

SPRING 2024

UC SANTA BARBARA

THE UNDERGRADUATE JOURNAL OF HISTORY

Vol. 4 | No. 1



© **The UCSB Undergraduate Journal of History**
3236 Humanities and Social Sciences Building
The Department of History, Division of Humanities and Fine Arts
The University of California, Santa Barbara
Santa Barbara, California
93106-9410

Website

<https://undergradjournal.history.ucsb.edu/>

Submissions

Papers can be submitted for publication anytime through our submission portal on our website. Manuscripts must be between 3,500 and 7,500 words long and completed as part of a student's undergraduate coursework at an accredited degree-granting institution. Recent graduates may submit their work so long as it is within 12 months of receiving their degree. The Journal is published twice yearly in Spring and Fall. See the Journal website for more information.

Cover Image:

Sunset Surfer at Campus Point. UCSB Digital Asset Collection. Matt Perko.

Editorial Board

Zoe Benink
Andreas Brey
Anna Friedman
Gigi Griffin
Cole Grissom
Valerie Holland
Atmika Iyer

Hanna Kawamoto
Danika Kerner
Benjamin Ortiz
Jacqueline Pucillo
Jessica Novoa
Ela Schulz
Chynna Walker
Sophia Yu

Faculty Director

Jarett Henderson

Ibn Taymiyya and Ibn al-Qayyim on Authority

Cole Galbraith¹

In the mid-to-late thirteenth century, Syria was constantly threatened by Mongol invasion. The Mongols attempted multiple invasions during this time. In 1260, the Mamluk sultanate pushed Mongol invaders out of the area and assumed control.² It was during the subsequent Mamluk rule that Ibn Taymiyya grew up. Ibn Taymiyya came from a family of religious scholars, and he would follow in their footsteps. He studied at the Hanbali school, which was the smallest of four schools in the Mamluk sultanate.³ Ibn Taymiyya gained fame for his intelligence and faith, as well as infamy for his argumentative nature.⁴ He studied Hadith, which refers to the two primary sources of Islamic law: the sayings of Muhammad and the Qur'an.⁵ Ibn Taymiyya had strong opinions on who and what was truly Muslim. He did not consider the Mongols, who had proclaimed themselves to be Muslim in order to take control in the Middle East, to be actually Muslim. In fact, he released many anti-Mongol fatwas, or legal rulings, in the early fourteenth century.⁶ He strongly promoted jihad, or a fight against the enemies of Islam, against the Mongols. His loyalty lay entirely with the Mamluk sultanate as he felt that they upheld the values of Islam.⁷ Ultimately, his combative and outspoken nature would lead to his imprisonment after a disagreement with his contemporaries on the issue of visiting Muhammad's grave.⁸ Not long after he was imprisoned in Damascus, he died there after a brief illness.⁹

Ibn al-Qayyim was one of Ibn Taymiyya's disciples. Compared to Ibn Taymiyya, Ibn al-Qayyim had humble beginnings, and his life was one of social climbing. Ibn al-Qayyim's humble origins as the son of a janitor and student at al-Jawziyyah Law College influenced the perception of him and his works, giving him less credibility among his contemporaries.¹⁰ He spent fifteen years studying under Ibn Taymiyya and became his premier disciple. At this time, he would not have openly

¹ Cole Galbraith is a Junior at California State University Northridge. He is currently pursuing his bachelor's degree in history.

² Hoover, John. *Ibn Taymiyya (Makers of the Muslim World)*, (Oxford: Oneworld Academic, 2020), p. 5

³ Hoover, *Ibn Taymiyya*, p. 5.

⁴ Hoover, *Ibn Taymiyya*, p. 5.

⁵ Ibn Taymiyyah, Ahmad ibn 'Abd al-Halim, *Ibn Taymiyya on Public and Private Law in Islam: Or Public Policy in Islamic Jurisprudence*, trans. Omar A. Farrukh. (Beirut: Khayats, 1966), p. 4.

