saljuq administrative system can not be viewed in isolation to the preceding political and religious developments. The latter had a direct bearing on the former. The Caliphate and \(\text{Ummāh}\) had already Undergone phases of disintegration both on political as well as religious fronts. There was a visible confrontation and division between the Islamic ethic and Muslim polity. The empire of Caliphate had almost vanished. What had once been a realm United under a sole Muslim ruler was now a collection of scattered dynasties. The prevalence of schism increased the disunion of various provinces of the vanished empire\(^2\).

The rise of the Saljuqs to power resulted into the supremacy of the Sunni orthodoxy. They not only restricted the Fatimid Caliphate to Egypt alone but also revived the Caliphate and restored its dignity, prestige and independence.\(^3\) The Caliph was re-affirmed as head of Islamic community, with somewhat a changed content of powers. He

\(^1\) Lane Poole, ibid; Ḫiyāṣ Ahmad, op. cit., P.66 ff.

\(^2\) Rāwandi, PP.109-10; \(\text{Tārīkh-i-Guzīda}\), PP.429-30; See also: Camb., PP.212-13,224.
was not charged with the direct supervision of State affairs. A new institution—the Sultanate was re-established with more powers in an endeavor to re-instate the political unity of Islam. This was genuinely done as a result of political expediency.¹ For, the Caliphate, as a centralized monarchy ruling all Muslim peoples, had unfortunately failed; perhaps due to growing political pressures that marked their presence in the long interaction of Islam with the Greek and Persian political systems. The Caliphate had got weakened also because the interpretation of Law and Faith had already been monopolized by the 'Ulama, the canonists and the Judges, contrary to the days of first four Caliphs and Umayyads, when it was the jurisdiction of the Caliph only.

But, in spite of all these changes in the powers and functions of the Caliph there is no denying the fact Caliph was still held in great esteem and reverence. However, theoretically it was the Caliph, during the Saljuq period, at whose pleasure the Sultan could hold office and on whose command the Muslim Ummah would offer their lives, wear or throw the arms and enthrone or dethrone the rulers. Whosoever was in power whether a wazīr, a sultan or a Malik, took pride in being counted among the noble men of Islamic State and belonging to the entourage of the Caliph. One should, however, admit

¹ For more details see: H.A.R. Gibb, ibid.
the fact that even in times of agony and turmoil the Muslim Community by and large maintained the dignity and sanctity of the Caliphate within the changed socio-political set up.¹

The Saljūq State also strengthened the bonds between the Caliphate and the Sultanate. The Saljūq rulers emphasized on a closer association and stronger co-operation of the two offices "On the one hand the Caliph was to be designated by the Sultan, who through his exercise of constituent authority, recognised the institutional authority of the Caliph; and on the other hand the validity of the Sultan's Government was established by his oath of allegiance to that Caliph who authorized his rule. In this way the Sultan recognised that the Shari'a was the organizing principle of the Muslim Community, while the Caliph acknowledged that the Sultanate, by establishing order and maintaining discipline, provided conditions in which Islamic institutions could continue and the Muslim fulfill his true destiny" ² It is also indicated by the frequent marriage alliances between the Saljūq Sultans and the Abbasid Caliphs,³ The same fact is further corroborated by the evidence of frequent visits of Saljūq Sultans to the Caliphal city

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2. Cimb., P.207.

3. For details see: ibid, PP.212-13.
of Baghdad. Source also make mention of residential palaces, built almost by every Saljuq Sultan at Baghdad, for their stay during their visits to the city of the Caliph.¹

Both the Caliphs and the Saljuq Sultans were strong protagonists of Sunni orthodoxy. With the patronage of Abbasid Caliphs the Saljuqs strived hard to profess and strengthened the Sunni Shade of faith. In fact the Saljuqs could be rightly called as the propagators of Sunni Islam.²

Another most important principle of Saljuq State was the Union of Din and Daulah (religion and state). The political theorists of this period namely Al-Mawardi, Nizam ul-Mulk Tusi and Abu Hamid al-Ghazali were of the view that "Religion and Empire are twins". And the Saljuq State was the practical laboratory of these theories in so far as their administrative system was concerned. To them the din and daulah (Religion and State) were two sides of one coin and there was no separation between religion and the "State". The people in general also

¹. Nasihat ul-Muluk, P.27.
². ibid. P.28; Camb., P.205; Mawardi enabled the Caliphate to survive and prepared the way for the new relationship between the Caliphate and sultanate which was to be worked out under the Saljuqs. (Ibid, p.206).
accepted this policy. So long as the Sultan represented the Shari'a, he commanded the loyalty of the people, but as soon as he ceased to represent the Shari'a they too ceased to feel any loyalty towards him. The Sultanate was supposed to exist in order to carry out the precepts of Shari'a; and unless the Shari'a was its basis, there was no reason for its existence. Thus the Saljuqs endeavored hard to practise a complete compatibility between the two.

In order to put into practice in a more effective way the principle of compatibility of Religion and Empire, the Saljuqs sought to have a State bureaucracy as would consist of men well versed in the knowledge of tafsir Qur'an, jurisprudence and other related subjects. In other words we can say that the steering of State machinery was actually given in the hands of men of religion ('Ulama), competent theologians, judges and secretaries. To train these people in the art of state-craft a network of Madrasas (Schools) commonly known as "Nizamiyas" after the name of Nizam ul-mulk Tusi was introduced.

