

RESEARCH ARTICLE

Law in Premodern Islamic Society: Close Reading of Al-Ghazālī's *Deliverance from Error*

Lida Larson

ABSTRACT

This essay explores the place of Islamic law in the thought and work of Abū Hāmid al-Ghazālī, with a specific focus on his spiritual autobiography, *Deliverance from Error* (*al-Munqidh min al-Ḍalāl*). Al-Ghazālī's treatment of law diverges from conventional legalistic perspectives in 12th-century Seljuk Iran, where law was a central feature of Islamic identity. By critically examining al-Ghazālī's critique of the juristic class and legal conformity, this study argues that al-Ghazālī sought to realign legal and ritual practices with their ultimate purpose—felicity in the Hereafter. His critique of legalism highlights the limitations of legal thought, its tendency to focus solely on external actions, and its failure to address the internal spiritual dimensions necessary for salvation. Al-Ghazālī's view of law, while not dismissive of its societal role, emphasizes the importance of mystical practice and the purification of the heart as essential for achieving a meaningful connection with God. By situating al-Ghazālī's ideas in the intellectual and cultural milieu

Received: 27 August 2024; accepted: 11 September 2024; published: 31 December 2024

© 2024 The Author(s), HBKU College of Islamic Studies.

Cite this article as: Larson, L. (2024). Law in premodern Islamic society: Close reading of Al-Ghazālī's *Deliverance from Error*. *Astrolabe: A CIS Research Journal*, (6).

<https://www.hbku.edu.qa/sites/default/files/AlGhazaliDeliverance.pdf>

of the time, this work underscores the nuanced position he adopts with law, suggesting that it should function as a guide to spiritual practice rather than as a system of governance or a means to unify society.

Keywords: al-Ghazālī, Islamic law, legalism, spiritual practice, *Deliverance from Error*, Seljuk Iran, juristic class, Sufism, Islamic thought

1. INTRODUCTION

Law (*sharīʿa*) often evokes an array of negative associations, as Islam is frequently perceived as legalistic in contrast to Christianity, which is viewed as a religion of grace (Ralston, 2016). Joseph Schacht goes as far as to say that “Islamic law is the epitome of Islamic thought, the most typical manifestation of the Islamic way of life, the core and kernel of Islam itself” (Schacht, 1982, p. 1). Wael Hallaq echoes these sentiments, writing: “It would in no way be an exaggeration to argue that law was the defining characteristic of Muslim societies and civilizations throughout the centuries, and in every corner of the Islamic world” (cited in Ahmed, 2016, p. 118). For these reasons, it is surprising that a Muslim scholar as influential as Abū Ḥāmid al-Ghazālī (d. 1111) would overlook Islamic law in his spiritual autobiography *Deliverance from Error* (*al-Munqidh min al-Dalāl*). However, often, what is left unsaid tells its own story.

In this essay, I closely read *Deliverance from Error* to explore the place and function of Islamic law in al-Ghazālī’s work, situated in the context of Seljuk Iran and the Near East. More specifically, I argue that al-Ghazālī aimed to reform the understanding and practice of law in his time to realign legal and ritual practices toward their ultimate purpose: felicity in the Hereafter. I introduce al-Ghazālī’s intellectual and cultural milieu and the broad contours of Islamic thought regarding law at the turn of the 12th century. Next, I offer a brief overview of al-Ghazālī’s life and an introduction to his work, *Deliverance from Error*. Finally, I review the major themes of *Deliverance from Error* that pertain to law and the juristic class, including the limitations of legalism and the critique of the juristic class. I adopt a law-in-society approach, which recognizes the contextually situated and contested nature of law (Mather, 2008). This approach assumes that law does not exist as an autonomous field separate from the social fabric and governed by its internal logic. Rather, law is socially and historically constructed and deeply embedded within society. Instead of treating law in isolation, a law-in-society approach focuses on understanding law in relation to history, culture, and its contextual environment.

