Social Cohesion ('*Asabiyya*) and Justice in the Late Medieval Middle East

LINDA T. DARLING

University of Arizona

The historian Ibn Khaldun (d. 1405), in his *Muqaddimah* (Introduction to history), explained historical change and the succession of dynasties as a function of the interactions between nomadic culture and urban civilization. His major contribution is usually considered to be his analysis of the correlation between '*asabiyya*, social cohesion or group feeling, and political power. He argued that the strong group feeling of tribal peoples enabled them to conquer urbanized regions and build regimes and civilizations, but that these conquests were undone by the tribes' gradual loss of '*asabiyya* in the urban setting, leading to new conquests by tribal peoples still strong in desert cohesiveness. Although power was the basis of rulership and royal authority was established through military might, the glue that held societies together was '*asabiyya*, based on kinship and religion and stronger in tribal than in urban society. Conquerors with strong group feeling could create greater and longer-lasting empires because they fielded larger armies and retained their own cultural dynamism for a longer time, and thus were able to defeat their rivals. Conquerors whose social cohesion was weak were soon overcome by the civilization of the conquered and gave way to a new conquering group. Strong group cohesion would also allow royal authority to pass to a second branch of the ruling family if the first was weakened, perpetuating its dominion. The ruler and his army were supported by the wealth of conquest, and returned the people's taxes in the form of gifts and public works. They would be successful only so long as they remained just; as the rulers' level of luxury increased so

did their level of exploitation, and injustice soon produced division and "the ruin of civilization."[1]

From the seventeenth-century Ottoman Empire until today, scholars have categorized political formations in the Middle East by Ibn Khaldun's formula, but they have less often questioned its implications.[2] This paper will compare several regimes of the late medieval Muslim world that had differ- ent levels of *'asabiyya* in order to reassess *'asabiyya*'s role in historical change, especially its function in preserving administrative and state traditions of justice through changes of dynasty. This discussion is intended not so much to inves- tigate Ibn Khaldun's idea of *'asabiyya* as to use it to disaggregate late medieval Middle Eastern political regimes and to propose a hypothesis about the nature of their differences. The analysis is based on a comparison of how different Middle Eastern regimes adopted and put into practice the Near Eastern concept of state as embodied in the traditional formula of the Circle of Justice. Most regimes adhered to it verbally, but some were better able than others to make it work institutionally. If we relate that variation to their differ- ing levels of *'asabiyya* we find a positive correlation between a regime's social cohesion and its ability to provide a justice that satisfied a Middle Eastern moral economy.

The concept of moral economy, as developed by E. P. Thompson and James C. Scott, is that ordinary people have a kind of ethical calculus by which they evaluate their economic relations with the powerful. They typically exchange their labor for a basic right to subsistence, and this exchange provides a moral justification for the resistance, protest, or rebellion that appears when that minimum provision is violated.[3] Boaz Shoshan used this concept to explain bread riots in medieval Cairo; he proposed that such riots marked occasions of breakdown in the grain supply that the sultans did not remedy

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[1] Ibn Khaldun, *The Muqaddimah: An Introduction to History*, Franz Rosenthal, trans., 3 vols. (New York: Pantheon Books, 1958), 1: 284–87, 296, 313, 330–32, 340–41, 351–52; 2: 3, 5, 105, 139. For an influential discussion of Ibn Khaldun's ideas and methods see Marshall G. S. Hodgson, *The Venture of Islam: Conscience and Faith in a World Civilization*, 3 vols. (Chicago: University of Chicago Press, 1974), 2: 478–84. Aziz al-Azmeh argues that Ibn Khaldun meant his discussion of *'asabiyya* and civilization to apply to historiography rather than to history, that is, to the histories of states as written rather than to people's lived political experience, which is much messier than the straightforward process of change described in books of history; Aziz al-Azmeh, *Ibn Khaldûn: An Essay in Reinterpretation* (London: Frank Cass, 1982), 11–14. Most of Ibn Khaldun's readers, however, from Ottoman times until today, have taken his system as a model for analyzing their own and others' political experience, and it is with that use of his ideas, rather than with his possible intentions in writing them, that this paper is concerned.

[2] For a critique based on the dysfunctionality of group feeling see Ronald A. Messier, "Re-Thinking the Almoravids, Re-Thinking Ibn Khaldun," in, Julia Clancy-Smith, ed., *North Africa, Islam and the Mediterranean World: From the Almoravids to the Algerian War* (London: Frank Cass, 2001), 75.

[3] E. P. Thompson, "The Moral Economy of the English Crowd in the Eighteenth Century," *Past & Present* 50 (1971): 73–136; James C. Scott, *The Moral Economy of the Peasant: Rebellion and Subsistence in Southeast Asia* (New Haven: Yale University Press, 1976).

by opening their granaries or controlling grain dealers, millers, and bakers. When prices exceeded what was considered a "just" level, sultans, shopkeepers, and market inspectors became targets of popular violence. It was clear to Shoshan that "a moral economy of some sort appears to have been present among the people of Cairo, and to have provided them with a moral basis for action."[4] This moral economy made the ruler ultimately responsible for the prosperity of society. It provided criteria other than power on which rulers and regimes could be judged and thereby allowed ordinary people to evaluate their rulers' justice and make claims against it.

A Middle Eastern expression of such a moral economy can be found in the traditional formula known as the Circle of Justice: "There can be no royal authority without men, no men without money, no money without prosperity, and no prosperity without justice and good administration."[5] This saying, first quoted in the ninth century by Ibn Qutayba, encapsulated the governing traditions of the ancient Near East, developed over millennia in states with relatively centralized control over irrigation and taxation. In an agrarian economy, a justice that produced prosperity had to ensure peasant subsistence, support agricultural and marketing systems and infrastructures, and limit exploitation by the powerful. Good administration meant conducting proper tax assessment surveys, keeping accurate records of amounts due and amounts collected, making sure no tax collector or local landholder collected more than the amount assessed, and adjusting the assessment in cases of natural disaster or human abuse. Given pre-modern technologies of communication and transportation, the successful operation of this administrative system demanded substantial feedback from those subject to it in the form of petitions to the ruler that complained of instances of oppression or disaster that he was bound to address.

In *The Muqaddimah*, when Ibn Khaldun discussed those who had treated his ideas earlier, he quoted a version of the Circle of Justice attributed to Anushirvan, the Sasanian exemplar of the just ruler: "Royal authority exists through the army, the army through money, money through taxes, taxes through cultivation, cultivation through justice, justice through the improvement of officials, the improvement of officials through the forthrightness of viziers, and the whole thing in the first place through the ruler's personal supervision of his subjects' condition and his ability to educate them, so that he may

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[4] Boaz Shoshan, "Grain Riots and the 'Moral Economy': Cairo, 1350–1517," *Journal of Interdisciplinary History* 10 (1980): 462.

[5] Abu Muhammad ʿAbdallah b. Muslim b. Qutayba, *Kitāb ʿuyūn al-akhbār*, 10 parts in 4 vols. (Cairo: Dār al-Kutub al-Misriyya, 1925–1930), 1: 9; passage translated by Bernard Lewis, in *Islam: From the Prophet Muhammad to the Capture of Constantinople*, 2 vols. (New York: Harper & Row, Harper Torchbooks, 1973), 1: 185. See also Josef Horovitz, "Ibn Quteiba's 'Uyun al-Akhbar," *Islamic Culture* 4 (1930): 193. The "b." in Arabic names stands for *ibn*, "son of."

rule them, and not they him."[6] He also quoted the Circle in its longer circular form, the "eight sentences" purportedly written by Aristotle for Alexander the Great on how to rule: "The world is a garden, the fence of which is the dynasty. The dynasty is an authority through which life is given to proper behavior. Proper behavior is a policy directed by the ruler. The ruler is an institution supported by the soldiers. The soldiers are helpers who are maintained by money. Money is sustenance brought together by the subjects. The subjects are servants who are protected by justice. Justice is something familiar/harmonious, and through it the world persists. The world is a garden...—and then it begins again from the beginning."

Ibn Khaldun included still another version of this concept in the story of Bahram and the owls, a cautionary tale in which Bahram, the king of Persia, passed by a ruined village where two owls were hooting. Asking his vizier what they were saying, the king learned that the two owls were to be married, and that the female owl had demanded as a wedding present twenty ruined villages like that one. The male owl responded that if the king continued in his unjust ways, he would easily be able to give her a thousand ruined villages. The Circle of Justice appeared in the vizier's advice to the king on how to amend his behavior. In Ibn Khaldun's view, the Circle of Justice summarized the role of kingship in the maintenance of civilization and prosperity and formed the basis of his "science of civilization": "When our discussion in the section on royal authority and dynasties has been studied and due critical attention given to it, it will be found to constitute an exhaustive, very clear, fully substantiated interpretation and detailed exposition of these sentences."[7]

Ibn Khaldun's correlation between the social cohesion of conquerors and their conquering power has been observed in the histories of various Middle Eastern regimes of the medieval period.[8] What has not been examined is the relationship between their social cohesion and the resilience and durability of the civilizations they created. We can divide medieval regimes into those with high 'asabiyya and those with low 'asabiyya. Prominent regimes with high 'asabiyya in Ibn Khaldun's terms were the Seljuks (1055–1194 outside Anatolia, 1071–1243 in Anatolia), the Mongols or Ilkhanids (1258–1335), and the Timurids (1370–1506), three assemblages of tribal peoples following leaders of great charismatic power. Lower levels of 'asabiyya could be expected among the Ghaznavids (999–1186), the Delhi Sultanate

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[6] This and the other quotations in this paragraph are found in Ibn Khaldun, *The Muqaddimah*, 1: 81–82; and Ibn Khaldūn, *Kitāb al-'ibār* (Cairo: al-Matbaʿa al-Misriyya bi-Būlāq, 1867), 1: 32–33.

[7] Ibn Khaldun, *The Muqaddimah*, 1: 78–79.

[8] For the thoughts of the Ottomans on this matter see Cornell Fleischer, "Royal Authority, Dynastic Cyclism and 'Ibn Khaldûnism' in Sixteenth-Century Ottoman Letters," *Journal of Asian and African Studies* 18 (1983): 200. The Ottomans were slow to become acquainted with Ibn Khaldun, but they were very familiar with the genre of advice literature on which he drew, and they knew the Circle of Justice.

(1206–1526), and the Mamluks (1250–1517), three dynasties of slave soldiers divorced from their tribal backgrounds and brought to the Middle East and India as individuals. Contrary to expectation, the high-'*asabiyya* regimes were not more resistant to conquest than those of low '*asabiyya*. The Seljuks outside Anatolia endured at most only 154 years, the Ilkhanids 77, and the Timurids 120; while the Ghaznavids survived 189 years, the Delhi Sultanate 349 (admittedly with several dynastic changes), and the Mamluks 267 (with one "dynastic" change). Ibn Khaldun explained the endurance of regimes low in '*asabiyya* by saying that once a dynasty had been strongly established, obedience to it became a habit that could be perpetuated beyond the dynasty's loss of social cohesion.[9] The histories of these dynasties show, however, that the regimes with greater social cohesion were better able to construct administrative systems that satisfied the popular moral economy encapsulated in the Circle of Justice, and that those systems endured after the passing of the dynasties that built them. These regimes or their individual rulers may have been no more just in practice than others (that would, in any case, be impossible to assess), but people felt them to be just, they developed reputations for justice, and the systems of justice they created did not die with their regimes but became part of their heritage to later regimes. The low-'*asabiyya* regimes, on the other hand, left no such reputations and no such heritage.