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1. Ibid, PP.207-6.
2. Ibid, P.205.
throughout the empire; prominent among them being those at Baghdād, Nishāpur, Herāt, Balkh, Merv and Mosūl. The Saljuqs also intended to employ the 'Ulamā trained in the Madrasās, to a better role of controlling the masses and posing a counter to the growing Ismā‘īlī threat.

One of the main results of the development of Madrasās was to bring about the integration of the members of the bureaucracy with the religious classes. Under the early Abbāsids the two, 'Ulema on the one hand and the secretarial class and literary men on the other existed independent of each other. But now we find that both, moved closer together because they shared a Common Training in the Madrasās.

In order to suppress the abuses that had crept into the social system of Muslims and to revive the ethical and administrative...
tradition of high Caliphal times, Malikshâh the greatest of Saljûq Sultâns
desired to have a working constitution for his empire that should
be—purely based on the Islamic ethic.¹ Thus his prime minister and the
most renowned of the world of Islam, Nizâm ul-Mulk Tûsî, prepared his
treatise on the art of Government Siyâsat Nâma which was accepted by
the Sultan as the Dastûr ul-'Aml (Working Constitution) for his empire.²

Similarly Ghazâli's, principles of government and
State-craft which he put forth in his Nasîhat ul-Mulûk (Counsel for the
kings) were broadly accepted and practiced while running the
administration of the State. The true spirit of Islamic ethic in the Saljûq
State is reflected in the fact that Ghazâli and Tûsî, both sharply
reacted, at times, against what was called injustice by them. They would
not hesitate in criticizing the Sultâns at public level and made it a point
that they (Sultâns) adhered to the right path. Ghazâli, distressed by

¹ Malikshâh's sincerity and devotion towards administering the
empire on the lines of true Islamic teachings is yet indicated by
his acceptance of Siyâsat Nâma as the working constitution for
his empire since it was prepared by Nizâm ul-Mulk the person who
was profoundly influenced by Islamic ethic (Lambton,
op.cit.p.106).

² The principles laid down in Siyâsat Nâma have been discussed in
the preceding chapter.
some political events of the period, even resigned from the official position of professorship of Nizamiya College of Baghdad in 1095 A.D.¹

Another important principle of the Saljuq State, which although was derived from the practice of Steppe, was reinforced by Islam, namely the principle of Shūra (Consultation). However our sources do not throw much light about the magnitude and extent up to which this principle was practiced by the rulers. But the documents of the period especially Siyasat Nama consists formidable content of directives whereby, the rulers are emphatically stressed upon to adhere to the principle of consultation in running the affairs of the State.²

Keeping all these facts in mind it seems that perhaps it was the good rule and right religion of Saljuqs which has been genuinely admired by the writers of contemporary and later periods.³ Hamidullah Mustawfi writes of their good religion and compassion for their subjects and the baraka (blessing) which prevailed under them.⁴

¹ Nasihat ul-Muluk, P.34; Camb., Γ.206.
² Siyasat Nama, P.95.
³ Lambton, op.cit, P.45.
⁴ Thrilh-i- Guzida, Γ.435.
Similarly, Al-Rawandi states that the Saljuq kingdom was rendered stable by the efficacy of their writ, their piety, and their care for the subjects in accordance with the Shar'ia.¹

This however does not mean that Ghazali's and Tusi's efforts were wholly successful in putting the Saljuq state on the track of high Caliphal times and that the institutional fabric of the empire was the same as in the days of early Caliphs. New institutions of cultural worth and fresh booths of political importance were added to the state in accordance to the growing needs of the empire. The institution of was made more powerful and the wazir was given the sole charge of all government machinery. The Government was divided into a number of departments. Such as the diwan ul-Kharaj (Revenue deptt), the diwan ul-barid (Postal department), diwan ul-jund (Army Department), diwan ud-diwan (Accountant generals office), diwan ul-Ahdath wa al-shurta (Police Department) and other departments of like nature. In addition to this the appointment of a lord chamberlain (Hajib) was regularized, whose chief functions, consisted in introducing foreign ambassadors and other representatives to the person of the Khalifa and performing other duties pertaining to the dignity of the court. The Qadi ul-Qudat (chief justice) was now to appoint the Qadis (judges) of the provinces

¹ Rawandi, p.30.
independent of the executive arm of the State. In addition to these institutions, two more administrative booths that of Ra'is and Shahna were introduced to deliver the more effective and just administration. ¹

Although the structure of Government was in its essence Arabic still a strong superstructure of Aryan and Persian ideas had completely enveloped it. Yet again if to a superficial on looker the machinery might seem Arabic, to a deep observer, the mould was, no doubt, Arabian but the material was almost entirely non-Arabic-Persian.² Hence forward the forces of Islam underwent a complete synthesis of Arabo-Persian amalgam. The renaissance of Persian language and culture was evidently observed from this process of acculturation. The Persian language supplanted Arabic as the dominant language of civilization and culture in central Asia. Local interest, which had almost disappeared under the impact of Arab rule, was now revived and the Turks emerged as the most powerful ruling force in the world of Islam.³

The Perso-Islamic traits and the true nature of Saljuq State can be reflected more by studying some of the prominent

¹ Sherwani, op.cit, P.23.
³ Bashir ud-din, op.cit, PP.592-93.
The sources are somewhat silent about the details of Saljūq Sultans' administration. It is also difficult to ascertain a clear picture of the characters of Sultans and their officials. Whatever scanty information the sources possess, it has to be interpreted, approached and analyzed carefully. While discussing the details of their administrative system we must refer to certain administrative institutions and positions:

**Shahna:**

Shahna was the Sultan's ambassador to the Caliph and chief administrator of the city of Caliph and head of Sultans, officials there. Usually being a Turkish Amir, Shahna as military governor, was mainly responsible for the preservation of law and order in the chief cities of his province and the Caliph's residence—Baghdād. But the word Shahna is used in sources for the Saljūq period with different

1. *Camb.*, P. 213; For civil and revenue affairs of Baghdad, the sultan used to appoint an Amid (Assistant) who was the head of the chancery of correspondence department (Dīnār al-Rasail); Ibnal-Athir, Vol. 1, Cairo, 1301 A.H., P. 172.