⁶ Hoover, *Ibn Taymiyya*, p. 17.

⁷ Hoover, *Ibn Taymiyya*, p. 19.

⁸ Hoover, *Ibn Taymiyya*, p. 42.

⁹ Hoover, *Ibn Taymiyya*, p. 43.

¹⁰ Kokoschka, Alina, Birgit Krawietz, "Appropriation of Ibn Taymiyya and Ibn Qayyim al-Jawziyya: Challenging Expectations of Ingenuity" in *Islamic Theology, Philosophy and Law: Debating Ibn Taymiyya and Ibn Qayyim al-Jawziyya*. (Berlin: De Gruyter, 2013), p. 8.

criticized one of Ibn Taymiyya's viewpoints.¹¹ This, in conjunction with his meek and modest personality, lends to the perception, both during his time and after, that he was simply a follower of Ibn Taymiyya, repeating his ideas exclusively. However, this is a false impression of Ibn al-Qayyim and greatly undersells his capability as a religious scholar.

As of the twentieth and twenty-first centuries, Ibn al-Qayyim's works have resurfaced and have been found to hold more significance than they initially were given credit for. In "Law and Order According to Ibn Taymiyya and Ibn Qayyim al-Jawziyya: A Re-Examination of *siyasa shar'iyya*," Abdessamad Belhaj delves into the topic of *fasad*, or moral corruption, and each authors' rulings on the issue when it related to politics and the law.¹² He asserted that both authors wanted to preserve the status quo by enacting coercive policies meant to extend the power of judges and rulers.¹³ In doing so, he also pointed out the differences in their approaches to the issue. Ibn al-Qayyim wanted to prevent *fasad* by reforming the way that legal evidence was handled, while Ibn Taymiyya focused more on the issue from the perspective of the ruler by attempting to maintain the religious unity of the Caliphate.¹⁴

The significance of this is twofold. First, it demonstrates that, while each author ultimately had similar ambitions for the Mamluk state, they had distinctive thoughts and ideas. Secondly, it illustrates each author's desire to extend the power of Shari'a over the people. Shari'a was the basis of both legality and morality and was the basis of authority in the Mamluk sultanate. Mamluk society had many forms of authority, but I will focus on legal authority for this paper. In the book *Islamic Law in Action: Authority, Discretion, and Everyday Experiences in Mamluk Egypt*, the author, Kristen Stilt, breaks down legal authority in Mamluk society into two forms: authority of doctrine and authority of policy-based decision. Authority of doctrine refers to jurists and their influence over the law, and authority of policy-based decision refers to the ruler and his power to shape society.¹⁵ To Ibn Taymiyya and Ibn al-Qayyim both of those forms of authority were to be vessels of Shari'a and were to uphold the ideals of God. In addition to this, both forms of authority influenced the Muhtasib or the office holder of al-Hisba.¹⁶ The sultan directly gave orders to the Muhtasib, and jurists guided the official's work through their legal doctrines.¹⁷ In this way, both forms of legal authority were connected. I will analyze Ibn Taymiyya's work on the institution of the Hisba, where he wrote about the doctrine of policy-based decisions and the roles of both rulers and society at large. He desired a state in which

¹¹ Alina Kokoschka and Birgit Krawietz "Challenging Expectations," p. 16.

¹² Belhaj, Abdessamad, "Law and Order According to Ibn Taymiyya and Ibn Qayyim al-Jawziyya" in *Islamic Theology, Philosophy and Law: Debating Ibn Taymiyya and Ibn Qayyim al-Jawziyya*. (Berlin : De Gruyter, 2013), p. 411.

¹³ Belhaj, "Law and Order", p. 401.

¹⁴ Belhaj, "Law and Order", p. 411.

¹⁵ Stilt, Kristen, *Islamic Law in Action: Authority, Discretion, and Everyday Experiences in Mamluk Egypt*. (New York: Oxford University Press, 2011), p. 2.

¹⁶ Stilt, *Islamic Law*, p. 3.

