The times when Al-Mawardi and Nizamulmulk Tusi wrote, represent the phase of the decline and disintegration of caliphal power and the rise of Turkish states at its expense. The Caliph had been reduced to the unenviable position of complete subservience to the Buwayhid faction. Theoretically the Caliph was still the supreme head and controller of the state; but virtually the Buwayhids ruled. The emergence of powerful Turkish states converted muslim polity into despotic monarchy wherein the king was all powerful and subject to the dictates of shariat to such extent as the exigencies of the state or the natural propensities of the monarch permitted. The Caliph was well aware of his position which was made precarious by the de facto sovereignty of the Buwayhids and the de facto authority of the Sultans within their states insisted on eliciting allegiance. On the other hand, the Buwayhids and the Sultans who justified their power through investitures from the Caliph maintained the appearance of legality. Thus the de facto and de jure nature of sovereignty of the Sultans and the Caliph had become the main objects of philosophical debate among the scholars and the political theorists of the period. The concept of vizarat was bound to be subject to clarification of a universal concept of sovereignty. The
understanding of these concepts was, therefore, crucial to the exposition of the institution of vizarat by Mawardi and Nizamulmulk. Mawardi conceives of the Imam or the Caliph as the supreme head of the state who derives his authority from the Islamic law. As representative of God on earth and successor to the pious Caliphs, he embibes unquestioned authority over the subjects. In other words he is the ruler of the Islamic state by Divine Right. Any violation of his legal authority is usurpation and illegal. All powers exercised by the executives of the state are thus delegated and not inherent. The sovereign of Nizamulmulk is also all powerful and rules by Divine Right. But he comes into being not by any provisions of the Islamic law but is created by historical necessity. Man is basically selfish, unscrupulous and sinful: selfish interest, sinful life and infighting induces anarchy, a condition of war of each against each. There is no one to provide them security or to maintain law and order. In these circumstances God sends upon them a just monarch, who reforms them, manages the affairs of the state, protects them from aggression; and when once again the people commit sin, God removes the king, anarchy prevails and so the cycle goes on. Such a sovereign is in no sense responsible to the people or
to any other authority. He is answerable only to God alone. Thus Nizamulmulk's sovereign is very much life of Leviathan of Hobbes, infact far more powerful.

The two concepts of sovereignty, one representing the de jure position of the Imam and the other the de-facto authority of the Sultans, though similar, have very different implications when applied to the power structure of the state. From this, these authors form the characteristic features of vizarat. Thus Mawardi's vizier is the supreme executive authority whose powers are derived from the will of the sovereign: consequently a vizier is either the plain-potentiary of the Imam enjoying unquestioned authority over all subjects of deliberation, is responsible to know one except the sovereign himself who alone formulates the policies for the vizier. This kind of vizarat is called by Mawardi is vizarat-i-tafwiz. When the powers of the vizier are restricted to the execution of administrative orders by the Imam, the vizier's deliberative functions are reduced to the nominal. This kind of vizarat is, what Mawardi calls as vizarat-i-Taufiz: A vizier or a noble acting independently without proper mandate from the Imam is usurper and is called Amir-bil-Istila. This obviously has reference to the Governors as well as the Sultans whose
authority he regarded as arbitrary and usurpation. Since, however, their de-facto authority is regularised by subsequent bestowal of the Imam's investiture. The usurpers (viz. the Buwayhids and the Saljuqs) are recognised as Amirs.

Nizamulmulk' makes no such distinction. The vizier is represented as the alterego of the king; and as such embibes from him the supreme authority of monarch by Divine Right. As the most powerful single person after the king, he administers all the departments of the state without exception, formulates policies, negotiates treaties, controls the military declares war, maintains accounts of finance, governs the resources, appoints and dismisses officials. However, faithfulness to the king, welfare of the state, enforcement of justice, protection of the state and the maintenance of law and order are always the prime considerations of the vizier.

In other words, Nizamulmulk's vizier is not only the supreme executive but also exercises the functions of legislative and the judiciary on behalf of the king. This position does not place him in opposition to the established law of the shariat. As follower of Islam, he is subject to the religious law and all his legislative deliberations conform to it. The same applies to his judicial powers. He is the highest appellate authority but next to the king.
As against this Mawardi's vizier-i-tafwiz is governed strictly by the ecclesiostical code. He creates no laws but enforces the law that exists in principle in the scriptures or codified by the accepted doctors of Islamic jurisprudence. Even the Imam has no say in this matter. Interpretation and enforcement of the law is the exclusive privilege of the Qazi Mawardi. In matters of finance the vizier can even over- ride the will of the sovereign, should the latter be found to be deviating from the dictates of islamic injunctions. Thus Mawardi's vizier appears to be more powerful than that of Nizamulmulk Tusi. In effect, however, he is inferior to the former in so far as he has little option beyond what is laid down in the code of sharia.

The responsibilities as well as the powers of the vizier are both heavy and of heterogeneous character: this makes him susceptible to the temptation of becoming absolute and disloyal to the king. The love of specie and craving for power can make him a prey to factionalism and create in him the tendency towards oppression. It is imperative, therefore, that he is by nature and training virtuous. Virtue is the child of knowledge and religiosity. The vizier should himself be a learned man and good muslim. This element is common to both
Mawardi and Nizamulmulk. However, Nizam's concept of virtue is much more than mere philosophical abstraction as in Mawardi. It presupposes a pragmatic attitude that is expressed in his being kind hearted, pious and loyal to the monarch. Large heartedness gives him the moral courage, necessary to withstand intrigue and opposition. In times of scarcity he foregoes remittance of taxes by the poor. He forgives personal offence and constantly endeavours to bring prosperity to the people. Piety makes him God-fearing and loyalty to the king keeps the enemy in check. But, since virtue is a rare commodity having to do more with heredity than training, Nizamulmulk shows a special prejudice for high birth as one of chief qualifications of a vizier.

He recommends that vizier should be selected from amongst princess and nobles of successively high parentage. High mindedness, generosity and knowledgibility come naturally to the high born. It is possible, however, that Nizamulmulk's emphasis on this aspect was motivated by the desire of justifying his own existence as an Iranian in the Saljuq court.

Such considerations are alien to Mawardi. In his opinion even a zimmi may be appointed to the high office of vizarate. This is the basic difference between him and Nizamulmulk on the question of human nature. A muslim is a muslim and a true
muslim cannot be but virtuous. This view obviously takes into consideration the Islamic democratic idealism. However, being virtuous by no means precludes the adoption of oppressive methods for the suppression of anti-social elements. The basic goodness of human nature does not imply the absence of evil or sin. Mawardi was the chief qazi. Having been concerned with dealing with crime and punishment, he lays special emphasis on the adoption of oppressive methods. Since maintenance of law and order is the responsibility of Imam, he considers him to be wholly responsible for breach of the people's peace.

To sum up the concept of vizarat in Mawardi and Nizamulmulk represent two basically different political situations. For that reason, whereas their actual concepts confirm to the universal idea of powerful vizarat as characteristic to monarchies. They differ in their approach. Nizamulmulk presents a pragmatic point of view, while at Mawardi has approached the problem from a jurist's standpoint.