2. Ibid, P. 27.
shades of meaning. There are a number of instances of the same person being referred to variously as *Shahna wali* or *Muqta*.\(^1\) The holder of a large provincial government was, however, seldom called a *Shahna*.\(^2\) The Amīr Abbās, for example, is called *Shahna* of Ray by Ibn ul-Jawzi,\(^3\) but *Wali* of Ray by Awlia Ullah Amūli.\(^4\) Similarly, Ibn ul-Athir\(^5\) calls Qumāj *Muqta* of Balkh, whereas Rawandi\(^6\) calls him *Wali* and in the *Atābat ul-Katāba*\(^7\) he is referred to in a diploma as the *Shahna*. Rawandi also


2. Ibid.

3. Al-Muntazam, Hyderabad, A.H.1357-9, X, P.102; see also: Lambton, Ibid.


6. Rawandi, op.cit, P.177.

7. P.77.
states that he was made Shahna of the Ghuzz. In general the Shahna was the military governor of a province, to which function he might also add that of being the special representative of the Sultan.

However, in the city of Baghdad there was to some extent a conflict of jurisdiction. Responsibility for local order and security seems to have been shared somewhat between the Shahna and the Caliphs officials, especially the wazir of the Sultan at Baghdad who also exercised some kind of judicial authority and from time to time held a "Mazālim court".

1. Rawandi, ibid.

2. "Among the Sultans most important functions, from the Islamic point of view, was to judge. And as a judge he should be accessible to his people and his chief medium as a judge was the "mazālim court". The procedure of this court and its rules of evidence differed from those of the shari courts, i.e. it was necessary for the man who presided over the "mazālim court" should possess the power to exercise his functions and to apply the rules of justice, which was not the case with the 'Qadi', who presided over the shari court". (Camb., PP.227).

The majority of the Saljuq Sultans, however, in all probability delegated their function of presiding over the 'mazālim court' to the wazir or the Qādi and in the
Shahnas were sometimes, but not always, placed under the control of the local officials in provinces. But they were certainly, it seems, supposed to accord due respect and authority to the qâdi in whatever concerns Shar‘i affairs and the qâdi’s court. They were to handover to Qâdi the mosques, pulpits, shrines and places of worship, and to let no one teach without his permission and approval; to constrain and punish on his behalf whoever refused to appear in the Qâdi’s court; and to strengthen his hand especially in regard to the administration of aqâf.¹ In a Manshūr (diploma) for Awhad ud-Dîn as Muhtasib² of Mazandarân, during Sanjar’s reign, the Shahnas Wullât (deputies of the governors), muqtâs (tief-holders), Mutasarriﬁn (tax-collectors), Rauasa(eminence men) and A’yân (prominent persons) of Mazandarân are enjoined to respect and strengthen him in the affairs

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Continued...

³

provinces to the great amirs and Saljuq ‘maliks’ who held large areas as “administrative’ iqṭas”. (Ibid).


2. Muhtasib seems to have functioned as Qâdi and khatib also (Ibid,p.368).
which had been entrusted to him.\(^1\) A \textit{Tafwid} (commission) for a certain Aziz ud-Din for the office of \textit{mutawalli} of the \textit{awgaf} of the town of Gurgan and its neighborhood likewise instructs the (\textit{nawab}) deputies governors, (\textit{Wullat}), \textit{muqtâ}s, and \textit{shehnâs} to strengthen Aziz ud-Din's deputy, Diya ud-Din, and also enjoins the eminent and respected \textit{sayyids}, \textit{qâdis}, \textit{imâms}, \textit{r'ausa}, landowners (\textit{dahaqin}), deputies (\textit{nawab}), and \textit{muqtâ}s of the town of Gurgan and its neighborhood to accord full dignity and authority to him.\(^2\)

Although executive power was in the hands of the officials of the temporal government, they were nevertheless expected to consult and seek the approval of the \textit{imâms}, \textit{muftîs}, and \textit{Ulamâ} in the punishment of criminals.\(^3\) The deed of investiture for Yaranqush as \textit{shahnâ} (during Sanjor's reign) of Juwayn instructs him not to undertake any affairs pertaining to the \textit{diwân} (of the \textit{Shahna}) without their agreement or without consulting them similarly the deputy \textit{shahna} of Gulpayagan is ordered in a commission for Majd ud-din Muhammad as \textit{Qâdi} of that place to uphold the respect in which the \textit{Qâdi} was held and

\(^1\) \textit{Atâbat ul-Katâba}, op.cit, P.368.
\(^2\) Ibid.; For further details about the functions of \textit{shahna}, see: Lambton, op.cit, pp.380-81.
\(^3\) ibid. P.79.
exert himself in what concerned the prestige and expedition of religious affairs and the execution of the decisions of qādi’s court (Majlis-i-hakam). ¹