¹⁷ Stilt, *Islamic Law*, p. 3.

rulers and officials like the Muhtasib were as adherent to the ideals of Shari'a as much as they were to enforce them. Then, I will look at Ibn al-Qayyim's work on the issue of Taqlid or legal imitation, which falls more under the authority of doctrine, as it directly addresses the influence that jurists have over the beliefs of others. Ibn al-Qayyim pushed for belief in the rulings of jurists, but to the extent that it was done blindly and without any self-thought. Both jurists had strict views of authority, each advocating for its expansion and increased influence. However, they did not believe in a system of absolute control.

Abdessamad Belhaj's essay "Law and Order According to Ibn Taymiyya and Ibn Qayyim al-Jawziyya" explores the opinions of Ibn Taymiyya and Ibn al-Qayyim on law and order by analyzing their works on the issues of *siyasa shar'iyya* and *fasad*. To lay the groundwork, Belhaj defined the terms *siyasa* and *fasad*, with the former referring to forms of management, whether they be public or private, and the latter being a form of corruption stemming from a community's deteriorating state of belief.¹⁸ The conversation among Mamluk scholars centered around the extent of Sharia law in government and politics. Ibn Taymiyya and Ibn al-Qayyim feared that the disappearance of Sharia in public order was leading to *fasad*. In the Qur'an, *fasad* represents a state of advanced moral degradation that leads to chaos and disorder. In the context of law, the term was used to represent moral and political corruption.¹⁹ Belhaj argued both authors' views stem from a desire for state patronage and their interest in preserving the status quo.²⁰ Belhaj explored the subtle differences between these two authors' views through a close reading of Ibn Taymiyya's "Islamic Public Policy for the Righteousness of the Ruler and the Ruled" and Ibn al-Qayyim's "The Judicial Methods in Islamic Public Policy."

Belhaj highlighted each author's focus as corruption being the source of modern Mamluk society's problems. Taymiyya said in his work that *fasad* was the result of the restriction or "disabling" of Sharia. In his mind, religion and politics were directly intertwined, and if one strays from the other, then public affairs would be corrupted.²¹ He also claimed that the cause of corruption among the ruled was because of the rulers' corruption. As such, Taymiyya believed in rulers' ability to uphold Islamic public order and that they provided order with society turning into chaos without their structure. Belhaj portrayed this as a desire for "strict public ethics supervised by existing states."²² This idea is consistently reinforced throughout Taymiyya's works regarding politics and government. In his mind, this was the solution to the problem of corruption. Everyone, including rulers, would be held to ethical standards, and Sharia would have the most authority.

¹⁸ Belhaj, "Law and Order," pp. 401, 409.

¹⁹ Belhaj, "Law and Order," p. 409.

²⁰ Belhaj, "Law and Order," p. 401.

²¹ Belhaj, "Law and Order," p. 410.

²² Belhaj, "Law and Order," p. 414.

Ibn Al-Qayyim argued similar points but from the perspective of the Judicial system. Similarly to Ibn Taymiyya, Ibn Al-Qayyim ultimately argued for a more symbiotic relationship between public policy and Sharia. He stated that judges should have more direct involvement in solving cases to ensure that Sharia is upheld. For example, he believed that judges should have the ability to torture thieves in the pursuit of finding stolen property; if the thief were to lie, then it would be acceptable for him to be beaten.²³ Belhaj stated that what was most important to Ibn al-Qayyim was preventing religion from losing its control over people.²⁴ He blamed part of this on the ignorance of jurists. According to Ibn al-Qayyim, the limitation of certain jurists of Sharia to what was only in the Qur'an and Sunna was causing rulers to disrespect Islamic law. Ultimately, Belhaj argued that both authors attempted to reestablish Islamic public order by advocating coercive regulations and policy. Each author had strict senses of morality that they believed needed to be reinforced by authority. This was not something to be chosen by the individual but rather a duty imposed upon them by God. Belhaj does make the important distinction, however, that he was not advocating for a state that would enforce Sharia, but rather an Islamic state that was a tool by which Sharia was used for control.²⁵ The former would advocate for an Islamic state that holds power over Sharia and how it was to be applied to society. In the latter, Sharia would underpin society at all levels, determining policy and social behavior even if the state itself was not Islamic. Through this, they believed that public order would be maintained. This is exemplified in Ibn Taymiyya's work on the institution of the Hisba, as well as his work on public and private law.