HIGH-'*ASABIYYA* REGIMES

The Seljuk, Ilkhanid, and Timurid regimes were all tribal powers following strong charismatic leaders and tied together by bonds of kinship, culture, and common goals. They depended on members of the conquered peoples for administrative expertise and cultural leadership. Although these regimes were relatively short-lived, their institutions of justice and good administration became models for others, building on each other and built upon by their successors. These dynasties shared a common set of sources on justice, as well as similar methods of implementation.

The Seljuks

The Seljuk dynasty consisted of a conquering group of tribal nomads, advised by officials recruited from the conquered people for their literacy and administrative experience. These officials taught their tribal masters the traditions of settled urban governance and created a literature of political advice that guided and inspired subsequent generations. The most famous works were the "mirrors for princes" of the vizier Nizam al-Mulk and the teacher and theologian al-Ghazali, works of political advice that summarized and relayed

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[9] Ibn Khaldun, *The Muqaddimah*, 1: 314, 318–19. Regarding the greater endurance of high-'*asabiyya* regimes, see al-Azmeh, 78.

the Islamic and ancient Near Eastern traditions of state.[10] Added to these should be the widely imitated romances of the poet Nizami contained in his *Khamsa* (Five tales). The Circle of Justice and its demands were recalled by his tale of Alexander the Great, to whose advisor Aristotle the eight-line version was attributed, and it formed an important theme in the romances of Khusrau and Shirin, Vis and Ramin, and the Seven Beauties. The justice of the Circle was also the point of several anecdotes in the fifth section of the *Khamsa*, "The Treasury of Mysteries" including tales about the tyrannical king and the truthful man, Sultan Sanjar and the old woman wrongly accused, and Anushirvan and his vizier, a reworking of the story of Bahram and the owls.[11]

These three works can stand for three routes by which the Circle of Justice and its conceptualization of the moral economy were transmitted to the Seljuks and their successors. Nizami represents the avenue of heroic and courtly literature and poetry whose greatest exponent was Firdawsi. Firdawsi's epic poem, the *Shāhnāma* (Book of kings), retold the story of the pre-Islamic Persian kings and made the Circle of Justice a civilizational theme, repeated in enthronement speeches and used to evaluate the behavior of monarchs. The *Shāhnāma* was begun under the Samanids (875–999), who sponsored the growth of an Islamicate Persian literature, and was completed under the Ghaznavids, who notoriously did not value the poem as they should have.[12] Nizami reworked the *Shāhnāma*'s story of Alexander the Great to make him not so much a warrior-hero as an ethical and spiritual seeker, like the heroes of his other tales. Still, this story carried associations with the advice of Aristotle encapsulated in the Circle of Justice. Other courtly works from the Seljuk period were the histories of Nishapuri and Ravandi, which retold the lives of the Seljuk sultans and judged them on their adherence to the Circle; Ravandi showed how sultanic

[10] Nizam al-Mulk, *The Book of Government or Rules for Kings: The Siyār al-Mulūk or Siyāsat-nāma*, Hubert Darke, trans., 2d ed. (London: Routledge and Kegan Paul, 1978); Abu Hamid Muhammad al-Ghazali, *Ghazālī's Book of Counsel for Kings (Nasīhat al-Mulūk)*, F.R.C. Bagley, trans. (London: Oxford University Press, 1971).

[11] Nizami Ganjavi, *Kullīyāt-i Khamsih-i Hakīm Nizāmī Ganjavī* (Tehran: 'Alī Akbar 'Ilmī, 1331/1952). No single translation into English exists; see A. J. Arberry, *Classical Persian Literature* (New York: Macmillan, 1958), 126; Julie Scott Meisami, "Kings and Lovers: Ethical Dimensions of Medieval Persian Romance," *Edebiyat* 1 (1987): 3–7; Nizami Ganjavi, *The Haft Paykar: A Medieval Persian Romance*, Julie Scott Meisami, trans. (Oxford: Oxford University Press, 1995); Ehsan Yarshater, ed., *Persian Literature* (n.p.: Bibliotheca Persica, 1988), 168, 182–83; Nizami Ganjavi, *Makhzanol Asrār, The Treasury of Mysteries*, Gholam Hosein Darab, trans. (London: Arthur Probsthain, 1945), 217–19, 167–69, and 157–60, respectively. For a partial translation of the last story see also Edward G. Browne, *A Literary History of Persia*, 4 vols. (Cambridge: Cambridge University Press, 1951), 2: 404.

[12] Firdawsi, *The Epic of the Kings: Shah-nama, the National Epic of Persia*, Reuben Levy, trans. (London: Routledge and Kegan Paul, 1967). For the story of Mahmud of Ghazna's paltry reward to Firdawsi, and Firdawsi's scornful rejection of it, see Browne, 2: 132–39.

justice brought prosperity and population growth, and Nishapuri how the later sultans' failure to care for their flock led to the dynasty's fall.[13]

Nizam al-Mulk's *Siyāsatnāma* (Book of government) can stand for bureaucratic writing as a whole. Nizam al-Mulk did not actually quote the Circle of Justice as such, but its concepts imbued the whole work, as in this description of the vizier: "When the *vazir* is of good character and sound judgment, the kingdom is prosperous, the army and peasantry are contented, peaceful, and well supplied, and the king is free from anxiety."[14] The government documents of the Seljuks have perished, but we know that their administrators kept extensive records and wrote secretarial handbooks, a few of which have come down to us.[15] The viziers and secretaries developed the administrative tools that enforced the moral economy of the Circle of Justice: land and revenue surveys to allocate taxes fairly; registers specifying limits on exploitation through the *iqtāʿ* system (the system of military compensation through grants of rights to revenue collection on the land); and the petition process and the *mazālim* courts, sultanic courts for the redress of grievances, where even the humblest peasant could request the ruler's intervention when those limits were transgressed. Viziers and secretaries were also responsible for much of the literature of advice to kings, which quoted the Circle of Justice in its instructions on how to rule. Nizam al-Mulk's advice book is the most famous, but others written under the Seljuks included Kirmani's *ʿIqd al-ūlā lil-mawqif al-aʿlā* (The first string of pearls for the highest station), *Hadāyiq al-siyar* (Gardens of virtues) by the royal secretary Yahya b. Saʿad, and *Latāʾif al-hikma* (The subtleties of wisdom).[16]

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[13] Muhammed b. ʿAli b. Süleyman Ravandi, *Rahat-üs-Sudur ve Ayet-üs-Sürur*, Ahmed Ateş, trans., 2 vols. (Ankara: Türk Tarih Kurumu Basımevi, 1957–1960); Zahir al-Din Nishapuri, *The History of the Seljuq Turks, from* The Jāmiʿ al-Tawārīkh*: An Ilkhanid Adaption of the Saljūq-nāma*, Kenneth Allin Luther, trans., C. Edmund Bosworth, ed. (Richmond, Surrey, U.K.: Curzon Press, 2001), 1.

[14] Nizam al-Mulk, 23.

[15] Secretarial handbooks are described in Mehmed Fuad Köprülü, *The Seljuks of Anatolia: Their History and Culture According to Local Muslim Sources*, Gary Leiser, ed. and trans. (Salt Lake City: University of Utah Press, 1992), 32–37; and Jürgen Paul, "*Inshāʾ* Collections as a Source on Iranian History," in, Bert G. Fragner et al., eds., *Proceedings of the Second European Conference of Iranian Studies* (Rome: Istituto Italiano per il Medio ed Estremo Oriente, 1995), 535–50.

[16] Afdal al-Din Abu Hamid Ahmad b. Hamid Kirmani, *Kitāb ʿiqd al-ūlā lil-mawqif al-aʿlā*, ʿAli Muhammad ʿAmiri Naʾinī, ed. (Tehran: Matbaʿ al-Majlis, 1932); Said Amir Arjomand, "Medieval Persianate Political Ethic," *Studies on Persianate Societies* 1 (2003): 15; Ann K. S. Lambton, "Changing Concepts of Justice and Injustice from the 5th/11th Century to the 8th/14th Century in Persia: The Saljuq Empire and the Ilkhanate," *Studia Islamica* 68 (1988): 38; *eadem*, "Islamic Mirrors for Princes," in *La Persia nel medioevo: Atti del Convegno internazionale, Rome, 1970* (Rome: Accademia Nazionale dei Lincei, 1971), 436–38; Charles-Henri de Fouchécour, *Moralia: Les notions morales dans la littérature persane du 3e/9e au 7e/13e siècle* (Paris: Éditions Recherche sur les Civilisations, 1986), 433; Ann K. S. Lambton, "Reflections on the Role of Agriculture in Medieval Persia," in, Abraham L. Udovitch, ed., *The Islamic Middle East, 700–1900: Studies in Economic and Social History* (Princeton: Darwin Press, 1981), 297; C.-H. de Fouchécour, "*Hadāyeq al-Siyar*, un Miroir des Princes de la cour de Qonya au VIIe-XIIIe siècle,"

The third line of transmission, and perhaps the most underestimated, was the ulema, the masters of religious sciences, represented here by al-Ghazali. The Seljuk ulema effected a rapprochement between Islamic political doctrine, derived from the Qur'an and early Muslim communal history, and Near Eastern concepts of state, of pre-Islamic origin, which had earlier been seen as conflicting. Near Eastern political and governing concepts were so well ingrained in Middle Eastern society that they had been only briefly eclipsed after the Arab/Islamic conquest; literary and administrative sources from the end of the first Islamic century indicate that Muslim rulers and conquered peoples were already employing them then, despite the ulema's disapproval.[17] After four centuries of protest and avoidance in the name of Prophetic tradition, most of the ulema became reconciled to this combination of traditions and began to incorporate the Circle of Justice into their own writings. This assimilation is most obvious in al-Mawardi's *al-Ahkām al-sultāniyya* (The ordinances of government), which became the definitive work on caliphal governance.[18] Al-Mawardi modeled the caliph's qualifications on the Qur'an and Muslim history, but for the caliph's responsibilities he drew on aspects of the Circle of Justice.

Al-Ghazali himself quoted the Circle of Justice in the second part of his *Nasīhat al-mulūk* (Counsel for kings). He attributed it to "the sages," who were supposed to have said, "The Religion depends on the monarchy, the monarchy on the army, the army on suppliers, suppliers on prosperity, and prosperity on justice."[19] The first part of the *Nasīhat al-mulūk* drew on the Qur'anic tradition, the second on that of the Near Eastern state. It has been suggested that al-Ghazali did not write the second section (dedicated to Sultan Muhammad b. Malikshah), since it differs so strongly from the first (dedicated to Sultan Sanjar), which expresses views a member of the ulema might be

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Studia Iranica 1 (1972): 219–28; *Latā'if al-Hikma* (Tehran: Intishārāt-i Bunyad-i Farhang-i Īrān, 1972). On the disputed authorship of this last work see Mikail Bayram, *Ahi Evren ve Ahi Teşkilatı'nın Kuruluşu* (Konya: Bil-Tez, 1991), 88.