THE COURT

At the high of administration was the Sultan’s court (cabinet) which consisted of Amīrs who were for the most part mamlūks or freedmen, and, although the relationship between the Sultan and the Amīrs was not that of lord and vassal, the source of all grants of authority for them was the Sultan. ² Although the Status of a mamlūk was not originally of equal social standing with that of a free born Malik, no particular stigma was attached to it, and a mamlūk could rise to the highest position in the State. The diploma for Abu'l Fath b. Abi Bakr b. Qumāj for the office of governor and Shāhna of Balkh is a testimony to it. ³

The chief official of the Court until the end of the region of Muhmmad bin Malikshāh was the vakil-i-dār, who appears to have been a kind of intermediary between the Sultan and the wazir and

¹ 1. Ibid, P.45-46. Vide, Lambton, op.cit, P.368.
² 2. Camb., P.225; Lambton, op.cit, P.371.
he was more privileged than Hajibs (chamberlains). His precise relation to the wazir, the head of the diwan (court) is not entirely clear. Sometimes he was wazir's deputy and in Muhmmad bin Malikshâh's reign he was replaced by Amir Hajib.

The Amir Hajib who was normally a Trukish Amir, was concerned with the maintenance of military discipline as well as with court ceremonial. He became the most important official at court, while the Amir-i-hîrs (chief of the guard) and the Jândâr (Chief executioner) ranked after him. Amir Hajib also regulated the audiences of the Sultan and transmitted the Sultan's commands to the wazir.

Among the other officials of the court included Akhûr sâlâr (master of the horse), who looked after royal Stables. There was also a Khawân-sâlâr, who was in charge of the royal kitchens. Alp Arsalân had fifty heads of sheep slaughtered daily, which, together with

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<td>1. Camb., P.226; Samaullah, op. cit., p.52.</td>
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other food, were served to the Amīrs, and the poor. Under Sanjar the Ghuzz paid an annual tribute of 24,000 sheep to the royal kitchen.

As regards the armed forces of the Saljūqs it appears that Askār formed the regular standing army and the Jund the territorial reserve. Although it is difficult to show exactly the numerical strength of the askar and the Jund yet the sources contain the number of the armed forces of the Sultans while in the battle fields (see chapter Ist). However, Turks were an important element in the askar while the Jund were a heterogeneous mixture of Turks, Turkomans, Arabs and Kurds. The Ahdāth (regular volunteers), yet another force, were organized under Ra’īs ul-Ahdāth. The Commander in Chief of the Army bore the title of Amīr ul-Juyūsh or more commonly

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2. Rawandi, P.548.


5. cf: Sannaullah, op.cit, P.19.

Amir.\textsuperscript{1} He was also occasionally, called as \textit{Sāhib ul-Jaish} and \textit{'Arif ul-Jaish}.\textsuperscript{2} Under him was \textit{qā'id ul-quwwād} or colonel who was the head of the \textit{Qā'ids} or captains. The \textit{Qā'ids} were sometimes called as \textit{mugaddims}. Camp-followers or rabble were called \textit{Suqāh} or \textit{Hawāshi}.\textsuperscript{3}

The military governor of a fort was called \textit{Duzdār},\textsuperscript{4} and the head of the police in each town was called \textit{Sāhib ul-shurtah} (Prefect of police). The police force under him was semi-military in organization. For purely civil purposes, however, there was another police force under the \textit{muhtasib} or \textit{wāli ul-Hisbah} (inquisitor).\textsuperscript{5}

**RA'ĪS**

Each Saljūq town used to have a \textit{Ra'īs} (head) who resembled the modern Mayor and acted on ceremonial occasions such as the coronation of the new Sultan. Abu, Muslim, the \textit{Ra'īs} of Rayy put the

\textsuperscript{1} Ibd, P.92.

\textsuperscript{2} Bundari, P.86.

\textsuperscript{3} Sannalla, P.20

\textsuperscript{4} Ibn ul-Athir, \textit{op.cit}, PP.131,179,211.

\textsuperscript{5} Ibd, P.98.
golden crown on Barkyārūk's head on his accession to the throne. Besides Shahna and ḡāḍī who were to maintain the defense and public order and to look after the religious affairs respectively, the function of 'the Shepherd of his people' was delegated by Sultān to the Ra'īs. The deed of investiture for Abul Makārim Ahmad bin al Abās as Ra'īs of Mazandarān, Gurgān, Dihistān, Astrabād, Bastām and Gulpayagān enjoins him to seek in all things the will of God, to show solicitude "for the good treatment of the people and to preserve them from (unjust treatment as regards both) the dues which were 'lawful and wrongful innovations and impositions', for, as he upon whom be peace, said, "Each one of you is a Shepherd and each one of you is answerable for his flock". Yet another mandate issued for Abul Makārim at the same

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1. Rawandi, PP.140-41: "العصر رئي رئي تاريخ ضعف بالآف مراد بالغيت"