2. AL-GHAZĀLĪ’S INTELLECTUAL AND CULTURAL MILIEU

In the 11th and 12th centuries, the Near East witnessed great political and social upheaval. The Seljuks entered Baghdad in 1055 (3 years before al-Ghazālī’s birth) as the “defenders” of normative Sunnī Islam. They suppressed an ʿIsmāʿīlī uprising and protected the Caliphate, which had already weathered a century of decline. Besides rescuing the

Caliphate, historical chronicles credit the Seljuks with restoring social order (*nizām*) by promoting Sunnī orthodoxy (Safi, 2006). They responded to the military and epistemological threats jeopardizing social cohesion and unity of the *umma* (community). Safi (2006) argues that the new Seljuk rulers engaged in “mythmaking” to legitimize their rule, which ideologically intertwined religious stability with social order, resulting in the “the Great Seljuk Myth.” Religion needed the state to safeguard it from heretical attacks, and movements labeled heretical were charged with disrupting the established social order.¹

Seljuk military campaigns against the ‘Ismā‘īlīs accompanied state-sponsored efforts to systematize Islamic intellectual disciplines and promote state-sanctioned interpretations of Islam by establishing *madrasas* and *khānaqāhs*. These institutions empowered orthodox knowledge and countered heretical opposition, particularly Ismāilism. The Seljuk vizier Nizām al-Mulk (d. 1092) appointed al-Ghazālī to the Baghdad Nizāmīya in 1091 and positioned him as a prominent figure to confront various intellectual claimants to religious knowledge and support the Seljuk-sponsored ideology. While the Seljuks faced the ‘Ismā‘īlīs militarily, al-Ghazālī was given a “preemptory order” (*amrun jāzim*) to write a book, engaging them intellectually, dismissing them through polemic, while also attacking the influence of philosophers (al-Ghazālī, 1967, pp. 91–92; 1999, p. 42; Safi, 2006).

3. CONCEPTIONS OF LAW IN ISLAMIC THOUGHT

Ahmad (2016) presents Muslim societies as discursive arenas where the epistemological authority of the law is perpetually contested and negotiated. He advocates for viewing historical Muslim societies as spaces where the law’s position and authority were subject to debate. It is essential to recognize that premodern societies were not homogenous; they did not strictly adhere to puritanical norms as is often portrayed in premodern Islamic discourses. While a legalist approach provides clarity on what constitutes Islamic practice, it tends to overshadow the critical role of nonlegal discourses in shaping normative Islam throughout history. A legal supremacist view only provides an impoverished and misleading view of Islam as it was articulated historically.

Al-Ghazālī’s critique of legalism occurs in a broader discourse of Islamic thought that flourished during the Abbasid period (750–1258 CE). Heck (2004) maintains that the Islamic conception of law evolved significantly during this period. Before the Abbasids, the concept of governance was characterized by thinkers like Ibn al-Muqaffa’ (d. 756), who emphasized charisma and the personal relationships between rulers and subjects. In this view, the ruler was the living embodiment of law (*nomos empsychos*).

1 Nizām al-Mulk stated: “The most important thing which a king needs is sound religion (*dīn-l durust*) because kingship and religion are like two brothers; whenever disturbance (*iḍṭirāb*) breaks out in the country, religion suffers too; heretics (*baddīnān*) and evil-doers (*mufsidān*) appear; and whenever religious affairs are in disorder (*bā-khalal*), there is confusion (*shūrīda*) in the country; evil-doers gain power and render the king impotent and despondent; heresy grows rife, and rebels make themselves felt” (*Siyar al-Mulūk* cited in Safi, 2006, p. 5).

However, under the Abbasids, administrative institutions were integrated into the conception of polity. The expansion and refinement of administrative norms and structures transformed perspectives on governance. Rather than relying on the ruler as the source of justice, the focus shifted to viewing the law itself as the foundation of Islamic polity (Heck, 2004).

