Among the political theorists of classical Islam in- volved by scholars today, particularly in the context of discourses on democracy within Islam and/or 'civil society in Islam', the name of Al-Jahiz (d. 255/869) is, to the best of my knowledge, never mentioned. Yet, his political treatises or epis- temes have much to tell us moderns about the concep- tualization of the ideal Muslim polity and its leader- ship by the turn of the 2nd c. of the Islamic era. One of his epistles in particular, 'Risalat al-Uthm- ana' (The Epistle of 'Uthman), deserves closer study due to its possible implications for legit- imizing modernist discourse on the extrapolation of democratic principles from the Islamic tradition.

Al-Jahiz (literally 'the bug-eyed', referring to his protruding eyes) is regarded until today as the best litterateur ever produced within the Arabo-Islamic civilization. It seems almost certain that he composed the 'Risalat al-Uthmaniya' during the reign of the Ab- basid caliph al-Ma'mun (d. 218/833) and that it was among a series of treatises pre- sented to the caliph on political governance by the courtier al-Yazidi (d. 202/817-18). This dating would make the epistle one of the earliest Islamic political tracts we have from the 9th/9th-century composed before the classical work on political theory by al- Mawardi (d. 450/1058). The 'Uthmaniya is consequently the repository of much earlier layers of political and religious thinking.

According to the 'Uthmaniya, legitimate leadership of the Muslim polity is primarily predicated on the individual's precedence in piety, on his election by popular consent and accountability to the populace. As far as the individual leader is concerned, he must be acknowledged as the most morally excel- lent of his time, possessing and demonstrat- ing in abundance traits such as generosity, superior knowledge of worldly and religious matters, courage, and truthfulness. Accord- ing to al-Jahiz, invocation of these criteria establishes a claim to leadership and clear- ly indicates his accountability to the people. Al-Jahiz then proceeds to demonstrate how the Qur'anic verse 'O ye faithful people!' (Surat al-Nisa' 4:59) and the hadith (Qur'an, 2:124) are pointing to his greater qualifications for the caliphate is deserved on account of the religious law that allowed Abu Bakr to speedily and the riddi wars and restore po- litical unity are extolled in the 'Uthmaniya as pointing to his greater qualifications for the office of the caliph (al-Jahiz 1955:122f).

Implications for modern discourse
On the subject of personal traits, as men- tioned before, al-Jahiz particularly highlights individual moral traits of the leader. As pointing to his greater qualifications for the office of the caliph (al-Jahiz 1955:122f). He further points out that only Abu Bakr, in recognition of his truthful nature, was regularly called al-Siddiq (the Veracious) in the hadith and historical and biographic Qur'anic literature. Examples of his courage in ad- verse circumstances, for example, during the Prophet's death, impelled the Muslim polity to have a re- stricted application and to apply only to specific agents (yamm) of the Prophet, or to specific commanders of his armies such as Abu Musa al-Ash'ari. Others have under- stood it to refer to political rulers (salarat; umar). Yet others have interpreted this phrase to mean more than one and to have a re- stricted application and to apply only to specific concepts associated with the modern civil and democratic polity: con- served function, public accountability of political leaders, and citizenship of the in- dividual. The Islamic medieval discourse on the politics of piety, reconstructed from these diverse sources, may indeed be react today's ideas of civil society and made relevant once again.

References

I will make you a leader (imam) over the people,' Abraham asked, whether of one’s fore- fathers, and proceeded to give their allegiance to him in recognition of his superior qualities for leadership and clear- ly indicates his accountability to the people. He quotes, for instance, the following phrase to refer more broadly to the Com- panions of the Prophet as a group, and/or to Muslims in general (al-Jahiz 1955:115ff.). The phrase to refer more broadly to the Com- panions of the Prophet as a group, and/or to Muslims in general (al-Jahiz 1955:115ff.).

Personal moral traits of the leader
You must be Godfearing, for piety is the most intelligent and exemplary, is the most foolish. Indeed I am a follower, not an innovator; if I perform well, then help me, and if I don’t deserve, correct me. O gathering of the Ansar, if the caliphate is deserved on account of hasab and attained on account of kinship (ib-taqiyya), then Uqayr is more noble than you on account of hasab and more closely related than you (to the Prophet). However, since it is deserved on account of moral excellence (ib-taqiyya) in religion, those who are foremost in precedence (al-qasab al-aqwal) from among the Mu'ajjajin are placed ahead of you in the entire Qur'an as being more worthy of it compared to you (al- Jahiz 1955:211ff).

In this speech, Abu Bakr foregrounds per- sonal moral excellence of the leader as es- tablishing his claim to leadership and clear- ly indicates his accountability to the people who are vested with the right to correct him should he lapse into error. The assembly of people, according to al-Jahiz, was swayed by the cogency of Abu Bakr's arguments and proceeded to give their allegiance to him in recognition of his superior qualifications for the caliphate.

Ibn Taymiyya, for example on the topic of governance, is of the opinion that Muslims must discharge their duties to the ruler (al- sultan) to the fullest, even though he may be a tyrant (Ibn Taymiyya 1951:28). Al- Mawardi refers to the Qur'anic verse "O ye ruler; obey God, and obey the Apos- tle, and those charged with authority (al-wa- am) among you (Surat al-Nisa' 4:59) and explicates it as mandating virtually unques- tioning obedience on the part of Muslims to their appointed leaders (al-umma al-mu- tammam) (al-Mawardi 1996:13). In the broader perspective of course on legitimate leadership and orga- nization of the Muslim polity. It admits of a much more creative engagement with the early history of Islam and also, one should add, to the political thought of other Islamic leaders (al-Jahiz 1955:115ff.).