2. Ibn ul-Athīr, op.cit, P.216. The term 'ra'is' like various others, is used in a variety of senses and not always with precision. In some instances, it is broadly synonymous with a provincial governor, it is also used to designate the head of a religious corporation. This term, in atabat al-katab, is used to designate both a comparatively, unimportant local official, who was locally appointed, and an official, belonging to the 'civil' as opposed to the military or religious hierarchy appointed by the sultan over a town or province with wide powers. But in its most
time states that Sanjar had entrusted the people, who had been entrusted to him by God, to Abul Makārim, and that he was to look after them and treat them well. Similarly the Commission for Najm ud-Din as Ra'ūs of Sarakhs, Commands him to do whatever is necessary to lighten the burden of all the people and conduces to their peace and comfort, the exertion of effort to stop the impositions of the strong upon the weak and the domination of the poor by the rich, and not to allow demands for levies (`awārid) or fodder (`alāf) to be made upon the people on behalf of the prominent men of the military entourage those passing through the area (mujtāzan), the soldiery (mutājannīda), or the holders of diwān drafts.".2

Similarly a commission for Najm ud-Din as Ra'ūs of Sarkhs and its dependencies also emphasizes the importance of the

common use the term rais designated a local official representing the local people vis-a-vis the government in general and the tax administration in particular: (see: Camb., PP.78-80; Lambton, op.cit, P.383).

1. Ibid, P.28.

2. Ibid, P.41; See also: Lambaton, ibid.

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office of Ra'is, pointing out that this important office had always been in the charge of the notables and eminent men of the State.¹

The Ra'is was, in some measure, a link between the government and the people of and since the relations of the people with the government were mainly in the field of taxation, it followed that the duties of the Ra'is were largely concerned with financial affairs.² The deed of investiture and mandate for Taj ud-Din Abul-Makârim instructs the officials of Malik Tughrîl, the Amîr Hájîb and the Amîr ul-Umara' to hold the diwan-i-M'uamîlat wa qismat (the office concerned with public contraction and the allocation of extraordinary tax demands made in a lump sum) in Taj ud-Din's residence, and not to make any appropriation or to give or take a single dirham except at his instance and with his approval.³ Taj ud-Din was not to allow any additional demands (zawâ'id) to be made on the settled people or the nomads after they had paid at the right time what was due to the diwan by way of kharâj, tithe (ushr), and pasture dues etc, and to hold their estates, beasts of

¹. Ibid.
². Lambton, op.cit, P.384.
burden and flocks immune from illegal impositions and interference.¹

After a careful study of Atābat ul-Katāba it seems that Ra'īs exercised certain powers of supervision over religion affairs also. The 'āmil, Shahna and notables of Gurgān are advised to strengthen the headship and leadership of Taj ud-Din, the Ra'īs designate. They are asked to do nothing without consulting him and obtaining his approval, and not to embark on any shar'i affairs or matter connected with public contraction without his advice and approval.² The mandate also instructs Tajud-din to show clear sightedness in matters connected with the Sharia and religion.³ The deed of investiture instructs him to respect the Sayyids, Imāms, Qādis, Ulamā, and military (ahl-i-silah) and to judge between the people with justice and equity and to exert himself in listening to the words of those demanding redress.⁴ He is also instructed to be a compassionate mediator and a just judge between the religious classes and the notables on the one hand and the tax collectors (mutasarrifān) and the officials on the other; and not to allow

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¹ Ibid, P.23; See also: Lambton, op.cit, PP.384-85.
² Atābat ul-Katāba, P.29.
³ Ibid.
⁴ Ibid, P.23.
the latter to oppress the people, or the people to practice injustice against each other.\(^1\) In the same way the deed of investiture for Najm ud-Din as Ra'is of Sarkhs enjoins him to treat the Imāms, 'Ulamā, Shaykhs and notables of the area with respect, and the notables, Imāms, Qādis, Sayyids and the Shaykhs of Sarakhṣ were to honor and respect him.\(^2\) On some occasions it seems that Ra'īs had even the wider powers than a qādī so far as the supervision over religious affairs is concerned. The deed of investiture to Tāj ud-Din Abul-Makārim as Ra'īs of Mazandaran, instructs him to guide the Qādis and the Ḥākims in the execution of their decrees and the restitution of rights. 87. Ibid, p.24.\(^3\) Tāj ud-din was also instructed to investigate the condition of awqāf and see that their proceeds were expanded on the objects for which they had been constituted.\(^4\) He was asked to remove any Mutāwalli or administrator (muttasarrīf) who committed peculation and to revivify those awqāf which had decayed.\(^5\) He was also given an authority over

\(^{1}\) 1. Ibid. P.27.

2. Ibid, P.41.


4. Ibid.

5. Ibid, PP. 24,28-29.
mosques of the town and madarssâs, and was to appoint suitable people to the mosques of the town and its neighborhood, and to prevent anyone who did not possess the requisite qualities of learning, firmness of faith, excellence, purity and uprightness from exercising the offices in question.¹

JUDICIARY

On the judicial side the head of the department was the chief justice (Qâdi ul-Qudâh), under whom the judes (qâdîs), in each province worked. The Sultan exercised "administrative" justice in the mazâlim court, personally or through his agents. ² But the functions of a judge were assigned to the qâdi. The justice in mazâlim courts was administered on the basis of custom, equity and government regulations; whereas the qâdi in his court would administer justice in accordance with the Shari'a and the legal rules of evidence and procedure.³ This court sat in the mosque, in the qâdi's residence or some other appointed

¹ 1. Ibid, vide : Lambton, op.cit, p.386.; For more details about ra'îs see also: Camb., PP.279-81.