[17] See Mario Grignaschi, "Les 'Rasā'il 'Āristātālīsa 'ilā-l-Iskandar' de Sālim Abū-l-'Alā' et l'activité culturelle à l'époque omayyade," *Bulletin d'Études Orientales* 19 (1965–1966): 7–83; Fred M. Donner, "The Formation of the Islamic State," *Journal of the American Oriental Society* 106 (1980): 283–98.

[18] Abu al-Hasan 'Ali b. Muhammad al-Mawardi, *al-Ahkām al-sultāniyya*, translated by Wafaa H. Wahba as *The Ordinances of Government* (Reading, Eng.: Garnet Publishing Ltd., 1996), 16. Neither Ann K. S. Lambton, in *State and Government in Medieval Islam, An Introduction to the Study of Islamic Political Theory: The Jurists* (Oxford: Oxford University Press, 1981), nor Patricia Crone, in *God's Rule, Government and Islam: Six Centuries of Medieval Islamic Political Thought* (New York: Columbia University Press, 2004) does justice, in my opinion, to this aspect of the ulema's contribution to political thought.

[19] Al-Ghazali, *Ghazālī's Book of Counsel for Kings*, 56.

expected to hold.[20] However, al-Ghazali authored several books on politics and ethics, each in a different literary tradition and employing a different vocabulary and set of concepts. It is quite possible that he wrote two advice works in different styles for different princes and that posterity has combined them into a single book. In works on the caliphate, he used al-Mawardi's description of caliphal duties in terms of the Circle of Justice, and his book on Sufism, *Mīzān al-aʿmal* (The balance of deeds), spoke of justice in philosophical terms and employed the Circle of Justice as an analogy for the justice of the soul.[21] That most readers of the *Nasīhat al-mulūk* have regarded it as a single whole shows how successfully ideas of different origins were integrated into a single political conception. The same assimilation of traditions can be seen in the works of other ulema of the Seljuk period, such as Imam al-Haramayn al-Juvayni, al-Turtushi, al-Nasafi, and the anonymous author of *Bahr al-favāʾid* (The sea of precious virtues). Other men of religion, such as the wandering ascetic and spy al-Harawi and the Sufi mystics ʿAttar and Najm al-Din Razi, also worked the concepts of the Circle of Justice into their texts.[22]

Although the Seljuks were Turkish tribal warriors from Central Asia, soon after the conquest they abandoned tribal organization and adopted Islamic imperial governance. On conquering Nishapur in 1038 they set up a sedentary state, appointed officials, and presided over a *mazālim* court.[23] They quickly replaced their Turkish tribal forces with a standing army paid through the *iqtāʿ* system, and in its administration they employed a complex system of record-keeping and scribal practice. The *mazālim* court became a potent

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[20] Patricia Crone, "Did al-Ghazālī Write a Mirror for Princes? On the Authorship of *Nasīhat al-Mulūk*," *Jerusalem Studies in Arabic and Islam* 10 (1987): 167–91.

[21] Al-Ghazali, *Fadāʾih al-bātiniyya wa-fadāʾil al-mustazhiriyya*, cited in Mustapha Hoğğa, *Orthodoxie, subversion, et réforme en Islam: Gazālī et les Seljuqides* (Paris: Librairie Philosophique J. Vrin, 1993), 70; Ann K. S. Lambton, "Concepts of Authority in Persia: Eleventh to Nineteenth Centuries A.D.," *Iran* 26 (1988): 97; al-Ghazali, *Critère de l'action (Mīzān al-aʿmal)*, Hikmat Hachem, trans. (Paris: G.-P. Maisonneuve, 1945), 62.

[22] Wael B. Hallaq, "Caliphs, Jurists and the Saljūqs in the Political Thought of Juwayni," *Muslim World* 74 (1984): 26–41; Muhammad b. al-Walid al-Turtushi, *Flambeau of Kings (Sirāj al-Mulūk)*, Jaafar al-Bayati, ed. (London: Riad El-Rayyes Books, 1990), Bernard Lewis, trans., *Islam* 2: 134; Anonymous, *The Sea of Precious Virtues (Bahr al-Favāʾid): A Medieval Islamic Mirror for Princes*, Julie Scott Meisami, trans. (Salt Lake City: University of Utah Press, 1991), 295; Duncan Black Macdonald, *The Development of Muslim Theology, Jurisprudence and Constitutional Theory* (1903; repr. Lahore: Premier Book House, 1972), 321; Janine Sourdel-Thomine, "Les conseils du Šayh al-Harawī à un prince ayyubide," *Bulletin d'Études Orientales* 17 (1961–1962): 205–66; Farid al-Din ʿAttar, *Pend-Nameh, ou, Le livre des conseils*, Silvestre de Sacy, trans. (Paris: Imprimerie Royale, 1819), 31; Najm al-Din Razi, *The Path of God's Bondsmen from Origin to Return*, Hamid Algar, trans. (Delmar, N.Y.: Caravan Books, 1982), 413.

[23] Khwandamir, "Histoire des Seldjoukides, Extraite de l'ouvrage intitulé *Khélassat-oul-akhbar*, et traduite du persan de Khondémir," Julien Dumoret, trans., *Journal asiatique*, ser. 2, vol. 13 (1834): 242; C. E. Bosworth, *The Ghaznavids: Their Empire in Afghanistan and Eastern Iran, 944–1040*, 2d ed. (Beirut: Librairie du Liban, 1973), 256.

symbol of sovereignty as well as a tool of governance; Seljuk sultans sat in *mazālim* in person and conferred decision-making power on officials and judges. Just as the ulema were agents of assimilation in the realm of ideas, they also became the sultan's deputies in administration. The alienation of tribal warriors from their sedentarized leaders contributed to ending the Seljuk regime, as shown by the fates of Sultan Sanjar and the Seljuks of Anatolia.[24] The failure of the Seljuks, however, did not result merely from the loss of social cohesion due to the "corruptions" of civilization, as Ibn Khaldun's theory posited. The Turkic tribal system of granting rule to all the scions of the royal house had already broken the empire into several smaller kingdoms, which left it vulnerable to conquest and internal overthrow. Assimilating Near Eastern traditions of state enabled the Seljuks to govern an agrarian society in accord with its customs and values but did not provide sufficient cohesion to keep them united, given the Turkic system of divided rule.

The ability of the Seljuks' system of justice to satisfy the contemporary moral economy despite their internal divisions is demonstrated by the fact that people considered its perpetuation to legitimate the regimes of their successors in Syria and Egypt, the Zangids and Ayyubids. In Syria, Nur al-Din Zangi felt the need to build a "House of Justice" in Damascus outside the citadel and to sit in *mazālim* twice a week.[25] Egypt already had a strong tradition of justice through petitioning, described in the secretarial handbook of Ibn al-Sayrafi, but with the establishment of the Ayyubid regime, Salah al-Din b. Ayyub (the famous Saladin) gave particular attention to imitating Seljuk practices of justice:

Every Monday and Thursday he sat in public to administer justice, and on these occasions jurisconsults, kâdis, and men learned in the law were present. Every one who had a grievance was admitted—great and small, aged women and feeble men. He sat thus, not only when he was in the city, but even when he was travelling; and he always received with his own hand the petitions that were presented to him, and did his utmost to put an end to every form of oppression that was reported. Every day, either during the daytime or in the night, he spent an hour with his secretary, and wrote on each petition, in the terms which God suggested to him, an answer to its prayer.[26]

[24] See İsenbike Togan, *Flexibility and Limitation in Steppe Formations* (Leiden: E. J. Brill, 1998), 36; and A. Yaşar Ocak, *La révolte de Baba Resul ou la formation de l'hétérodoxie musulmane en Anatolie au XIIIe siècle* (Ankara: Türk Tarih Kurumu, 1989), 59, 72–74, 136.

[25] Nikita Elisséeff, "Les monuments de Nūr ad-Dīn," *Bulletin d'Études Orientales* 13 (1949–1951): 5–43.

[26] Baha al-Din b. Shaddad, *The Life of Saladin, by Behâ ed-Dîn*, C. W. Wilson and Lieutenant-Colonel Conder, trans. (London: Palestine Exploration Fund, 1897; repr. as *Saladin, or, What Befell Sultan Yûsuf*, Lahore: Islamic Book Service 1976), 15. For Ibn al-Sayrafi see Henri Massé, "Ibn el-Çaïrafi, Code de la chancellerie d'état (Période fâtimide)," *Bulletin de l'Institut Français d'Archéologie du Caire* 11 (1914): 65–120.

The Ilkhanids

Between 1218 and 1258, the Seljuk realms and successor states were con-
quered one by one by the Mongols, who established the Ilkhanid regime
(1258–1335). Although the Mongols had perhaps the highest level of
'asabiyya of any conquering group, they paradoxically had the shortest reign.
By the time they founded the Ilkhanid state, they had already begun to adopt
sedentary governing patterns from China and Central Asia. Realizing their
dependence on agrarian revenue and urban commerce, they recruited capable
administrators from the Near Eastern tradition, such as Mahmud Yalavach,
al-Tusi, and the Juvayni brothers, who added Chinese and steppe influences
to the Seljuk heritage.[27] Many of the Ilkhanid bureaucrats were trained by
scribes from the late Seljuk era; some even belonged to old scribal families
stretching back to the ninth and tenth centuries.[28] The scribes recopied
Seljuk administrative manuals and wrote new ones. Ilkhanid rulers and officials
acted out agrarian notions of providing justice by repairing and extending irri-
gation systems and conducting new and better revenue surveys.[29]

   The first decades of Mongol rule in the Middle East were riven by factional
strife, which sometimes impacted on top-level bureaucrats, including the
Juvaynis, Sa'd al-Dawla, and Rashid al-Din. Their administrative successes,
however, allowed the scribal forces to mastermind the Ilkhanid reconstruction
process; Rashid al-Din inspired Ghazan Khan's reforms (and probably wrote
the orders for them), and his son Ghiyath al-Din directed Uljaytu's and Abu
Sa'id's improvements. These measures, contemporaries felt, restored the
region's prosperity to what it had been before the destruction of the conquests,
and they gave the dynasty a Middle Eastern form of legitimation by good
administration to add to the steppe legitimacy conferred by descent from
Genghis Khan.[30] After the Ilkhans' conversion to Islam, the ulema could
serve in government, and they presided over a dual judicial system of

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[27] David O. Morgan, "Mongol or Persian: The Government of Ilkhānid Iran," *Harvard Middle Eastern and Islamic Review* 3 (1996): 62–76.

[28] Cf. Michael Chamberlain, *Knowledge and Social Practice in Medieval Damascus, 1190–1350* (Cambridge: Cambridge University Press, 1994), 38–39; the lack of a scribal caste tradition which Chamberlain found for Damascus does not hold true for Baghdad and the eastern capitals, or even for Cairo.

[29] Jean Aubin, "Réseau pastoral et réseau caravanier: les grand'routes du Khurassan à l'époque mongole," in *Le monde iranien et l'Islam*, 4 vols. (Geneva: Librairie Droz, 1971), 1: 126–27; Thomas T. Allsen, *Mongol Imperialism: The Policies of the Grand Qan Möngke in China, Russia, and the Islamic Lands, 1251–1259* (Berkeley: University of California Press, 1987), 82, 101, 130.

[30] Lambton, "Reflections on the Role of Agriculture," 303; Sir Harold Bailey, Peter W. Avery, et al., eds., *The Cambridge History of Iran*, 7 vols. (Cambridge: Cambridge University Press, 1968–1991), 5: 495.