In the book, *Public Duties in Islam: The Institution of the Hisba*, Ibn Taymiyya advocated for strict government control at almost every level of the economy. He expresses these ideas by discussing Al-Hisba, an institution meant to ensure that Islamic standards were adhered to in the economic sector. This was done by monitoring buyers and sellers "to ensure right conduct and protect people from dishonesty and malpractices."²⁶ By doing so, the hope was that it would create a more uniform idea of public morality. Conceptually, al-Hisba aligned with many of Ibn Taymiyya's views. It was an institution that would enforce Sharia ethics into an economic space and regulate specific economic functions like trade to do so. As such, he wrote favorably about al-Hisba and provided an extensive outline of how he believed it ought to work. The first important point that he illustrated is the responsibility God places upon Muslims.

Ibn Taymiyya laid the groundwork that the primary duty of all able Muslims is to ordain what is proper and forbid what is improper.²⁷ He specified that responsibility is based on the individual's

²³ Belhaj, "Law and Order," p. 415.

²⁴ Belhaj, "Law and Order," p. 411.

²⁵ Belhaj, "Law and Order," p. 418.

²⁶ Ibn-Taimiyya, Ahmad Ibn-'Abd-al-Halim, *Public Duties in Islam: The Institution of the Hisba*. Trans. Muhtar Holland, ed. Khurshid Ahmad. Vol. 3. (Leicester: The Islamic Foundation, 1983), p. 7.

²⁷ Ibn-Taimiyya, *Public Duties in Islam*, p. 25.

ability to undertake it and that one's duty is only to do what is within one's power. Therefore, those in authority²⁸ are more capable of fulfilling their duty and are held to higher standards. In fact, he stated that their sole purpose is to ordain the proper and forbid the improper. Whenever there is ambiguity as to whether something is good or bad, Taymiyya noted that an individual should also refer to authority without deviation.²⁹ If an individual is to stray from authority, they are making judgments based on personal belief and without a solid basis. Ibn Taymiyya explicitly stated that issues can not be ordained or forbidden without "thorough investigation" and a firm basis in the Sacred Law.³⁰ However, he ascribed specific duties to certain authority figures, such as the Muhtasib, whose duty it was to ordain and forbid conduct that is not reserved for governors and judges.³¹ He wanted them to order commoners to "perform the five prayers at the proper times" and punish those who didn't via flogging or imprisonment.³² It is the duty of court witnesses, the minister, and the guild warden to have integrity and for the commander, the magistrate, and the Muhtasib to be impartial and deliver justice.³³ These exceptions are interesting because they do not give the express duty of enforcing ethics but rather upholding ideas of truthfulness and justice. Those in power needed to seek people who were honest and impartial, as that was what God ordained.³⁴ These are important points as they somewhat limit the overall power of authority. He does not promote the idea that the justice system should be able to lock up anyone that they want, but rather that they should always be impartial and fair.

Ibn Taymiyya had a view of the economy with more government intervention and control. He establishes two important points. The first point is that faith is inextricably linked with economic ethics. If the Prophet had restricted it, it would not be allowed. He applied this to truthfulness in sales by quoting the Prophet: "If both are truthful and honest, they will be blessed in their sale. But if they are secretive and lie then the blessing of their sale will be destroyed." Through this, he laid the groundwork for religious principles to be applied to commerce. The second point is that authority should be directly involved in the regulation of commerce. He quoted the *Sahih* of Muslim in which the Prophet does exactly that and discovers fraud.³⁵ Thus, it is the responsibility of the authorities to monitor and resolve fraud and deception. The government also must regulate wages so that an employer cannot underpay their workers and a worker cannot overvalue their services.³⁶

²⁸ When using the word authority, Taymiyya is referring to two groups of people, "the scholar" (ulama) and "the captains" (umara). Ibn Taymiyya and Ibn al-Qayyim would have been a part of the scholars and the political, economic and social leadership would fall under the captains. Ibn-Taimiyya, *Public Duties in Islam*, p. 25.