Later in the Abbasid period, Qudāma b. Jaʿfar (d. 948) introduced a political framework for law and society (Heck, 2004). He conceptualized the state with two essential components: the ruler and the administration. The law, once rooted solely in the ruler's authority, was now rooted in the ruler's person and the bureaucratic structures, marking a transition from ruler-centered to institution-centered governance. The law no longer originated only from divine command and the ruler's law-making capacity; instead, it was entrusted by God to the ruler for the common good. The ruler's sanctity was now measured by adherence to God's will. Law was envisioned to address social needs beyond the ruler's judgment. In essence, this period witnessed a transition from ruler-centric governance to a focus on institutional structures and the law as a guide for the Islamic polity (Heck, 2004). These developments help understand al-Ghazālī's relationship to the law. As a representative of the Seljuk administrative apparatus, he conferred religious legitimacy and asserted orthodox Sunnī Islam as a guiding framework for all Muslims under Seljuk rule.

4. AL-GHAZĀLĪ'S LIFE AND WORK

Abū Hāmid Muḥammad ibn Muḥammad al-Ghazālī al-Ṭūsī was born in 1055 in Ṭūs, Iran. The Seljuk Vizier Nizām al-Mulk appointed him as a professor at the Nizāmīya College in Baghdad. However, just four years after assuming his position, al-Ghazālī grappled with a spiritual crisis that coincided with (but cannot be reduced to) political instability within the Seljuk regime following the assassination of Nizām al-Mulk and the death of the Malik Shāh, the Seljuk sultan. Al-Ghazālī resigned from the Nizāmīya and withdrew to Damascus and Jerusalem (Hodgson, 1974). In 1106, he accepted a teaching position at the Nizāmīya in Nishāpūr. He left behind a rich legacy of works in Arabic and Persian covering topics like theology, Qurʾānic exegesis, jurisprudence, philosophy, polemics, and encyclopedic works on outer and inner aspects of religious life (Treiger, 2011). Al-Ghazālī's writings, most notably *The Revival of Religious Sciences*, spread widely through the Islamic world, and his synthesis has served as the point of departure for discourses of orthodoxy until today (Safi, 2006).

Al-Ghazālī's project was inspired by discontent with the excessive entanglement between the religious sciences and worldly affairs, which he perceived as causing social complacency. Recognizing the urgent need for a revival, he embarked on a mission to reform the understanding and practice of legal and ritual practices, highlighting their ultimate purpose of attaining felicity in the Hereafter. His written works offer valuable insight into his perspective on the role of law in religion. By situating ritual practices and social activities within "The Sciences of the World," al-Ghazālī sought to dislodge law from its central position in Islam (Ralston, 2016).

5. THE PRIMARY TEXT

Deliverance from Error (*al-Munqidh min al-Ḍalāl*) is a spiritual autobiography that describes al-Ghazālī's transformation from a scholar immersed in worldly pursuits like fame and prestige to a scholar devoted to the Hereafter. Al-Ghazālī wrote this work late in life, completing it in 1106, a mere 5 years before his death (Treiger, 2011). His audience extended beyond specialized theologians and jurists to include a wide readership fascinated by the intellectual conflicts among the various factions (Griffel, 2011). It was his first work after returning to Nīshāpūr, and it was prompted by a backlash against his philosophically inspired ideas in *The Revival of Religious Sciences* (Treiger, 2011). In the latter work, al-Ghazālī criticized Islamic law (*fiqh*) and theology (*kalām*) for having stifled the religious sciences by expanding beyond their intended boundaries (Garden, 2011).

In *Deliverance from Error*, al-Ghazālī provides minimal autobiographical details, but instead emphasizes their role in his spiritual journey. These carefully selected facts are intricately woven into his arguments and discussions (Ormsby, 1991). He recounts an epistemological and spiritual crisis that made him skeptical about the reliability of sense perception and reason. This led him to question the possibility of knowing anything with certainty, including the sciences he knew well and expertly taught. After 2 months, he was cured of his skepticism through “a light which God Most High cast into [his] breast” (*bi nūrīn qadhafahu llāhu ta'ālā fī sadr*) (al-Ghazālī, 1967, pp. 38–67; 1999, p. 23) and embarked on a quest to re-examine the methodology of the four “travelers of the paths of seeking Truth” (*sālikīn subul ṭalab al-haqq*): the *mutakallimūn* (scholastic theologian), the *bāṭinīyah* (*ta'īmītes* or people of esoteric teaching), the *falāsifah* (philosophers), and the *Ṣūfīyah* (Sufi mystics) (al-Ghazālī, 1967, p. 69; 1999, p. 24). Each of these perspectives embodies a different approach to knowledge: the *mutakallimūn* engage in dialectic and controversy, the *bāṭinīyah* emphasize authoritarian procedures, the *falāsifah* rely on reason and demonstration, and the *Ṣūfīyah* seek inner transformation and illumination through lived practice (Ormsby, 1991).

