## tasavvur

*tekirdag ilahiyat dergisi* | *tekirdag theology journal* e-ISSN: 2619-9130 *tasavvur*, Aralık/December 2023, c. 9, s. 2: 1769-1773

Siddiqui, Sohaira Z. M. Law and Politics under the Abbasids: an Intellectual Portrait of al-Juwayni. Cambridge: Cambridge University Press, 2019.

## Ömer YILMAZ

Doç. Dr., Tekirdağ Namık Kemal Üniversitesi İlahiyat Fakültesi İslam Hukuku ABD, Doç. Dr., Tekirdağ Namık Kemal University, Faculty of Theology, Department of Islamic Law omeryilmaz@nku.edu.tr **ORCID:** 0000-0001-9576-1344

Makale Bilgisi | Article Information Makale Türü / Article Type: Kitap Değerlendirmesi / Book Review Geliş Tarihi / Date Received: 8 Ağustos / August 2023 Kabul Tarihi / Date Accepted: 9 Kasım / November 2023 Yayın Tarihi / Date Published: 31 Aralık / December 2023 Yayın Sezonu / Pub Date Season: Aralık / December

**Atıf / Citation:** Yılmaz, Ömer. "Law and Politics under the Abbasids: an Intellectual Portrait of al-Juwayni by Sohaira Z. M. Siddiqui". *Tasavvur - Tekirdağ İlahiyat Dergisi* 9 / 2 (Aralık 2023): 1769-1773.

İntihal: Bu makale, ithenticate yazılımınca taranmıştır. İntihal tespit edilmemiştir. Plagiarism: This article has been scanned by ithenticate. No plagiarism detected. web: http://dergipark.gov.tr/tasavvur | mailto: ilahiyatdergi@nku.edu.tr

> **Copyright** © Published by Tekirdağ Namık Kemal Üniversitesi, İlahiyat Fakültesi / Tekirdag Namık Kemal University, Faculty of Theology, Tekirdag, 59100 Turkey. CC BY-NC 4.0



To reveal the intellectual portrait of a thinker who lived in the classical period first requires considering the psycho-socio-econo-cultural environment in which his thought nourished and obtained his problems. It is essential to present this environment clearly without being limited to only the political institution. In his book, the Author establishes a connection between al-Juwayni's thought system and the period in which he lived by dealing in detail with the political and legal environment of al-Juwayni's time. This connection is valuable as it helps to clarify his thoughts in many fields. It allows us to understand the intellectual project in the mind of al-Juwayni. This academic project also requires that he not treat his al-Juwayni's works as separate units. The Author's approach was in this direction. According to him, al-Juwayni has an intellectual project seen in his books. The Author, aware that this idea, which shaped al-Juwayni's academic concerns, was not formulated in a vacuum, examines the sociopolitical environment that left an indelible mark on him. In this context, the Author emphasizes that al-Juwayni witnessed the debates between the Ash'arīs and the Mu'tazila on the intellectual stage. According to him, the tension produced by the contradictory epistemologies of these two schools in al-Juwayni was influential in his search for certainty in knowledge.

While the Author cares about the influence of al-Juwayni's intellectual environment on him, he also states that this is not the only influence on al-Juwayni. According to him, the fact that al-Juwayni lived in a politically turbulent period should also be considered, especially in the search for the certainty of knowledge and continuity of Islamic society. al-Juwayni lived at a time when the rise of powerful dynastic families forced the 'Abbasid Caliphate into a position of only nominal power and, in a short period, saw contradictory policies implemented against the Ash'arī/Shāfi'īs. It led him to preserve and maintain religious thought apart from politics. As a result, al-Juwayni started to think about the role of the leader in maintaining the social order and the role of the scholars in protecting the religion. In an environment where the political elites are constantly changing, his focus has been on enabling the Muslim community to continue its existence in any case. The Author establishes a connection between Nishapur, where al-Juwayni spent his life and his thoughts. Accordingly, Nishapur, with its developing social structure, has become a center of attraction for religious groups since the first period. Naturally, this situation brought along the struggles of religious groups with each other. This conflict, which was previously seen between the Karrāmiyya and the Shīʿa, turned into a battle between

the Hanafīs and Shāfiʿīs and between the Muʿtazila and the Ashʿarīs. Ghaznavids and Seljuks wanted to adopt one of the sects as the state's official ideology and thus prevent conflict between different religious groups. This political attitude is also clearly seen in other Turkish states in the periods that followed them. Therefore, the choice of the state in the struggle between the Hanaf īs and the Shāfiʿīs throughout al-Juwayni's life was to protect the Hanafī view. There is no doubt that all these conflicts witnessed by al-Juwayni, who was negatively affected by the marginalization of the Ashʿarī/Shāfiʿī view during the vizier al-Kundurī period, pushed him to seek certainty in the procedure. Witnessing the unstable nature of politics led him to think about the survival of Muslim society in all political conditions.