²⁹ Ibn-Taimiyya, *Public Duties in Islam*, p. 80.

³⁰ Ibn-Taimiyya, *Public Duties in Islam*, p. 80.

³¹ Ibn-Taimiyya, *Public Duties in Islam*, p. 25.

³² Ibn-Taimiyya, *Public Duties in Islam*, p. 26.

³³ Ibn-Taimiyya, *Public Duties in Islam*, p. 23.

³⁴ Ibn-Taimiyya, *Public Duties in Islam*, pp. 23-24.

³⁵ Ibn-Taimiyya, *Public Duties in Islam*, p. 30.

³⁶ Ibn-Taimiyya, *Public Duties in Islam*, p. 43.

Another function of the government was to enforce the ideals of Sharia. Ibn Taymiyya discussed his ideas of public duty and the responsibilities of the individual. From an economic standpoint, he provided the idea of a society where everyone has a function they must perform. He often differentiates between collective and individual duties. The book *Ibn Taymiyya on Public and Private Law in Islam: or Public Policy in Islamic Jurisprudence* provides some insights into Taymiyya's ideals on individual and public duty. For example, public welfare is a collective duty in which every person contributes to the greater needs of society, such as farming for food and weaving for clothing.³⁷ If people need a good or service, it is the duty of those capable to provide it. It is the responsibility of individuals, however, to find out what God has ordained for them. It is imperative that every individual is well-versed in religion, as that is the avenue by which God will instruct them. He stated: "If a man is not versed in Religion God does not wish him well....Everyone owes general credence to Muhammad's, on him be peace, report and general obedience to his command."³⁸

Ibn Taymiyya held this view when deciding who should hold office as well. He stated that no one should hold office while holding the notion that he made an "early application" or that he is fit for the job.³⁹ Instead, the best Muslim for the job should be chosen to handle public functions. He cited a quote from the Prophet that condemns as traitors to God those who handle affairs when they know of someone better for the job.⁴⁰ In this way, Ibn Taymiyya is taking a hard stance against corruption in authority. Especially when he argued against abuses of power due to prior relationships, such as nepotism, bribery, or grudges.⁴¹ In this way, Ibn Taymiyya argued for accountability and restriction amidst individuals in positions of authority, such as rulers and the Muhtasib. These positions of power were supposed to adhere to Shari'a ideals as much as every other Muslim. It is then the duty of the one who holds office to delegate positions to those below him. Such as court administrators, scribes, and accountants, all the while picking the best Muslim for the job. If a subordinate makes a mistake, those in upper management will be punished for choosing the incapable. As such, Ibn Taymiyya proposed a system of government with its own forms of accountability, with each individual performing their own duty to the best of their capability, much like the roles he prescribed to the rest of society.

Interestingly, he separated knowledge and piety, stating that the Caliph and all public functions should have a council of men in both fields to unite the strength of both science and religion.⁴² This creates an odd situation in which determining who is the best for a particular job becomes situational. It is preferable that a judge be "one who is learned and just. It requires not only a

³⁷ Ibn-Taimiyya, *Public Duties in Islam*, p. 37.

³⁸ Ibn-Taimiyya, *Public Duties in Islam*, p. 38.

³⁹ Ibn Taymiyya, *Public and Private Law*, p. 15.

⁴⁰ Ibn Taymiyya, *Public and Private Law*, p. 14.

⁴¹ Ibn Taymiyya, *Public and Private Law*, pp. 16-17.