Islamic courts and *mazālim* courts. The latter were intended to harmonize Islamic law with Mongol *yasa*, the law of Genghis Khan.[31] Ghazan Khan justified ruler's law, issued in the Mongol tradition, with both Qur'anic quotations and references to Near Eastern concepts of justice. For example, an edict on property deeds began: "Let it be known . . . that according to the word of David 'we have appointed you our lieutenant upon earth. Judge between men with equity,' and according to the sentence of the Prophet 'An hour of justice is worth more than seventy years of prayer.' We exert all our care to secure the well-being of our people, and desire that the shadow of our justice may be generally spread everywhere, so that the powerful may not be able to oppress the feeble, that right may not be undone by wrong."[32]

The ideology of justice was even more fully embodied in Ilkhanid literature and art. The Ilkhanids sponsored the invention of Persian miniatures, which illustrated the works of Firdawsi and Nizami and provided visual icons of royal justice. Repeated illustration of the stories of Alexander, Anushirvan and the ruined village, and Sultan Sanjar and the old woman secured a place at the heart of Persian miniature painting for the Near Eastern concept of justice. Many illustrations depicted the adventures of Alexander the Great as related in the *Shāhnāma*. Alexander, a foreigner and world-conqueror who became a legitimate Iranian monarch, was an appropriate parallel for the Mongols themselves, and this parallel was highlighted by paintings of Alexander in which he resembled Ghazan and his successors.[33] The image of the powerful and just ruler, a subordinate theme in the decoration of Seljuk ceramics and metalwork, became more significant in Ilkhanid arts. In literature, the histories of Juvayni and Rashid al-Din

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[31] Rashid al-Din, *Jami'u't-Tawarikh: Compendium of Chronicles*, W. M. Thackston, trans. (Cambridge: Harvard University Department of Near Eastern Languages and Civilizations, 1998–1999), 3: 683, 689–90; Ann K. S. Lambton, "Quis Custodiet Custodes: Some Reflections on the Persian Theory of Government, I," *Studia Islamica* 5 (1956): 144–45; *eadem*, *Continuity and Change in Medieval Persia: Aspects of Administrative, Economic and Social History, 11th–14th Century* (Albany, N.Y.: Persian Heritage Foundation, 1988), 90–96. The most recent work on Genghis Khan's *yasa* is Denise Aigle, "Le grand *jasaq* de Gengis-khan, l'empire, la culture mongole et la *shari'a*," *Journal of the Economic and Social History of the Orient* 47 (2004): 31–79; see esp. p. 62.

[32] Quoted in Henry H. Howorth, *History of the Mongols, from the 9th to the 19th Century*, 4 vols. (London: Longmans, Green, and Co., 1888), 3: 523.

[33] Oleg Grabar and Sheila Blair, *Epic Images and Contemporary History: The Illustrations of the Great Mongol Shahnama* (Chicago: University of Chicago Press, 1980), 19, 53; Robert Hillenbrand, "The Iskandar Cycle in the Great Mongol *Šahnama*," in, M. Bridges and J. Ch. Bürgel, eds., *The Problematics of Power: Eastern and Western Representations of Alexander the Great* (Bern: Peter Lang, 1996), 208, 212; Abolala Soudavar, "The Saga of Abu-Sa'id Bahador Khan," in, Julian Raby and Teresa Fitzherbert, eds., *The Court of the Il-khans, 1290–1340* (Oxford: Oxford University Press, 1996), 125, 133, 144, 158.

and the poems of Sa'di also reiterated Near Eastern traditions of rule and the Circle of Justice.[34]

References to the *Shāhnāma* were ubiquitous in Ilkhanid culture. Besides being copied and illustrated in book form, the poem decorated Ilkhanid palaces and tents in the form of quotations on tile friezes and images on metalwork and ceramics, constantly reminding Mongol rulers of the ideals of the civilization into which they were being integrated.[35] This was nowhere more apparent than in the Ilkhan Abaqa's palace called "Solomon's Throne," which was built over a Zoroastrian fire temple in Azerbaijan thought to be the coronation site of the Sasanian kings. Decorated with imagery and inscriptions from the *Shāhnāma* and built around a spring-fed lake, this palace recalled Alexander's quest for the Fountain of Life. This quest in turn was a well-known metaphor for the Sufis' mystical quest for God, and it linked the palace with the Islamic heritage and its use of the universal heroic past as an image for the universality of faith.[36] In non-verbal form, this iconography proclaimed Mongol incorporation into the Near Eastern tradition of state through Alexander the Great and mystical Islam.

The Timurids

The next two centuries saw violent struggles over who were the true Ilkhanid heirs, but these political changes did not involve cultural discontinuity. The steppe heritage legitimated numerous post-Mongol dynasties, including the Jalayirids, the Crimean Tatars, the Karakoyunlu, the Akkoyunlu, and the Timurids. Bureaucratic families and practices supplied structural continuity through all the period's wars, dynastic changes, and factional struggles. Testimony to the continuation of Ilkhanid administrative methods lies in three fourteenth-century secretarial handbooks, early copies of which still survive in Anatolian libraries.[37] Not only were they employed by the Ilkhanids'

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[34] 'Ala al-Din 'Ata-Malik Juvayni, *The History of the World-Conqueror*, John Andrew Boyle, trans, 2 vols. (Cambridge: Harvard University Press, 1958; repr. as *Genghis Khan: The History of the World-Conqueror* (Manchester: Manchester University Press, and Seattle: University of Washington Press, 1997); Rashid al-Din, *Jami'u't-Tawarikh;* Sa'di, *Morals Pointed and Tales Adorned: The Būstān of Sa'dī*, G. M. Wickens, trans. (Toronto: University of Toronto Press, 1974). The Circle of Justice is most clearly articulated in the letters of Rashid al-Din; see Rashid al-Din, *Mukātabāt-i Rashīdī*, Muhammad Shafi', ed. (Lahore: Kulliat-i Panjāb, 1945). Morton has called these letters a forgery of the Timurid period, but that simply transfers the attribution of this articulation of the Circle of Justice to the Timurids; see A. H. Morton, "The Letters of Rashīd al-Dīn: Ilkhanid Fact or Timurid Fiction?," in, Reuven Amitai-Preiss and David O. Morgan, eds., *The Mongol Empire and Its Legacy* (Leiden: E. J. Brill, 1999), 155–99.

[35] Assadullah Souren Melikian-Chirvani, "Conscience du passé et résistance culturelle dans l'Iran mongol," in, Denise Aigle, ed., *L'Iran face à la domination mongole* (Tehran: Institut Français de Recherche en Iran, 1997), 168.

[36] Assadullah Souren Melikian-Chirvani, "Le *Shāh-nāme*, la gnose soufie et le pouvoir mongol," *Journal asiatique* 272 (1984): 256–57.

[37] On these handbooks, see Philip Remler, "New Light on Economic History from Ilkhanid Accounting Manuals," *Iranian Studies* 13 (1980): 162–63; Oktay Güvemli, *Türk Devletleri*

immediate successors but, revised and recopied, they formed the basis for the administrative organization of the Ottoman Empire. Whatever the Mongols' reputation as conquerors and tyrants, the Ottomans found them an example of good administration. Because space forbids the examination of all the Ilkhanid successor states, this paper focuses on the Timurids, who developed the Ilkhanid literary and artistic tradition most spectacularly, transmitting the concepts of the Circle of Justice through the historians Dawlatshah and Mir Khwand, the poets Jami and Nava'i, the ethicists Husayn Va'iz Kashifi and Fazlullah b. Ruzbihan, and the painters and calligraphers who copied and illustrated the literary classics.[38]

Timur swept through the Middle East from Central Asia in the late fourteenth century, founding his own Timurid dynasty. His Chagatai Mongol followers retained nomadic customs until the conquest of Iran brought them into the Islamicate cultural sphere. Despite ruling a Turco-Mongol state, Timur was not descended from Genghis Khan; he therefore sought a legitimacy that was not based on genealogy.[39] He imitated the Ilkhanids in building and decorating his capital city, conveying craftsmen and artists from conquered cities to Samarqand and initiating an architectural monument still breathtaking in its beauty. Later in life he sponsored cultural development, for which he commissioned copies of great historical manuscripts and new histories on the model of Rashid al-Din's Ilkhanid history. He spurred investigations of oppression in the provinces, and it was reported that a wealthy widow could travel in safety across the whole empire unaccompanied by armed guards. Nevertheless, his ideology of justice was articulated only in a book of disputed authenticity.[40]

Muhasebe Tarihi: Osmanlı İmparatorluğu'na Kadar, vol. 1 (Istanbul: Muhasebe Öğretim Üyeleri Bilim ve Dayanışma Vakfı, n.d. [c. 1995]), 222–336.

[38] Browne, vol. 3; Mir Dawlatshah Samarqandi, "Tadhkirat al-Shu'arā," in *A Century of Princes: Sources on Timurid History and Art*, W. M. Thackston, trans. (Cambridge: Aga Khan Program for Islamic Architecture, 1989), 11–62; Ann K. S. Lambton, "Changing Concepts of Authority in the Late Ninth–Fifteenth and Early Tenth–Sixteenth Centuries," in, Alexander S. Cudsi, and Ali E. Hillal Dessouki, eds., *Islam and Power* (London: Croom Helm, 1981), 65, 70, n. 8; Husayn Va'iz Kashifi, *Akhlāq-i Muhsinī* (Lucknow: Matbaa-yi Tij Kumar, 1957), 34; Maria E. Subtelny, *Le monde est un jardin: Aspects de l'histoire culturelle de l'Iran médiéval* (Paris: Association pour l'Avancement des Études Iraniennes, 2002); Ann K. S. Lambton, "Justice in the Medieval Persian Theory of Kingship," *Studia Islamica* 17 (1962): 91–119.

[39] Beatrice Forbes Manz, "Tamerlane and the Symbolism of Sovereignty," *Iranian Studies* 21 (1988): 105–22; *Cambridge History of Iran*, 6: 44, 83–91. For Timur's efforts to construct a legitimating genealogy, see John E. Woods, "Timur's Genealogy," in, Michel M. Mazzaoui and Vera B. Moreen, eds., *Intellectual Studies on Islam: Essays Written in Honor of Martin B. Dickson* (Salt Lake City: University of Utah Press, 1990), 85–125.

[40] Khwandamir, *Habību's-Siyar*, Tome Three: *The Reign of the Mongol and the Turk*, Wheeler M. Thackston, trans., 3 vols. (Cambridge: Harvard University Department of Near Eastern Languages and Civilizations, 1994), 1: 230, 288; Beatrice Forbes Manz, *The Rise and Rule of Tamerlane* (Cambridge: Cambridge University Press, 1989), 115–16; *Cambridge History of Iran*, 6: 96; 'Ali Yazdi, *Political and Military Institutes of Tamerlane*, Major Davy, trans. (Delhi: Idarah-i Adabiyat-i Delli, 1972), 131; cf. Arberry, *Classical Persian Literature*, 364.