² 2. Camb., op.cit, P.269.

place. It was concerned primarily with the settlement of litigation, the execution of testaments and matters of inheritance, escheat, transfers of property, administration of the affairs of orphans, widows, and of those legally incapacitated.¹

The local courts seem to have three main types: The qādis court, to which Shara'i affairs were referred, the diwān-i-riyāsat which was concerned mainly with cases relating to taxation, and the shihna's court, which mainly dealt with affairs concerning public security. In addition to these courts there was in some provinces a diwān-i-mazālim. In the deed of investiture for the governorship of Gurgan Masud bin Muhammad is enjoined to instruct the head of the diwān-i-mazālim to show vigilance in his duties.² The sayyids, also, were placed under the jurisdiction of the naqīb of the sayyids. A diploma for Murtada Jamāl ud-dīn as Naqīb of the Gurgān, Dihistān and Astrābād instructed the deputies (Nuwwāb) of the diwān and the officials of the town and its dependencies to hand over to him the affairs of the sayyids and not to interfere with them.³

¹. Camb., ibid.
³. Ibid, P.64; See also: Lambton, op.cit. P.369.
On some occasions it seems that officials of the masālim courts tended to overlap the jurisdiction of the qādi's court, yet the qādi played an extremely important role in the life of the Saljūq empire.¹ qādi was a link both between the political and the religious institution and between the Sultān and his people and he maintained and transmitted the traditions of Islamic civilization. ² As a result of the new relationship between the Caliph and the Sultān and the reversed association between the political and religious institutions that stemmed from the political theories of Nizāmul-mulk and Ghazāli, the religious class of the society in general and the 'qādi' in particular obtained such a status which was held in high esteem and reverence. Apart from determining the qualifications of a judge which include his being a Muslim, free, and well versed in the principles of Law (Usul ul-fiqh), Nizām ul-mulk, at the same time says that he should be a pious and an uncovetons person.³ Tūsī is of the opinion that a judge should be paid salary and allowances according to his merit so that he will have no

1. Camb., ibid.
2. Ibid.
excuse for dishonesty. He further puts forth that "if any judge signs an order records a sentence capriciously or out of avarice or malice, the other judges must inform the king of this wrong sentence, and that judge must be dismissed or punished. All other officers must strengthen the hand of the judge and uphold the dignity of the court." Nizām ul-mulk states that 'qādis' were the deputies (Nā'ībān) of the ruler upon whom their support was incumbent. Similarly, in contemporary documents sometimes referred to as the 'heirs of the prophets (السلطان ونسل النبي) and the 'qādis' as the officers of the Shari'a and "the Umanā of God in the execution of degrees, the termination of disputes, and in obtaining the rights of the weak".

The position of the 'qādis' vis-a-vis the Sultan was similar to that of the Caliph vis-avis the Sultan. Generally they had their position at the pleasure of the Sultan. Who exercised constituent

1. Ibid. The merit was determined on the bases of learning, piety and uprightness of character.
2. Ibid, 43-44.
4. Ibid.
5. Ibid.
authority, but their functional authority was derived from the Shari’a and the prophet S.A.W.¹

qādī, during the Saljuq period, was mainly responsible to watch over the religious institutions on behalf of the Sultan, especially with a view to preventing unorthodox opinions, because the period witnessed the rise of many heretic religious sects such as Bātinīs. Quite often the qādī was also assigned the supervision of mosques and of the officials like muhtasib. He had to nominate Imāms, who led the prayers, and the khatibs, who read the khutba in the Friday mosque. The qādī-ul qudat Diya ud-Din-Majd ul-Islam of Astarabad was assigned the charge of "whatever concerns Shara‘i affairs, that of mosques, pulpits, Shrines and places of worship and no one would preach without his permission; he would also look after the administration of awqaf. Still with regard to the administration and supervision of awqaf there was considerable variety of practice. If no mutawalli (administrator) had been appointed by the founder, the qādī administered the awqaf directly; if, however, there was a mutawalli, then the qādī merely exercised general supervision over its administration.²

¹. Ibid, P.270.
². Camb. PP.271-272, for further details about the origin and administration of waqf See: Hodgson, op.cit, PP.51-52.
The qādī would often teach in Madrassas or act as khatīb and muhtasib. Perhaps it was this plurality of office against which Nizām ul-mulk had reacted in his Siyāsat-Nāma. For instance, Diya ud-din Majd ul-Islām was qādī, khatīb and Muhtasib of Astrābād at the same time. The Chief Justice (qādī-i-Jumla-i-mamālik) of alp Arsaln was entrusted, apart from being a qādī, with the care of Mosques and augāf, and was instructed to hear Shara'ī cases and to take good care of the documents (wills contracts, etc deposited with him). qādī, often was a mufti and issued fatawās (decrees) on theological and judicial matters. The qādis were also used by the Sultan as envoys. This was partly because of the respect in which they were held by the local population; and partly because it was the policy of the Saljūqs to incorporate the religions hierarchy into the administrative hierarchy.

To understand in more precise manner the position of qādī during the Saljūq period we can have a first hand information

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4. ibid.
5. Ibid.
again from Nizâm ul-mulk Tûsi who states: "The Sultân should know the condition of each of the qâdis personally and only those who are learned, pious and uncovetous (kutâh Dastâr) should be retained in their positions (as qâdis), while those who are not so, should be dismissed, and worthy persons installed in their place. Let each one be paid salary (Mashâhira) and allowances according to merit, so that he shall have no excuse for dishonesty. This is a most important and delicate matter, because they have power over the lives and property of Muslims. If anyone makes excuses and fails to appear in court, however exalted he may be, he must be forcibly compelled to be present."