Al-Ghazālī critiqued the lack of reliable knowledge among the *mutakallimūn*, *bāṭinīyah*, and *falāsifah* before settling on mystical praxis: (1) the *mutakallimūn* rely on apologetic doctrinal statements to refute heresies without validating their assumptions, proving ineffective in dispelling skepticism through syllogism; (2) the *bāṭinīyah* depend entirely on the teachings of an allegedly infallible Imam for attaining certainty, which contradicts the singular infallibility of the Prophet Muḥammad for the Muslim community; (3) the *falāsifah* assume that rational propositions lead to ultimate truth; three of their doctrines constitute unbelief (*kufr*), and seventeen other doctrines have no grounding in the Muslim tradition and are heterodox innovations (*bid'ah*) (al-Ghazālī, 1967, p. 69; 1999, p. 24). Although the discipline of law serves an important purpose for al-Ghazālī, it is not concerned with revealing Truth, so he does not pursue it in his quest to reach certainty.

Deliverance from Error should not be read as a straightforward autobiography. Al-Ghazālī's doubts were not solely directed toward attaining personal religious certainty; they also functioned as a sophisticated polemic, engaging with various intellectual

contenders of religious knowledge (Safi, 2006). Al-Ghazālī aims to guide his readers toward knowing God in this life and achieving felicity (*sa'āda*) in the Hereafter, or at least salvation (*najāt*). This overarching goal shapes the structure of his work, which is not merely informative but instructional, aiming to lead readers step-by-step toward a deeper understanding of the Islamic message. Al-Ghazālī categorizes his audience into two main groups: the commoners (*'awāmm*) and the elect (*khawāṣṣ*). The term “commoners” refers to anyone lacking access to Al-Ghazālī’s works, including religious scholars (*'ulamā'*) lacking the requisite insight and training. Al-Ghazālī compares teaching commoners to feeding infants: just as solid food would harm a baby, exposing commoners to ideas beyond their capacity can lead to confusion and loss of faith. Hence, he advocates withholding higher truths from the commoners, reserving them for the elect (Treiger, 2011).

Al-Ghazālī’s “pedagogy of salvation” elucidates a theory of instructional levels with three levels of doctrine: (1) doctrine held dogmatically for debates; (2) doctrine tailored for teaching, adjusted to students’ qualifications and intellectual capacities; and (3) doctrine kept in secret between oneself and God (*sirran baynahū wa-bayn Allāh*), shared only with like-minded people. The stratified and tailored nature of al-Ghazālī’s work means that readers must be aware that he might not fully disclose his beliefs. Furthermore, al-Ghazālī might occasionally make false statements to deter readers from spiritual danger, like a parent falsely warning children of dangers to keep them safe (Treiger, 2011).

6. THE LIMITATIONS OF LEGALISM: CONFORMITY TO LAW IS NOT UNIVERSAL

In *Deliverance from Error*, al-Ghazālī paints a picture of the broader cultural and intellectual milieu of Nīshāpūr as characterized by pluralism. In this context, at least some members of society openly flaunted their “unbelief” (*kufr*), “negative attitude” (*ta'īl*), and “disdain” (*tahāwun*) for the law (al-Ghazālī, 1967, p. 79; 1999, p. 32).