Timur's descendants gave rise to conflicting reports about their ability to deliver justice. Shahrukh appointed his son Baysunghur to "sit every day in the divan and decide cases impartially and dispense justice to the oppressed," and it was on the pretext of offering a petition that an assassin got close enough to stab him. Shaykh-Abusa'id was just the opposite: he multiplied the taxes by ten, because of which "women, heads and feet bared, their hair blowing in the wind, ran to the divan and begged helplessly for justice." Meanwhile, Ulugh Beg enforced the traditions and laws of Genghis Khan rather than Perso-Islamic concepts of state.[41] Only the last Timurid ruler, Sultan-Husayn Bayqara, was consistently described—and described himself—in terms of the qualities of the Circle of Justice. It was reported that "the poor and peasants of Khurasan live in welfare and ease under the shadow of his protection," and that he expanded irrigation works and supported agriculture.[42] His policies were partially successful in "restoring justice, in improving the conditions of the populace, and in building up the land," but in the end they failed because of political opposition from nobles whose power and revenue were threatened, and this failure contributed to the breakup of the Timurid empire.[43]

Despite the Timurid rulers' problems with personal justice, however, the ideology of justice became a permanent part of the Timurid legacy. For instance, a late Timurid agricultural manual emphasized the dependence of political stability on agriculture and related that Anushirvan had seen that there was no uncultivated place in his realm, because a flourishing agriculture, made possible by justice and Islamic law, would increase the tax yield.[44] The courtly writer and preacher Husayn Va'iz Kashifi put the Circle of Justice in negative terms in his book of ethics: if the peasants were oppressed, the revenues of the sultan would decrease, along with his ability to provision his army; the army would then leave his service, and he would be defenseless against his enemies and the realm would be lost.[45] Timurid art became a primary means of transmission for these

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[41] Khwandamir, *Reign of the Mongol and the Turk*, 2: 307, 331; 386; 368–69.

[42] Dawlatshah, 61; Bernard O'Kane, *Timurid Architecture in Khurasan* (n.p.: Mazda Publishers, 1987), 5.

[43] Beatrice Forbes Manz, "Administration and the Delegation of Authority in Temür's Dominions," *Central Asiatic Journal* 20 (1976): 197, 202; *Cambridge History of Iran*, 6: 133–34; Maria Eva Subtelny, "Centralizing Reform and Its Opponents in the Late Timurid Period," *Iranian Studies* 21 (1988): 126, 135–39, 151.

[44] Maria E. Subtelny, "A Medieval Persian Agricultural Manual in Context: The *Irshād al-Zirā'a* in Late Timurid and Early Safavid Khorasan," *Studia Iranica* 22 (1993): 201–4; see also Subtelny, *Le monde est un jardin*.

[45] Husayn Va'iz Kāshifī, *Akhlāk-i Muhsinī, or The Morals of the Beneficent*, H. G. Keene, trans. (Hertford: Stephen Austin, 1850; repr. London: W. H. Allen, 1867), 42; cf. Kashifi, *Akhlāq-i Muhsinī*.

concepts. The full eight-part Circle of Justice entered the Timurid legacy through its illustration in an illuminated manuscript of the *Nasāyih-i Iskandar* (Counsels of Alexander, containing Aristotle's advice to Alexander).[46] Timurid art also represented the subjects' need for justice in daily life. Miniature painting portrayed "disappointed suitors, suppliants, beggars, and other unfortunates," and scenes of a petitioner before the sultan. Nizami's Alexander epic and the Treasury of Mysteries, as well as the complete *Khamsa*, neglected since the Seljuk era, were now frequently copied and illustrated.[47]

The Timurid tradition helped to legitimate the three great early modern Middle Eastern empires, the Ottomans (1299–1923), Safavids (1501–1722), and Mughals (1526–1857). The Mughal rulers were directly descended from a minor branch of the Timurid family and based their cultural and political traditions on that legacy. The biography of their greatest ruler, Akbar, conceptualized his reign as a dramatization of the Circle of Justice.[48] The Safavids were physically the heirs of the Akkoyunlu Türkmen dynasty, but their imperial culture was a continuation of late Timurid romanticism. Among its greatest products were the most spectacularly illustrated versions of the *Shāhnāma*, the *locus classicus* for concepts of royal authority and justice.[49] The Ottomans imported Timurid scholars and poets or their works to form the basis of a new imperial culture translated into Turkish. Their first history, Ahmedi's *Iskendernāme* (Book of Alexander), reworked Nizami's tale of Alexander the Great and evaluated the Ottoman rulers on the scales of justice.[50] All three empires continued to incorporate the ulema into state service and to assimilate Near Eastern into Qur'anic political traditions. The Ottomans also expanded the idea of mixed courts administering both ruler's law and Islamic law. All

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[46] Illustration and translation in Thomas W. Lentz and Glenn D. Lowry, *Timur and the Princely Vision: Persian Art and Culture in the Fifteenth Century* (Washington, D.C.: Smithsonian Institution Press, Arthur M. Sackler Gallery, and Los Angeles County Museum of Art, 1989), 12. This illumination was also used as the frontispiece for the second volume of Rosenthal's translation of Ibn Khaldun's *The Muqaddimah*.

[47] Robert Hillenbrand, "The Uses of Space in Timurid Painting," in, Lisa Golombek and Maria Subtelny, eds., *Timurid Art and Culture: Iran and Central Asia in the Fifteenth Century* (Leiden: E. J. Brill, 1992), 92–95; *Cambridge History of Iran*, 6: 845–67; B. W. Robinson, *Fifteenth-Century Persian Painting: Problems and Issues* (New York: New York University Press, 1991), 29–30, 38; Lentz and Lowry, *Timur and the Princely Vision*, 52, 114, 126, 262, 284, 296.

[48] Abu al-Fazl, *The Akbar-nama*, H. Beveridge, trans., 3 vols. (Delhi: Rare Books, 1972); on the Circle of Justice in India see further my "'Do Justice, Do Justice, for That is Paradise': Middle Eastern Advice for Indian Muslim Rulers," *Comparative Studies on South Asia, Africa, and the Middle East* 22 (2002): 3–19.

[49] B. W. Robinson, "A Survey of Persian Painting (1350–1896)," in, C. Adle, ed., *Art et société dans le monde iranien* (Paris: Éditions Recherche sur les Civilisations, 1982), 46; Martin Bernard Dickson and Stuart Cary Welch, *The Houghton Shahnama* (Cambridge: Harvard University Press, 1981).

[50] Halil İnalcık, "Suleiman the Lawgiver and Ottoman Law," *Archivum Ottomanicum* 1 (1969): 109–10; Kemal Silay, "Ahmedī's History of the Ottoman Dynasty," *Journal of Turkish Studies* 16 (1992): 129–200.

three also employed a well-developed scribal service and complex bureaucratic practices of revenue assessment and control; the Ottomans used copies of Ilkhanid scribal handbooks as well as Seljuk handbooks from Anatolia and developed the delivery of justice through record keeping to its highest pitch.[51]

Thus, the dying-out of the Seljuk, Ilkhanid, and Timurid dynasties did not mean the end of their civilizations or their replacement by those of new conquerors. Instead, the new conquerors adopted and further developed the ideological and institutional heritage of these dynasties, escaping the vicious rise-and-decline cycle of *'asabiyya* to make a kind of linear progress in governance that does not seem to have been possible to the North African regimes on which Ibn Khaldun based his analysis. In North Africa, the Black Death and military invasions by nomadic tribal forces succeeded in reversing "the trend towards an imperial Maghrib."[52] The governing tradition of the central Middle East, however, proved strong enough to sustain itself through plague and repeated nomad invasions. The Middle Eastern dynasties created successful syntheses between Islamicate and Persianate cultures that had previously been seen as alternatives, syntheses that outlasted the dynasties themselves to form the basis for political culture in the early modern empires. What replaced tribal cohesion in sedentary states, as Ibn Khaldun pointed out, was the protection of the subjects by justice, which enabled them to produce the wealth that supported the state and its army. Whether or not these regimes were truly just in any absolute sense, their governing system upheld the Near Eastern version of the moral economy, the responsibility of the state to maintain and enforce it, and the institutional mechanisms that made such enforcement possible. Those who came after them acknowledged their achievement, continued it, and legitimized themselves by so doing.

LOW-*'ASABIYYA* REGIMES

The regimes with less social cohesion also had more mixed reputations for the delivery of justice. Those regimes having low levels of *'asabiyya* in Ibn Khaldun's terms—the Ghaznavids, the Delhi Sultanate, and the Mamluks—were composed mainly of individuals who entered the Middle East as military slaves. These individuals were not connected by tribal cohesion and readily discarded steppe political traditions to adopt those of the peoples they ruled. However, their assimilation of Perso-Islamic political culture appears to have been superficial and ambiguous, an adoption of outward forms without their substance. Whatever the justice of some of their members, these regimes

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[51] Mirkamal Nabipour, *Die beiden persischen Leitfäden des Falak 'Alā-ye Tabrīzī über das staatliche Rechnungswesen im 14. Jahrhundert* (Göttingen: Georg-August-Universität, 1973); Nejat Göyünç, "Das sogenannte Gāme'o'l-Hesāb das 'Emād as-Sarāwī" (Ph.D. dissertation, Georg-August-Universität, 1962); Walther Hinz, *Risāla-yi Falakiyya der 'Ilm-i Siyāqat, ta'līf Abd 'Allāh b. Muhammad b. Kiyā al-Māzandarānī* (Wiesbaden: Franz Steiner, 1952).

[52] al-Azmeh, 2.

seemed unable to satisfy the popular moral economy, to legitimate themselves by their systems of justice, or to create traditions of justice that could be passed on to their successors. For this their lack of 'asabiyya may be at least in part to blame.

The Ghaznavids

The first Ghaznavid ruler, Sebuktekin, left a political testament for his son Mahmud strongly asserting the Near Eastern tradition of state.[53] Mahmud himself held court daily to administer justice and redress grievances. His successors also tried to appear as dispensers of justice: Mas'ud I's vizier held open court; Ibrahim was reputed a pious ruler concerned for his subjects' welfare; and Mas'ud III was supposed to have remitted taxes and practiced beneficence.[54] In view of tales of Ghaznavid oppression, however, these rulers may not have deserved their reputations. While painting themselves as just rulers, they executed their administrators and oppressed the common people. Their magnificence, their constructions, and their powerful army were paid for by onerous taxation, and the taxpayers played an increasingly passive role as "sheep" whose part was not to engage in political activity but merely to pay. Mahmud himself blamed the Karakhanid destruction of Balkh on the resistance of the inhabitants and praised the people of Nishapur, who submitted and paid taxes to whichever military group proved stronger.[55] The tale of the owls hooting in the ruined village was popularly transferred from Bahram the Sasanian to Mahmud of Ghazna. Ibrahim was depicted as oblivious to a famine in his capital under his very window until the city was nearly depopulated, saying, "Why did you not inform us?" Even the Ghaznavids' panegyric poetry warned them to balance conquest with the provision of prosperity.[56]

The tension between ideal and reality became a major concern for Ghaznavid historians. Bayhaqi referred in his text to Alexander the Great and Ardashir,

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[53] Muhammad Nazim, "The *Pand-Namah* of Subuktigīn," *Journal of the Royal Asiatic Society* (1933): 605–28.