⁴² Ibn Taymiyya, *Public and Private Law*, p. 28.

capable man (but one of knowledge and piety).⁴³ However, if a candidate is more well-versed in either law or piety, they are appointed in different situations. If cases are straightforward, the religious judge is preferred, but if the issue is more divisive, the one well-versed in law is preferred. In some cases, having multiple men appointed to the same office is preferable if just one is not suitable. Regardless of who is picked, they need to be the right Muslim and the best possible candidate for the position. Ibn Taymiyya is once again arguing against things like nepotism in favor of a system that picks individuals to hold office based on their merits.

From a legal perspective, Ibn Taymiyya outlined strict laws and punishments for breaking them. He stresses the importance of religious morality and its integration into law. As such, some of the first crimes he identifies are directly related to religion. Such as disbelief in the hadith, permitting deviation from Shari'a, and twisting the words of God.⁴⁴ Ibn Taymiyya put the impetus on the Muhtasib, or the person who holds office in al-Hisba, to dole out punishments for breaking the law. Ibn Taymiyya stated that legal penalties are the vessels through which rulers are meant to ordain and forbid those that God had not in the Qur'an. He divided punishments into three categories: physical, financial, and composite. The physical punishments are quite harsh, with killing as the penalty for murder and amputation as the penalty for theft. Financial punishments can be the burning of one's goods or the seizing of one's property. Composite is a mixture of both, with the specific example being a thief being flogged and then receiving a double fine. Regardless of the punishment, they are all quite severe and are meant to reinforce a system of rigid social norms based upon Shari'a. To Ibn Taymiyya, one primary purpose of authority is to impart these behaviors upon society. That said, it is important to note that Ibn Taymiyya viewed justice as more important than religion in society. He stated: "The affairs of men in this world can be kept in order with justice and a certain connivance in sin, better than with pious tyranny. This is why it has been said that God upholds the just state even if it is unbelieving, but does not uphold the unjust state even if it is Muslim."⁴⁵ It seemed that to Ibn Taymiyya, Sharia ideals of justice and morality are more important to society than Islam itself. This suggests a separation in his mind of Sharia from the Islamic religion. To him, Sharia ideals are something to be upheld even if a society is not Muslim itself. Ultimately, I believe this speaks to his fundamental beliefs on morality and justice. The ethics of Shari'a are the basic ethics of all people, regardless of their religious beliefs. Straying from that leads to chaos and the deterioration of society, which, in the context of legal authority, appears to be more important to Ibn Taymiyya than worship.

Overall, Ibn Taymiyya presented an all-encompassing idea of authority. In his mind, the primary function of authority is to enforce ethics based on his interpretation of Sharia. This is ultimately applied at every level of authority. He does not make exceptions for rulers, scholars, or the

⁴³ Ibn Taymiyya, *Public and Private Law*, p. 29.

⁴⁴ Ibn-Taimiyya, *Public Duties in Islam*, p. 59.

⁴⁵ Ibn-Taimiyya, *Public Duties in Islam*, p. 95.

legal system. Everyone's role in society, including that of authority, is to adhere to Sharia, thus following the will of God. This can be seen in his opinions on al-Hisba, where he dedicated specific roles to different aspects of authority that are all meant to ultimately enjoin what is proper and forbid what is improper. Authority in Ibn Taymiyya's mind was there to create order. It is often harsh and strict, but he generally applies it fairly. He did not believe the government should oppress the people but rather keep them in line. As Ibn Taymiyya stated in his treatise on al-Hisba: "Authority is maintained either by a strong ruler, ruling by fear, or by a benevolent ruler and agreement (on the part of the ruled). In fact, both ways are needed (to suit certain situations)."⁴⁶ So, he does concede that benevolence towards society at large is needed (in specific cases). Many of these same ideals are expressed by Ibn al-Qayyim in his treatise on the issue of Taqlid.