Muhtahisib

One of the prominent administrative positions during the period under review was that of Muhtasib. He was to see the observance of public morals and performance by Muslims of their religious duties. He was to prevent the prayer that went against the juridical principles, the breaking of Soum (fast of Ramadân), wine drinking in public, the playing of illegal musical instruments and unseemly behaviour in public. He was also charged with the supervision

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2. Camb. P.278.
of public amenities. Thus it was his duty to see that no house was raised above another belonging to a Muslim so as to overlook the women quarters; that no house had projecting rain-spouts or open drain pipes to drench or befoul wayfarers in the street; and that free-passage in the streets was not impeded. He was not to allow the slaves to be ill-treated, or animals over burdened. The Muhtasib's main task, however, was to oversee markets and to prevent dishonest dealing by merchants and artisans, as well as to supervise the guilds and corporations. He was empowered to inflict summary punishment on offenders.¹

Nizamul-mulk further elaborates the positions and role of Muhtasib. He says: He (Muhtasib) must take particular care in regard to goods which are brought from outlying districts and sold in the bazars to see that there is no fraud or dishonesty, that weights are kept true, and that moral and religious principles are observed. His hand must be strengthened by the king and other officers, for this is one of the foundations of the State and is itself the product of justice. If the king neglects this matter the poor will suffer distress, and the traders in Bazars will buy as they like and sell as they like and middle men/sellers of short weight (Fadla khūr) will be predominant, inequity

¹. Ibid.
will be rife and divine law set at rough."

The deed of investiture issued for Auhad ud-din as Mushtasib of Mazandaran, from Sanjar's Court, commands him to see that people practise what is "good" and forbid them from doing "evil"; to check that weights and measures are kept equal, so that nobody is cheated and to see that commandments of Shari'a are carried out in mosques and other places of worship and to see that mu'adhins and other officials perform their duties punctually, to punish the corrupt persons and to prevent the business of intoxicants especially in the neighbourhood of mosques, and to prevent women from mixing in the gatherings of the 'Ulamâ (majalis-i-'ilm).

Ulema

Following the Islamic conquests, Sahâba (companions of the prophet) left the Arabian peninsula and scattered into the conquered territories. As they spread across the world from Spain to

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1. Siyâsat-Nâma, PP.46-47. The post of Muhtasib (Inspector) always used to be given to one of the nobility or else to an eunuch or an old Turk, who leaving no respect for anybody, would be feared by nobles and commoners alike. (Ibid).

2. Atâbat al-Katâba, op.cit, PP.82-3.
Central Asia, Scholars among them, eager to keep alive the prophet's teachings, traversed through Islamic lands to discuss religious questions, to exchange information and to teach the tenets of Islam. The first generation of scholars of Islam after the *sahaba* are designated as *Tabi'ûn* (followers), subsequent generations are called *'Ulamâ*.

Though *'Ulamâ* generally means the 'Scholars' but with a view to order the Muslim society on the basis of the principles of Islam, the term *'Ulamâ* came to connote Scholars of religion and religious law; and *'Ulamâ* became a collective word referring to all manner of scholars of religion, including the judges who administered the law of Islam, professors of Islamic law, Hadith transmitters, *Imâms*, preachers, legal advisors, Sufis, and private individuals with some proficiency in religious matters. Almost in each period of Islamic history, *'Ulamâ* have been a general body of Scholars of religion who filled one or more of the foregoing specific religious roles.

The wide ranging social roles of *'Ulamâ* have varied over the centuries. During the course of Islamic history *'Ulamâ* have

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2. Ibid.
been both proponents of social change and preventers of it. In diverse times and places 'Ulamā have either shunned or accepted State appointments.

As pointed out above, following the conquests the Sahāba, Tabi'ūn and subsequent generations of 'Ulamā journeyed throughout the Islamic territories to pursue and disseminate religious knowledge. As conquest and conversion brought diverse ethnic and linguistic groups into the original Arabo-Islamic empire, Muslim Scholars from areas as distant as Spain, North Africa, and Central Asia sought personal communication with one another. Thus a network of scholarly contacts began to extend across the Islamic world, which in due course organized and constituted an international system of Muslim learning.

'Ulamā corresponded about political events as well as about religious matters and kept their colleagues in other parts of the Islamic world informed about important military and political events.

\[\text{Ibid, P.106.}\]

\[\text{For details See: Hodgson, op.cit, P.46 ff.}\]

\[\text{For further details of the interaction between 'Ulama of Baghdad and central Asian provinces See: J.Gilbert, op.cit.PP.105 ff.}\]
occurring in their region.\(^1\) When a famous scholar died, people throughout the Islamic world mourned him.\(^2\)

It was the international scholarly system which actually standardized the Islamic education, society and Culture. At the same time `Ulamā in Khurāsān and Spain read the books compiled by Iraqi Muhadithūn and the `Ulamā of Damascus filled the Law professorships in Baghdad, and a continual traficing of `Ulamā from one part of the Islamic globe to another, took place, the result was the creation of a strong cosmopolitan influential elite.\(^3\)

During the Saljūq period the `Ulamā had their own organizations free from the control of the State. Thus in this period the `Ulamā were in no way involved in the government service. The law schools, during this period, employed and produced Scholars, not bureanerats. The most famous teachers, who were also most often the principals, (ra'īṣ), of the law schools, did not belong to the entourages of the rulers in the sense of being clients, and they did not hold political or administrative offices. They directed the law schools and

\(^{1}\) Gilbert, op.cit., P.108.