[54] Bayhaqi, "Tārīkh," Marilyn Robinson Waldman, trans., in *Toward a Theory of Historical Narrative: A Case Study in Perso-Islamicate Historiography* (Columbus: Ohio State University Press, 1980), 153; Clifford E. Bosworth, "The Titulature of the Early Ghaznavids," *Oriens* 15 (1962): 216; Bayhaqi, "Táríkhu-s Subuktigin," in, H. M. Elliot and John Dowson, eds. and trans., *The History of India as Told by Its Own Historians*, 10 vols. (London: Trübner, 1869; repr. New York: AMS Press, 1966), 2: 72; Clifford Edmund Bosworth, *The Later Ghaznavids: Splendour and Decay: The Dynasty in Afghanistan and Northern India, 1040–1186* (New York: Columbia University Press, 1977), 74, 86–87.

[55] W. Barthold, *Turkestan Down to the Mongol Invasions*, C. E. Bosworth, ed., and Mrs. T. Minorsky, trans. 3d ed. (London: Luzac, 1968), 291; Bosworth, *The Ghaznavids*, 253.

[56] Al-Marvarrudhi, *Ādāb al-harb wa'l-shujā'a*, quoted in Iqbal M. Shafi, "Fresh Light on the Ghaznavids," *Islamic Culture* 12 (1938): 201; Clifford E. Bosworth, "The Imperial Policy of the Early Ghaznawids," *Islamic Studies* 1, 3 (1962): 74–75; Julie Scott Meisami, "Ghaznavid Panegyrics: Some Political Implications," *Iran* 28 (1990): 35; Jerome W. Clinton, *The Divan of Manūchihrī Dāmghānī: A Critical Study* (Minneapolis: Bibliotheca Islamica, 1972), 132, 138.

the just ruler of the Sasanians, but only to draw out their parallels with the Ghaznavids. Their conquests and their justice were great, he said, but they are gone; Sebuktegin likewise made conquests and exercised justice, and may the Ghaznavids last forever.[57] As we have seen, the *Shāhnāma*, although completed in the Ghaznavid era, was not greeted as an expression of Ghaznavid ideals. The widening gap between the Ghaznavids' rhetoric of justice and their exploitative behavior led to an expansion of the spy and information bureaus. Controlling unjust officials was part of the ruler's justice, but Ghaznavid histories were filled with stories of rapacious officials and their executions. One might argue that the difference between the Ghaznavids' and the Seljuks' reputations did not reflect real differences in official behavior but different attitudes in their historians. But while the Seljuks created an administrative system and a tradition of giving justice that served as models for succeeding dynasties for centuries into the future, Ghaznavid administration and culture had no such long-term effect. The Ghaznavids' longevity in power was probably due less to their cohesiveness than to the weakness of their opponents. The Ghaznavids imported the best military technology of the age from Central Asia and had the whole wealth of North India to pay for it, but when they confronted it themselves in the form of the Seljuk invasion, they were easily defeated.

The Delhi Sultanate

Like the Ghaznavids, the Delhi Sultans appear to have had an ambiguous relationship to the concept of justice, perhaps because they too had been separated from their primary political community and thrust into a situation defined by territorial conquest and competition for advancement rather than strong group feeling. Some of the sultans were slaves and some free, some gained the throne by capture and some by inheritance, but all belonged to a non-tribal, competitive elite that, although it accepted Near Eastern (and Indian) ideas of justice and good administration, was unable to weave them into an ongoing tradition. Their royal inscriptions have been collected; they reflect the claims to legitimacy valued by these rulers, most of whom preferred domination to justice: "The most exalted King of Kings, Lord of the necks of the people, Master of the kings of the Arabs and Persians . . . the Shadow of God in East and West."[58] In these rulers' histories as well, justice had no part in their legitimation, although it featured in some of their personal descriptions (less often than bravery or drunkenness).[59] A reputation for justice was not

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[57] Bayhaqi, in Waldman, 153–55. The wish was ironic.

[58] Quoted in W. E. Begley, *Monumental Islamic Calligraphy from India* (Villa Park, Ill.: Islamic Foundation, 1985), 27, 28, 38, 41.

[59] See, for example, Minhaj-i Siraj Juzjani, *Tabakat-i Nasiri: A General History of the Muhammedan Dynasties of Asia*, H. G. Raverty, trans., 3 vols. (London: Gilbert and Rivington, 1881–1897; repr. Osnabruck: Biblio Verlag, 1991), in which only three out of fifteen descriptions of rulers mentioned their justice; see 1: 512, 531, 544, 574, 576, 578, 583, 597–98, 628, 630,

undesirable, however, and a few rulers chose to include justice in their titles.[60] The Delhi Sultans imitated the Ghaznavids' search for legitimation through the practices of Sunni Islam, if not through the practices of justice. At the same time, they retained the steppe custom of granting the right to rule to all members of the royal family and extended it to their most important retainers as well, a custom that generated perennial warfare among the monarch's relatives and subordinates and a constant fracturing and reuniting of the realm.

Aybak, the first sultan of Delhi, was later portrayed as a just ruler who provided military protection and agricultural prosperity. The "ruins seeking owl" was scared away by "the tinkling of the anklets of the hawk of royal wrath," for Aybak allegedly "spared no pains in looking after the welfare of the people and in fulfilling their needs."[61] Other rulers were also known for providing for the people's needs, building water reservoirs, bridges, and canals, restoring roads and ruined villages, and granting provision and seed in times of famine. 'Ala al-Din Khalji re-measured the land and made an accounting of the local and village officials' tax records, while Firuz Shah reassessed agricultural taxes in a survey of his dominions that took six years to complete.[62] Muhammad Tughluq, according to the traveler Ibn Battuta, read petitions on a nightly basis and sat in *mazālim* with officials and judges every Monday and Thursday. Ibn Battuta also related that Iltutmish, in imitation of Anushirvan, had a bell that could be rung by seekers of justice.[63] Whether or not this was literally true, the story indicates the influence of the Near Eastern tradition of justice on those who told it.

On the other hand, the Delhi Sultans' manipulation of the symbols of justice and their patronage of its institutions somehow did not add up to a tradition of justice. Their main political thinker, Ziya al-Din Barani, explained in a book of advice to kings that the king's job was to ensure that political and social relations reflected the divine order. He was supported by an army whose

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637–78, 649, 660, 670, 674. An exception was Sultana Raziya (1237–1240), who as a woman ruler found legitimation in giving justice (Juzjani, 1: 637).

[60] See Begley, 27, 28, 38.

[61] Taj al-Din Hasan Nizami, *Taj ul ma'athir (The Crown of Glorious Deeds)*, Bhagwat Saroop, trans. (Delhi: Saud Ahmad Dehlavi, 1998), 65, 180.

[62] Ishtiaq Husain Qureshi, *The Administration of the Sultanate of Dehlī*, 5th rev. ed. (New Delhi: Oriental Books Reprint Corp., 1971), 126–27, 241; Yahya b. Ahmad Sirhindi, *The Tārīkh-i Mubārakshāhī*, K. K. Basu, trans. (Karachi: Karimsons, 1977), 130–31, 137; R. P. Tripathi, *Some Aspects of Muslim Administration* (Allahabad: Central Book Depot, 1964), 260–62; Satish Chandra, *Medieval India: From Sultanat to the Mughals, Part One: Delhi Sultanat: (1206–1526)* (New Delhi: Har-nand Publications, 1997), 77–81; Shams-i Siraj 'Afif, "Táríkh-i Fíroz Sháhí," in, H. M. Elliot and John Dowson, eds. and trans., *The History of India as Told by Its Own Historians*, 10 vols. (London: Trübner, 1869; repr. New York: AMS Press, 1966), 3: 300–1; W. H. Moreland, *The Agrarian System of Moslem India: A Historical Essay with Appendices* (Cambridge: W. Heffer and Sons, 1929), 57, 59.

[63] Muhammad b. 'Abd Allah ibn Battuta, *The Rehla of Ibn Battuta (India, Maldive Islands and Ceylon)*, Mahdi Husain, trans. (Baroda: Oriental Institute, 1976), 33, 47, 83–84.

strength permitted him to collect wealth, and therefore maintaining the army was more important than justice and beneficence. Although Barani believed in equality before the law, protection of the weak, and relief of distress, his ideas about justice applied solely to the ruling classes and the people played no active role. He did not connect the ruler's support of the peasants with their ability to support the army and the regime.[64] The ruling class of the Sultanate was factionalized and violent; even a "just sultan" like Balban murdered his predecessor and potential rivals and considered "fear . . . the basis of good government."[65] Muhammad Tughluq, despite his hearing of petitions, was considered an oppressive ruler, tyrant, and patricide. ʿAla al-Din Khalji, in fear of conspiracies against him, banned parties and marriages and impoverished the people so that they could not rebel. The Afghan sultans of Delhi, despite their adoption of ancient Persian regnal names, apparently cared little for ancient governing norms; they gave scant attention to the support of agriculture and irrigation, although they improved the revenue system.[66] Their constant fighting against each other, the Hindu kings, and the Mongols drew their attention away from building up the realm. The justice of individual sultans was not perpetuated as a dynastic tradition; the Mughals who succeeded them legitimated themselves by their connections to the Timurids and Mongols, not by their continuation of Sultanate institutions.

The Mamluks

The Mamluks seem to have shared the Delhi Sultans' ambiguous position on justice. Their patronage of its vehicles was lavish, but their operation of its mechanisms was faulty, and they left no traditions of justice to their conquerors. Like the Ghaznavids and Delhi Sultans, the Mamluks entered the Middle East as individuals, separated from tribal politics and cohesion and gaining a new reference group and a new group feeling in their barracks and households.[67] They created a hierarchical society and maintained a strict distinction between Mamluks and civilians. This hierarchy was not a unified structure but one riven with cleavages. Mamluk sultans attained the throne by combat with their peers, supported by a large household of retainers and by allied Mamluk houses, and their constant combat created a factionalized and contentious society. The sultans derived sovereignty from their support of Islam, but

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[64] Ziauddin Barani, *The Political Theory of the Delhi Sultanate (Including a Translation of Ziauddin Barani's Fatawa-i Jahandari, circa 1358–9 A.D.)*, Mohammad Habib and Afsar Umar Salim Khan, trans. (Allahabad: Kitab Mahal, n.d.), 53–54, 67, 75.

[65] Chandra, 76–77.

[66] Iqtidar Husain Siddiqi, *The Afghan Despotism in India, 1451–1555* (New Delhi: Indian Institute of Islamic Studies, 1966), 49, 81–82.

[67] For a discussion of the Mamluks and their *ʿasabiyya*, see Nasser Rabbat, "The Changing Concept of Mamlūk in the Mamluk Sultanate in Egypt and Syria," in, Miura Toru and John Edward Philips, eds., *Slave Elites in the Middle East and Africa: A Comparative Study* (London and New York: Kegan Paul International, 2000), 81–98, esp. 94–96.

like pre-Islamic rulers they also claimed to be chosen by God, and the image of Alexander the Great as well as the defense of Islam inspired their conflict with the Mongols. Despite these conflicts, bureaucratic writing was well known in Egypt, and the Mamluks patronized the literature and arts through which the Circle of Justice was transmitted. Artists trained in the Timurid tradition created tiles, carpets, and book illustrations for the Mamluk elite that often bore images from the *Shāhnāma* or Nizami's *Khamsa*, reminding the viewer of the ethical messages conveyed in those poems.[68] The advice work *Kalīla wa-Dimna*, from the same tradition of political advice, was a popular book in Mamluk times, and during this period the *Thousand and One Nights* took its more-or-less final form, which included the story of Anushirvan and the ruined village.[69]

The Mamluks also presided over an ulema culture that was generally quite at home with the concepts of the Circle of Justice.[70] The conservative legal scholar Ibn Taimiyya recommended a public policy based completely on the Qur'an and sayings of the Prophet; but in the absence of a true caliph, he, like al-Mawardi, granted the sultan the authority to administer justice, wage holy war, lead prayers, and relieve the oppressed, and designated him as God's Shadow on Earth.[71] The qadi Ibn Jama'a and many of his contemporaries also transferred to the sultan the functions that al-Mawardi had allocated to the caliph, including those derived from the Circle of Justice.[72] Ibn Jama'a himself, though a jurist and legal scholar, quoted the Circle in a garbled form in his political handbook: "The kingdom is a building supported by the army. The army are soldiers assembled by money. Money is sustenance obtained from prosperity, and prosperity is an accomplishment brought about by justice. And the wise men say that the world is a garden whose walls are the state. The state is authority supported by the soldiers.