When discussing Taqlid, Ibn al-Qayyim tackled the issue of authority in Islamic law from a different angle: scholarship. There was disagreement over whether or not it was valid in the context of the law, to what extent it was acceptable, who was being imitated, and how much hard evidence should factor into an individual's beliefs. It brought up questions of what and why things were considered right or wrong and what was considered the "truth." Proponents of Taqlid argued that the average person was too ignorant and needed to look to those with knowledge to understand complex issues. Opponents of Taqlid critiqued this fallibility, questioning what happens when a scholar is wrong or makes an error. To give a complete picture of the topic, Ibn al-Qayyim listed the arguments of both sides in his essay while also providing his own criticisms. As a result, it gives good insight into Islamic Law and how it was practiced and discussed. It is important to understand the arguments of both sides first.

Ibn al-Qayyim provided the perspectives of many scholars who were critical of Taqlid, one of whom was prominently featured, Abu Umar. He, and many of the other scholars that opposed Taqlid, believed that God condemned imitation in the Qur'an.⁴⁷ Abu Umar argued that an individual needed to understand the basis of their beliefs and that blindly following a scholar leaves the imitator vulnerable to the errors of the scholar and that they may wind up being led astray.⁴⁸ He also questioned those in favor of imitation by asking who exactly should and should not be followed. An issue in which all scholars agree is an indisputable truth, but what if the issue is contentious? Who is right, and who is wrong? Abu Umar points out that these are not questions a layperson can answer if they do not seek answers. Following this, Ibn al-Qayyim provided a perspective at the opposite end of the argument through the words of an imitator.

⁴⁶ Ibn Taymiyya, *Public and Private Law*, p. 29.

⁴⁷ Mustafa, Abdul-Rahman. *On Taqlid: Ibn al-Qayyim's Critique of Authority in Islamic Law*. (New York: Oxford University Press, 2013), p. 65.

⁴⁸ Mustafa, *On Taqlid*, p. 68.

Interestingly, the imitator claimed that God is in favor of Taqlid, contradicting Abu Umar's interpretation of the Qur'an. He stated that God advocates for imitation by telling the ignorant to look towards the knowledgeable for guidance.⁴⁹ According to him, both God and his Prophet wanted the people to follow the righteous and that obedience to those in authority is necessary.⁵⁰ He then pointed out hypocrisy on the part of scholars who dispute the validity of imitation, like Abu Umar. For example, in the case of an inheritance dispute, the imitator claimed that Abu Umar imitated a ruling from Abu Bakr.⁵¹ The imitator continued by writing that many scholars have cited the works of others in attempting to argue against imitation, yet by doing so, they are engaging in imitation themselves. They had no proof of the truthfulness of the words they were citing, so they had no choice but to imitate.⁵² He then directly addressed the claim against imitation, saying that those who imitate will be led astray. He asserted that an individual is far more likely to be right if they follow those with knowledge than if they tried to figure everything out by themselves, comparing this to someone who turns to another about an item they wish to purchase: "This is like the case of someone who wishes to buy an item of which he has no knowledge, so if he imitates someone who is knowledgeable about that item...then he is more likely to achieve exactly what he desires..."⁵³ This echoes the work of Ibn Taymiyya, where he stated that divisive decisions should be delegated to those who are most capable. Both Ibn al-Qayyim and Ibn Taymiyya advocated relegating decision-making to those with more capability. Ibn Al-Qayyim then continued to provide his view on the matter.

Ibn Al-Qayyim was generally critical of Taqlid. He wrote that there were three categories of imitation: forbidden, obligatory, and permissible but not obligatory.⁵⁴ Forbidden imitation involves turning away from the revelation of God in favor of one's ancestors. He claimed that God condemns this behavior repeatedly in the Qur'an. Instead, an individual should look towards revelations from God. However, Ibn al-Qayyim does provide some nuance to this position, praising individuals who look to another who is more knowledgeable to supplement their understanding of God's revelation.⁵⁵ Much like the other scholars who were critical of Taqlid, Ibn al-Qayyim believed in the personal pursuit of knowledge but conceded that imitation is sometimes necessary. He stressed the importance of evidence, stating that imitation that goes against "established evidence" is forbidden.⁵⁶ An individual needs to consider the evidence presented to them rather than disregarding it in favor of following a scholar. If a person imitates another based on evidence, then they are not to be considered an

⁴⁹ Mustafa, *On Taqlid*, p. 83.