The Author, who made a connection between Nishapur and the views of al-Juwayni, gives much historical information as a requirement. However, the integrity of some of them raises doubts. The most important among these is the following statement in the book: "The invading Seljuks made the Abbasid caliphate dysfunctional, devoid of political power." It is impossible to prove this mistake by attributing it to history books. Because Tughril Beg came to Baghdad at the invitation of the Abbasid Caliph, Kaim Biemrillah, and the struggle of Tughril Beg was not against the Abbasid Caliphate but against the Buyid Dynasty, which weakened this Caliphate. Tughril Beg's statement that he had issued an arrest warrant for al-Juwayni is a similar mistake. Because the executor of the smear campaign against the Ash'arī/Shāfiʿīs, including al-Juwayni, is not Tughril Beg but the vizier of him, al-Kundurī. A similar mistake is that the Author states that the identification between the Ash'arīs and the Shāfiʿīs is identical to that between the Basra Mutazilites and the Hanafi īs. There are many reasons why we should reject this. Because the common trend among Hanaf is was maturidism, on the other hand, the tendency to refute the Muʿtazilī views is also common among the Hanafis.

The most important result of al-Juwayni's approach to the problem of knowledge is that he sees acquired knowledge (kasbi) as necessary (darūrī). He states that it does not contain doubt or ambiguity and expresses certainty. Al-Juwayni followed the earlier Ash'arīs by dividing it into two parts, necessary and acquired. However, in his system, necessary and acquired knowledge are not opposites but complementary. The difference between them is that essential knowledge is fixed without effort, whereas the action of the mind fixes acquired knowledge. The Author sees this as one of the points where al-Juwayni broke with the Ash'arī paradigm. Although there is some truth, accepting this approach as entirely correct is impossible. Because although the epistemology of al-Juwayni constitutes a breaking point within the Ash'arīsm, it cannot be considered separately from the Ash'arīs.

Regarding the concurrent reports (ahādīth mutawātira), al-Juwayni does not find the number of those who gave the reports important. According to him, the important thing is the presumptions that confirm the accuracy of the reports. There is no hesitation when al-Juwayni agrees with Nazzām on this matter. However, the Author tends to overestimate this consensus. From this point of view, he states that the tendency towards Mu'tazilī views among the Ash'ari scholars started with Ibn Surayj. However, his only surviving work on Kalam does not confirm this determination. In addition, while the Author states that his juvenile tends towards Mu'tazila in his view of concurrent reports, he also ignores the possibility that his teacher, al-Bāqillānī, might have influenced him. The fact that the Author has evaluated the Qur'an within the scope of ahādīth mutawātira is also open to criticism. There is no harm in assessing the Qur'an within the area of mutawatir. However, the Author described the Qur'an as "mutawatir hadith." It is not possible to come across a similar characterization in Islamic literature.

The problem of whether there is only one truth in the sight of Allah regarding matters for which there has been decree found an intense discussion area in the classical period. The sides of the Debate, which have historical, geographical, political, theological, and philosophical connections, are divided into two main parts infallibilist and fallibilist. The fallibilist view says there is only one truth in the sight of Allah, and those who cannot hit it have made a mistake. The infallibilist view that says each of the mujtahids puts forward points to one side of the truth. Although the Author says that al-Juwayni adopted the infallibilist view, his transmissions on this subject are contradictory. al-Juwayni defends the infallibilist view in his work called Talkhīs. In Burhan, on the other hand, he stated that the truth in the sight of Allah is the only one. This seemingly contradictory situation is explainable as follows: al-Juwayni summarized the work named Irshād of his teacher in his work called Talkhis. Naturally, in this book, he defended the infallibilist view, which was the view of his teacher al-Bāgillānī. However, in his work called Burhān, he concluded that the mujtahid who could not reach the judgment of Allah was wrong. There is no doubt that this view belongs to fallibilism. However, the political connection of the Debate is more critical. The sectarian policy that Turkish states have applied for a long time is adopting and supporting one of the sects as the official ideology of the state, thus preventing sectarian conflicts in the society. There is no difference between the Seljuks, the Ottomans, and even the secular Turkish Republic regarding this policy. What is natural in such a political environment is strengthening the fallibilist view. The approach of al-Juwayni, who lived in the period when the Seljuks dominated Nishapur, was no different.