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[68] Esin Atıl, "Mamluk Painting in the Late Fifteenth Century," *Muqarnas* 2 (1984): 160–66; *The Cambridge History of Egypt*, Carl F. Petry, ed., 2 vols. (Cambridge: Cambridge University Press, 1998), 1: 395; Jonathan M. Bloom, "Mamluk Art and Architectural History: A Review Article," *Mamlūk Studies Review* 3 (1999): 47.

[69] Duncan Haldane, *Mamluk Painting* (Warminster, U.K.: Aris and Phillips, Ltd., 1978), 3, 8–11. For the Anushirvan story in the *Thousand and One Nights*, see M. J. de Hammer, *Contes inédits des Mille et Une Nuits*, M. G.-S. Trébutien, trans. (Paris: Libraririe Orientale de Dondey-Dupré Père et Fils, 1828), 421–22; or *Kitāb alf layla wa-layla*, Shaykh Muhammad al-'Adawi, ed. (Bulaq: Matba'a 'Abd al-Rahmān Rushdī Bey, 1862–1863), 2: 393.

[70] There were of course exceptions, such as al-Suyuti; E. M. Sartain, *Jalāl al-dīn al-Suyūtī* (Cambridge: Cambridge University Press, 1975), 87.

[71] Ibn Taimiyya, *Ibn Taimiyya on Public and Private Law in Islam*, Omar A. Farrukh, trans. (Beirut: Khayats, 1966), 33, 71, 187–88.

[72] Lambton, *State and Government*, 138; Erwin I. J. Rosenthal, *Political Thought in Medieval Islam: An Introductory Outline* (Cambridge: Cambridge University Press, 1962, repr. Westport, Conn.: Greenwood Press, 1985), 43, 46, 49; Linda S. Northrup, *From Slave to Sultan: The Career of al-Mansūr Qalāwūn and the Consolidation of Mamluk Rule in Egypt and Syria (678–689A.H./1279–1290A.D.)* (Stuttgart: Franz Steiner Verlag, 1998), 174–76.

The soldiers are an army assembled by money. Money is sustenance gathered by the subjects. The subjects are servants raised up by justice."[73]

The offhand way in which Ibn Jamaʿa relayed this passage suggests that it was quite familiar to his readers. They could have read it in a biography of Aristotle by the thirteenth-century Egyptian author Ibn Abi Usaybiʿa in his collection of medical biographies, *Uyūn al-anbāʾ fī tabaqāt al-atibbāʾ* (Sources of information on the generations of physicians). This book listed among the sayings of Aristotle the eight sentences of the Circle and said that he desired them to be written at his death on the sides of his costly tomb.[74] Other Mamluk-period authors who quoted the Circle of Justice included the administrator al-Nuwayri; the ethicist al-Watwat; the anthologist al-Ibshihi; the grammarian Ibn Yaʿqub al-Amasi; al-ʿAbbasi, whose version seems to have been the first to Islamicize the concept by inserting the term *shariʿa* in place of the more general "custom" or "proper behavior" (*sunna*); and Ibn al-Azraq, whose work depended on Ibn Khaldun.[75]

The Mamluks also maintained the *mazālim* court, the forum of justice utilized by the Fatimids and Ayyubids, although during political upheavals the court was not convened. Reopened when the crisis was under control, it symbolized the stability and order provided by a powerful sultan. Sessions of the "House of Justice" in the Citadel, however, gradually changed from continuations of earlier judicial practices to ceremonial occasions that renewed the ruler's legitimacy, while genuine judicial activity moved elsewhere.[76] In 1387 the sultans started hearing *mazālim* cases in the Royal Stables below the Citadel. (This was not an insult; in the Turkish tradition, stables and post-

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[73] Hans Kofler, "Handbuch des islamischen Staats- und Verwaltungsrechtes von Badr-al-Dīn ibn Ğamāʿah," *Islamica* 6 (1934): 363; partially quoted in Rosenthal, *Political Thought in Medieval Islam*, 50; and Lambton, *State and Government*, 143, and n. 16.

[74] Ibn Abi Usaybiʿa, *ʿUyūn al-anbāʾ fī tabaqāt al-atibbāʾ*, Nizar Riza, ed. (Beirut: Dār Maktabat al-Hayāt, 1980), 102–3.

[75] Shihab al-Din Ahmad b. ʿAbd al-Wahhab al-Nuwayri, *Nihāyat al-arab fī funūn al-adab*, 33 vols. (Cairo: Dār al-Kutub, 1964), 6: 35; Muhammad b. Ibrahim b. Yahya al-Watwat, *Ghurar al-khasāʾis al-wādiha wa-ʿurar al-naqāʾis al-fādiha* (Bulaq: al-Matbaʿa al-Misriyya, 1867), 33; Shihab al-Din Muhammad al-Ibshihi, *al-Mustatraf fī kull fann mustatraf*, 2 vols. (Beirut: Dār al-Kutub al-ʿIlmiyya, 1983), 1: 228; Muhammad b. Qasim b. Yaʿqub al-Amasi, *Rawd al-akhyār, al-muntakhab min Rabīʿ al-abrār fī ʿilm al-muhādarāt fī anwāʿ al-muhāwarāt min al-ʿulūm al-ʿArabiyya waʾl-funūn al-adabiyya lil-Zamakhsharī* (Bulaq: n.p., 1862), 35–36; Hasan b. ʿAli al-ʿAbbasi, *Āthār al-uwal fī tartīb al-duwal* (Beirut: Dār al-Jīl, 1989), 71; Abu ʿAbd Allah b. al-Azraq, *Badāʾiʿ al-silk fī tabāʾiʿ al-milk*, ʿAli Sami al-Nashar, ed., 2 vols. (Baghdad: Wizārat al-Iʿlām, 1977–1978), 1: 229. Al-ʿAbbasi's (d. 1310) insertion of the term *shariʿa* into the Circle preceded that of Davani by almost two centuries; cf. Fleischer, 201.

[76] Irmeli Perho, "The Sultan and the Common People," *Studia Orientalia* 82 (1997): 148; P. M. Holt, "The Position and Power of the Mamlūk Sultan," *Bulletin of the School of Oriental and African Studies* 38 (1975): 247; Émile Tyan, *Histoire de l'organisation judiciaire en pays d'Islam*, 2 vols. (Paris: Librairie du Recueil Sirey, 1938–43), 2: 184–85, 194, 199. For instructions on holding *mazālim* court prior to this change see Paulina Lewicka, "What a King Should Care About: Two Memoranda of the Mamluk Sultan on Running the State's Affairs," *Studia Arabistyczne i Islamistyczne* 6 (1998): 13–15.

houses were often places of sanctuary.) The House of Justice inside the Citadel became the place where the sultan "held court" in the ceremonial sense. The hearing of petitions became a symbolic ornament to the ruler's power; it lost much of its role as a bulwark against oppression and became a vehicle for the achievement of the sultans' political aims.[77] In the late fifteenth century, Sultan Qaytbay used his judicial role in *mazālim* to win his subjects' loyalty by intervening personally in cases of official dereliction and announced his return to health after a riding accident by presiding over the *mazālim* court. Sultan al-Ghawri sought to be seen as the fountain of justice by tearing down the House of Justice and building a bigger and more magnificent one.[78] According to the secretary al-Qalqashandi, however, most petitions were actually handled through administrative channels.[79]

Like the Seljuk and Mongol armies, Mamluk troops were supported mainly by *iqtā*'s (grants of land revenue), and it was in *iqtā*' allocation and revenue administration that the rural population felt the ruler's justice or injustice most directly. Administrative literature provides some insight into the Mamluk administration of *iqtā*'s. Government agents normally estimated taxes by the height of the Nile flood and surveyed the cropped area at the end of the growing season. Under the Mamluks, however, *iqtā*' recipients were responsible for making the survey themselves, which left ample room for abuse. Surveys to estimate average yields and reallocate *iqtā*'s among their holders were almost never done.[80] Mamluk sultans

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[77] Jørgen S. Nielsen, *Secular Justice in an Islamic State: Mazālim under the Baḥrī Mamlūks, 662/1264–789/1387* (Istanbul: Nederlands Historisch-Archaeologisch Instituut, 1985), 51–52, 56–58, 61, 123; Tyan, *Histoire de l'organisation* 2: 247–50; Jørgen S. Nielsen, "*Mazālim* and *Dār al-'Adl* under the Early Mamluks," *Muslim World* 66 (1976): 130.

[78] Carl F. Petry, *Twilight of Majesty: The Reigns of the Mamlūk Sultans al-Ashraf Qāytbāy and Qānṣūh al-Ghawrī in Egypt* (Seattle: University of Washington Press, 1993), 79, 106; idem, *Protectors or Praetorians? The Last Mamlūk Sultans and Egypt's Waning as a Great Power* (Albany: State University of New York Press, 1994), 155–58, 164, 161; idem, "Royal Justice in Mamlūk Cairo: Contrasting Motives of Two Sultāns," in *Saber Religioso y Poder Político en el Islam* (Madrid: Agencia Española de Cooperación Internacional, 1994), 197–211.

[79] For al-Qalqashandi see Walther Björkman, *Beiträge zur Geschichte der Staatskanzlei im islamschen Ägypten*, Hamburgische Universität, Abhandlungen aus dem Gebeit der Auslandskunde, 28, Reihe B, Band 16 (Hamburg: Friederichsen, De Gruyter & Co., 1928). The high development of Mamluk administration is shown by the flourishing genre of secretarial handbooks, at least eight of which were produced during the Mamluk period; Samir al-Droubi, *A Critical Edition of and Study on Ibn Fadl Allah's Manual of Secretaryship "Al-Ta'rīf bi'l-Mustalah al-Sharīf"* (al-Karak: Mu'tah University, 1992), 68–79; S. M. Stern, "Petitions from the Mamlūk Period (Notes on the Mamlūk Documents from Sinai)," *Bulletin of the School of Oriental and African Studies* 29 (1966): 240–41, 251.

[80] Gladys Frantz-Murphy, *The Agrarian Administration of Egypt from the Arabs to the Ottomans* (Cairo: Institut Français d'Archéologie Orientale, 1986), 56, 69–70; Hassanein Rabie, *The Financial System of Egypt, A.H. 564–741/A.D. 1169–1341* (London: Oxford University Press, 1972), 52–55; P. M. Holt, "The Sultanate of al-Mansūr Lāchīn (696–9/1296–9)," *Bulletin of the School of Oriental and African Studies* 36 (1973): 527–29; Amalia Levanoni, *A Turning Point in Mamluk History: The Third Reign of al-Nāsir Muhammad Ibn Qalāwūn (1310–1341)*

were unable to maintain the irrigation works or force *iqtā'* holders to do so, and demands for revenue were not met by improvements in production.