⁵⁰ Mustafa, *On Taqlid*, pp. 84-85.

⁵¹ Mustafa, *On Taqlid*, p. 84.

⁵² Mustafa, *On Taqlid*, p. 90.

⁵³ Mustafa, *On Taqlid*, p. 90.

⁵⁴ Mustafa, *On Taqlid*, p. 61.

⁵⁵ Mustafa, *On Taqlid*, p. 62.

⁵⁶ Mustafa, *On Taqlid*, pp. 61, 91.

imitator.⁵⁷ What he is critical of is rigid imitators who follow only one scholar over others or who deny evidence in favor of their preferred scholar.⁵⁸ He stated there are no concrete reasons to believe one scholar over the other if an imitator has no evidence to support their position. He agreed with Abu Umar about the fallibility of scholars. A scholar will inevitably be wrong; unflinching devotion to them will lead the imitator astray. While discussing this, he dedicated several passages to defending Abu Umar by refuting the idea that he imitated Abu Bakr. According to Ibn al-Qayyim, Abu Umar actually acknowledged that he might be wrong and that he wasn't infallible.⁵⁹ He pointed out multiple occasions on which Abu Umar opposed Abu Bakr, such as in the case of a land dispute. Defending scholars over accusations of hypocrisy seems to have been important to Ibn al-Qayyim. He then goes on to claim that people of authority actually prohibited imitation of themselves.⁶⁰ He quoted scholars like Abu Hanifah and Abu Yusuf, who did not want people imitating them without understanding the basis of their words.⁶¹ Ultimately, it is willful ignorance that critics like Ibn al-Qayyim were arguing against. He didn't want authority figures to hold absolute power. By allowing the propagation of Taqlid, society allowed jurists to have unquestioned and unchecked power. Jurists were fallible figures, so it needed to be ensured that they, too, were being held to Sharia ideals. Much like Ibn Taymiyya, Ibn al-Qayyim advocated for accountability among authority figures.

Ibn Taymiyya and Ibn al-Qayyim both believed in expanding the powers of government institutions like al-Hisba to uphold the ideals of Sharia and maintain order in Mamluk society. Regardless of the context, their ultimate purpose of authority was to unite society under the word of God. In doing so, society would be able to endure. Authority was what kept society together for both Ibn Taymiyya and Ibn al-Qayyim. Both forms of legal authority were meant to uphold ideals of morality, truth, and justice. Authority amongst policymakers was meant to be beholden to Sharia as much as it was to enforce it. Ibn Taymiyya emphasized strict government control of the market not just to eliminate fraud but also to impart morality into the market. Similarly, Ibn al-Qayyim believed that jurists were meant for Sharia ideals. Part of that was encouraging the pursuit of personal knowledge and preventing blind obedience. Another important aspect of their views on authority was that it was not supposed to be absolute. Ibn Taymiyya and Ibn al-Qayyim both acknowledged and wanted to place restrictions upon authority figures and hold them accountable for their errors. It is important to reiterate that they wanted Sharia to penetrate all levels of society, even those who held government positions. The context of the Mongol invasion is important to the formation of these beliefs. Ibn Taymiyya, in particular, was heavily critical of the Mongols for not being true Muslims. Thus, it is

⁵⁷ Mustafa, *On Taqlid*, p. 124.

⁵⁸ Mustafa, *On Taqlid*, p. 99.

⁵⁹ Mustafa, *On Taqlid*, p. 129.

⁶⁰ Mustafa, *On Taqlid*, pp. 92, 97, 137.

⁶¹ Mustafa, *On Taqlid*, p. 97.

possible that he and his disciple were trying to establish what, in their view, would be a true Muslim society.

-