\(^{2}\) Ibid.

\(^{3}\) Ibid.
sought independence from the political system. Thus it becomes explicitly clear, after studying different direct and indirect contemporary Sources, that 'Ulamā played an extremely important role in Saljūq society, one of their main functions being calling the rulers to account.2

The 'Ulamā of diverse theological outlooks flourished during this period. Sultān Tughrīl and Nizāmul-mulk Tūsī were backing up 'Ulamā of divergent professions of faith. Tughrīl's 'Ulamā were M'ūtazīlī; Nizāmul mulk's were chiefly Ash'arītes, although Hanbalītes were also found among them.3

The Caliphs during the Saljūq period were backing the 'Ulamā of a traditionalist profession of faith who mostly included Shaf'ais and Hanbalīs. In spite of being the protagonists of the Caliphate, those 'Ulamā generally never opted for silence whenever the cry of righteous voice was needed in the Society. In view of being the representatives of

1. Ibid, P.129.
3. Mention can be made of Al-Ansāri al-Harawi, the Hanbali Sufi who died three years after Ghazālī was sent to Baghdad. (Ibid).
common masses by dint of the Social recognition they had gained, the rulers were accountable to 'Ulamā directly. The massive public support which the 'Ulamā of this period enjoyed and the dependence of the rulers upon the support of 'Ulamā can be judged by Abu Hāmid al-Ishfārā'īni's (a Shafiite 'ālim, d.406/1015) reply to the Caliph's letter who intended (perhaps arbitrarily) to remove the former from the office of qādī. Isfārā'īni, in reaction to Caliph's intention, wrote back to him that he (Caliph) did not have the power to fire him; and that he (Isfārā'īni) could write a note to Khurasān and with two or three words have him removed from the Caliphate. Sharīf Abu J'afar and, before him al-Baqqāl the Hanbalite (d.440/1048) and scores of other 'Ulamā were capable of prodding the Caliph to act and carry out his primary constitutional function, namely the defense and maintenance of religion.

Apart from this crucial socio-political role, the 'Ulamā had yet another function, they were the custodians of 'ilm that is of the religious patrimony of the Prophet saw, especially his traditions (Hadith), the Law (fiqh), and Theology (usūl ud-dīn). Their consensuses (ijma'), represented the consensus of the Muslim people, and constituted

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1. Subki, Taj ud-din, Tabaqāt al-Shāfiyya, Vol.iii, Cairo, 1905-6, P.26; See also: Makdisi, op.cit, P.164.

2. Ibid.
consensus of the Muslim people, which formed the foundation of Islam itself. The ultimate decision on matters of constitution, law and theology rested in their hands.¹

'Ulama would quite often differ with the existing power structures on matters relating to both politics and religion and this ikhtilāf (to speak against the opinions and practices from whatever quarter they issued) was both a duty and a courageous act, highly admired by the Muslim society.² It was a courageous act because it meant speaking out against men in power, men who could make or break one's career, men who could make all the difference between a life in rags or in riches.³

Again, to bag the support of Muslim masses, there was no other way but to have it through 'Ulama therefore the rulers instituted madrasās (Colleges), makātib (Mosque Colleges), dargāhs (monasteries) and other institutions of learning with large salaries for

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¹. Ibid.

². Ibid; See also: Hodgson, op.cit, P.46 ff.

³. Makdisi, op.cit, P.165.
professors and Scholarships for Students. Perhaps this was the best way to attract the loyalty of the 'Ulamā.

The first loyalty of 'Ulamā was to Allah and His prophet saw then to the Caliph whose function it was to guard and maintain the prophets religion. As long as the 'Ulamā could convince the Muslim masses that he (Caliph or Sultān) was performing this sacred duty, he had their loyalty and support.

The 'Ulamā with the least followers were those who were in the employ of the government, because their official Status and lucrative positions served to dampen their zeal for protest. While as the 'Ulamā with the most fervent followers were those who lived the life of frugality as Muslim intellectuals independent of the government, free to speak out their minds, in contrast to their brethren who allowed themselves to be muzzled.

1. Ibid; See also: George Makdisi, 'Muslim Institutions of Learning in 11th century Baghdad', B.S.O.A.S, Vol.24, 1961, P.55; See also: Gilbert, op.cit, P.132.

2. Ibid, P.166.

3. Ibid, In the 9th Century the Abbasid caliphs had tried and failed to gain control over religious doctrine and the content of Islamic law. Earlier scholars especially a number of 9th Century 'Ulama' had rejected the qadiship in order to avoid acquiescing in
Although the executive power during the period of Saljūqs was in the hands of the officials of 'Temporal government' they were nevertheless expected to consult and seek the approval of the 'Ulama, imāms and muftīs in the punishment of criminals.¹ For instance Abdul-Fath Yusuf bin Khawarzmshah in a document appointing him Nā'ib (deputy) of Rayy, is enjoined, by Sanjar's diwān, to instruct his deputies to consult the sayyids, qādis, Imāms, the righteous, the pious and (All these groups being necessarily 'Ulama) in the affairs of town and province.² Similarly, Tāj ud-Din, the Ra'īs of Gurgān was instructed to respect and hold in high esteem the sayyids, Imāms, qādis, 'Ulama and military, keeping in view their Status in society.³ The same instructions were given to Najm ud-Din as Ra'īs of Sarakhs.⁴

Continued...


1. Atābat al-Katāba, op.cit, P.79.

2. Ibid, P.43.


4. Ibid, P.41.