Rural people expressed their sense that oppressive tax collection violated the moral economy with foot-dragging, evasion, and petitioning rather than open rebellion.[81] Urban dwellers more often had recourse to crowd tactics, such as assembly and rioting, which provoked military reprisals, replacement of officials, or official charity depending on the circumstances. During fourteenth-century famines, some sultans fed large numbers of the poor and made their generals and officials do the same. This charity was never institutionalized but reflected a purely personal benevolence; its discontinuation led to great loss of life in 1394–1396, 1402–1405, and other periods in the fifteenth century. Coinage and price manipulations exacerbated problems in the grain supply, and people began to grind their own grain or substituted less nutritious foods. The urban population violently protested what it defined as injustice, either by rulers or by grain suppliers and bakers, and the army also rioted frequently, often over rations not received.[82]

Despite the Mamluks' attention to ideas of justice in secretarial and literary culture, therefore, the factional infighting of Mamluk rule seems to have obstructed justice in administration. The Mamluk succession system, based on competition between military leaders and their households, fostered disorder and arbitrary governance. The Mamluks' status as new Muslims purchased at high prices to protect the Egyptians (and the "old Muslims" in general) also seems to have given them license to prey on the people they were supposed to protect.[83] Timur's invasion not only destroyed the cities of Syria but provoked the sultans to confiscate the wealth of merchants and pious foundations.

(Leiden: E. J. Brill, 1995), 31–53; Heinz Halm, *Ägypten nach den mamlukischen Lehensregistern*, 2 vols. (Wiesbaden: Ludwig Reichert, 1979), 10–42.

[81] Eliyahu Ashtor, *A Social and Economic History of the Near East in the Middle Ages* (Berkeley: University of California Press, 1976), 315; Petry, *Protectors or Praetorians?*, 106.

[82] Adam Sabra, *Poverty and Charity in Medieval Islam: Mamluk Egypt, 1250–1517* (Cambridge: Cambridge University Press, 2000), 136, 139, 143, 148, 153–55, 166–67; Shoshan, 469, 471–72; Perho, 159–60; Carl F. Petry, "'Quis Custodiet Custodes?' Revisited: The Prosecution of Crime in the Late Mamluk Sultanate," *Mamlūk Studies Review* 3 (1999): 16–17, 22. That factional infighting and Mamluk injustice were not merely associated with the economic decline of the later period, but were an integral product of their system, is demonstrated by Levanoni's *A Turning Point in Mamluk History*.

[83] Dror Ze'evi, "*Kul* and Getting Cooler: The Dissolution of Elite Collective Identity and the Formation of Official Nationalism in the Ottoman Empire," *Mediterranean Historical Review* 11 (1996/1997): 182, 185, 188.

Studies on crime show that the military class engaged in the murder of peers or subordinates and in organized pillage of civilian markets and homes.[84] *Iqtā'* surveys were seldom made, abuses were endemic to the system, and the state proved unable to control *iqtā'*-holders or maintain irrigation systems. The *mazālim* court still functioned, but increasingly more as a public relations ploy than as a real recourse against oppression.

Among the Ghaznavids and Delhi Sultans, the rituals and rhetoric of Near Eastern administration and justice veiled a constant struggle for personal self-aggrandizement that contributed little to the enactment of justice. The Mamluks tried to create an alternative structure of group feeling through military training, household organization, ethnic cohesion, and devotion to Sunni Islam. That attempt appears to have been only partially successful. It doubtless prolonged the regime's existence, but its institutionalized competition and violence interfered with the proper functioning of state institutions such as grain distribution in the capital, the *iqtā'* administration, and the *mazālim* court. Ibn Khaldun, in contrast, thought that the Mamluks' Islam gave them the zeal of *'asabiyya*, while their recruitment from the steppes ensured that they retained the "nomadic virtues" of simplicity and strength, and their upbringing as slaves intensified their group solidarity and loyalty together with their military skills.[85] He was an intimate of the Mamluk sultans and always knew which side his bread was buttered on.[86] Moreover, he died before the period of greatest institutional decay and was perhaps overly optimistic about the system's potential. The Mamluk regime grew oppressive and corrupt and was conquered by the Ottomans in 1517. The Mamluks themselves lived on under Ottoman rule, but Mamluk governance did not offer a sound foundation for further administrative and political development. The Ottomans legitimized themselves in Egypt specifically by replacing Mamluk traditions of justice with their own.[87]

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[84] Petry, *Protectors or Praetorians?*, 16–17, 75–77; Ahmad Darrag, *L'Égypte sous le règne de Barsbay, 825–841/1422–1438* (Damascus: Institut Français de Damas, 1961), 58; Albrecht Fuess, "Legends against Injustice: Thoughts on the Relationship between the Mamluk Military Elite and Their Arab Subjects," paper delivered at the Middle East Studies Association Convention, Anchorage, Alaska, Nov. 2003.

[85] David Ayalon, "Mamlūkiyāt," *Jerusalem Studies in Arabic and Islam* 2 (1980): 340–49.

[86] See Walter J. Fischel, *Ibn Khaldun and Tamerlane: Their Historic Meeting in Damascus* (Berkeley: University of California Press, 1952).

[87] Ahmed Akgündüz, ed., *Osmanlı Kanunnameleri ve Hukukî Tahlilleri*, 9 vols. (Istanbul: Fey Vakfı, 1990–), 6: 83 (for the laws themselves see 6: 86–176); Rifaat A. Abou El-Haj, "Aspects of the Legitimation of Ottoman Rule as Reflected in the Preambles to Two Early Liva Kanunameler," *Turcica* 21–23 (1991): 376.

CONCLUSION

Ibn Khaldun's cyclical concept of royal authority appears to deny the possibility of progress, of development from one regime of conquest to another.[88] Such a pattern does indeed emerge from a study of the North African dynasties of Ibn Khaldun's day and of some of the Middle Eastern regimes as well. Ibn Khaldun himself, however, used the history of the entire Middle East in constructing his model, and ever since the Ottomans, people have applied his ideas to the Middle East as a whole. But the experience of the Middle Eastern regimes does not support the concept of "dynastic cyclism" (the term is Cornell Fleischer's) as well as Ibn Khaldun and others have supposed. In the central Middle East, some regimes succeeded in building upon the experiences of their predecessors both ideologically and administratively. Seljuk administrative and judicial practices were copied by their successor states; imitation of the Seljuks legitimated the Zangid and Ayyubid regimes (and the Ottomans as well), bringing them into fuller compliance with the moral economy of their subjects. The Ilkhanids adapted and enlarged these practices in light of their experience in China, and they copied and added to the literature that embodied them. In their turn, they passed this heritage on to the Timurids and Ottomans, and less directly to the Safavids and Mughals, all of whom built on it, expanding and modifying their institutions of justice and good administration as well as repeating and developing the ideology behind them. This development was made possible by a secretarial class of great continuity that preserved the procedures and literature of the past, continued to improve on them over the generations, and recruited the ulema to help legitimize the process.[89]

   The continuity of the tradition of justice in these regimes cannot, however, be based solely on the presence of the secretarial class and Persianate traditions of administration. Although these traditions were weak or absent in the North African regimes that served as Ibn Khaldun's primary models, they were active, but unsuccessful, in the Ghaznavid, Delhi Sultanate, and Mamluk regimes. The high level of administrative continuity and growth in the high-'asabiyya regimes must therefore have been due not only to the presence of the secretaries and their traditions, but also to their ability to operate their administrative systems and preserve their literatures more or less intact, without being too much undercut by fighting among the princes and great

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[88] Michael Brett, "The Way of the Nomad," *Bulletin of the School of Oriental and African Studies* 58 (1995): 265–67. Ibn Khaldun did not seem to allow for economic progress either; see Ahmed Alrefai and Michael Brun, "Ibn Khaldun: Dynastic Change and Its Economic Consequences," *Arab Studies Quarterly* 16 (1994): 82.

[89] Hodgson noted that the roles of the Muslim East, the "Persianate zone," and of "civil political forces" would force a modification of Ibn Khaldun's generalizations (see Hodgson 2: 55, n. 9, and 478, n. 12), but those cannot have been the only forces at work.

men of state or too often falling victim to violence within the regime. The stronger group cohesion of the initial conquerors may have created a governing culture with a lower level of internal competition, one that allowed civilian bureaucrats to participate more fully in governance, exert a greater influence on its direction, and survive to hand their traditions down to their successors.[90] The secretaries in such regimes were better able to induce the rulers, even sometimes those from the steppes, to devote resources to good administration and infrastructural improvements as well as to cultural production.

In contrast, the resources that the Ghaznavids and Delhi Sultans devoted to improving their infrastructure, administration, and culture were most often minimal. This lack of commitment may be related to the fact that even though the sultans themselves became hereditary rulers of their territories, too many of their followers came from outside the realm and had no particular attachment to the land they conquered, the ruler they served, or each other. Their struggles for preeminence dissipated wealth and made it difficult or impossible for administrators to influence their governing priorities. The Mamluks attempted to overcome this obstacle to good government by inducing ʻasabiyya in their military slaves through training institutions and households and by cherishing their secretarial cadres. These measures appear to have been only partly successful. The Mamluks secured their prolonged domination of Egyptian society by continually replacing themselves with new recruits from the steppe, extracted from their tribal setting and brought to Cairo for training. By indoctrinating these recruits into a culture of competition between individuals, households, and classes, however, they seem to have guaranteed their inability to make their rule conform to the expectations of the ruled in terms of justice, a problem that was only exacerbated by the economic difficulties of their later years.

ʻAsabiyya, it seems, did not function merely to facilitate conquest, as Ibn Khaldun thought. It also played a role in generating an administrative cohesiveness that assisted a regime to build on the achievements of its predecessors and that augmented and improved the governing mechanisms through which justice reached the people of the realm. Lack of ʻasabiyya, on the other hand, seems to have had a part in inhibiting the operation of institutions of good administration, thus blocking the legitimacy granted by a reputation for justice. A question that cannot yet be answered is the relationship between the ideologies and institutions discussed in this paper and the different regimes' ability to deal with geopolitical change. Still, although the difference in levels of ʻasabiyya may

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[90] Detailed studies of pre-modern Middle Eastern politics should reveal how this was accomplished. A notable fact emerging from the chronicles, for example, is that although the Ilkhanids executed many important administrators during factional disputes, they generally did not do so until these administrators were very old; in earlier disputes the administrators were dismissed from office to be later reemployed. The executions were thus exemplary, and the Ilkhanids did not deprive themselves of their administrators' services in their active years.

not fully explain the variations in outcome, it provides a useful starting point for differentiating among regimes with the same general organization and political rhetoric. The Circle of Justice made it clear that rulers' provision of the justice demanded by the moral economy depended not only on a regime's patronage of ideologies of justice or an individual sultan's ethics, but also on the proper functioning of the institutions of good administration. In turn, the delivery of good administration across changes of regime depended historically on the extent to which the social cohesion of elites could amplify the influences of ideology and scribal tradition.