Al-Ghazālī addresses weakening religious conviction (*futūr al-'i'tiqādāt*) and diminishing adherence to legal norms, which he attributes to the same four contenders of religious knowledge: “I then reflected on the reason for men’s lukewarmness and the weakness of their faith and found them to be four in number: 1) A reason stemming from those engrossed in the science of philosophy; 2) A reason stemming from those absorbed in the way of Sufism; 3) A reason stemming from those attached to the claim of authoritative teaching; 4) A reason stemming from the behavior of those popularly regarded as preeminent in learning” (al-Ghazālī, 1967, p. 117; 1999, pp. 66–67). Through a series of dialogues, he provides a map of the disputes about legal norms and orthodox beliefs, revealing widespread erosion of religious adherence. He traces this disinterest in law to several factors: (1) the juristic class falling short of normative standards, (2) elitist *Ṣūfī* antinomianism arising from spiritual attainment and rationalizations that relativized legal obligations, (3) the intractability of disagreements among the scholars which destabilized

the structure of authority and made the *bāṭinī* argument about adherence to an infallible model figure appealing, and (4) the elitist philosophical critique, which dismissed the legal system's function as a mechanism for state regulation of collective well-being, deeming it superfluous due to the elite's capacity for self-regulation.

In his portrayal of this milieu, al-Ghazālī situates philosophy within a hegemonic domain. He warns his readers about even the seemingly innocuous subgroup of mathematicians because public admiration for their intellectual prowess may lead some to emulate their skepticism and atheism. Al-Ghazālī's modest endeavor is to carve out and safeguard a space for religion that remains insulated from the hegemonic ambitions of science. He achieves this by demonstrating that religion possesses relative autonomy from philosophy, stating: "A person skilled in one field is not necessarily skilled in every field. Thus, a man skilled in jurisprudence and kalam is not necessarily skilled in medicine ... in each field, there are men who have reached in it a certain degree of skill and pre-eminence, although they may be quite stupid and ignorant about other things" (al-Ghazālī, 1999, p. 32). Therefore, mathematical, logical, scientific, and metaphysical claims need not undermine religious truths.

Al-Ghazālī's normative project revolves around safeguarding the place of revealed law in various sciences. His perspective on the scope and limitations of revealed law can be inferred from the connections he establishes between religious law and the diverse disciplines of his time. He warns that novices taking up mathematical sciences are at risk of thinking: "If religion were true, this would not have been unknown to these philosophers, given their precision in this science of mathematics" (al-Ghazālī, 1999, p. 32). Al-Ghazālī recognizes that logic, mathematics, and physics operate through demonstrations and do not inherently affirm or deny religious matters. Consequently, he advocates for their functional separation from the law. By emphasizing this separation, he aims to undo perceived links between the precision of mathematicians and their perceived disdain for religion. He wants to teach his readers that sciences exist within their distinct domains and are independent of the personal values of the scientists, thereby salvaging the philosophical methodology and doing away with the attitudes. Al-Ghazālī subtly hints at the domains of specialization through his account of his personal crisis. Despite the doctors' ability to offer learned but ultimately ineffective diagnoses, they remained powerless to cure him. The disease defied the skills of conventional medicine, leaving the doctors helpless. In this situation, only divine intervention could bring healing (Ormsby, 1991).

For the political and moral sciences, Al-Ghazālī champions religious scholars and supports their precedence, asserting that political scientists draw upon "scriptures revealed to the prophets by God Most High and from the maxims handed down from the predecessors of the prophets" (al-Ghazālī, 1999, p. 36). As for moral scientists, Al-Ghazālī claims that they "took from the saying of the Sufis ... and mixed them up with their own doctrines" (al-Ghazālī, 1999, p. 37). Al-Ghazālī reconstructs the development of ethics, declaring that the ethical framework of the philosophers is borrowed from Sufis who were engaged in the remembrance of God and detachment from worldly pleasures, which gave them profound moral understanding.

Al-Ghazālī advises readers about how to discern authentic insights from mixed teachings. The broader trend in Islamic culture was to attribute the intellectual and spiritual achievements of the Greeks to Middle Eastern or prehistoric sources. Al-Ghazālī discusses pre-Islamic figures like the Companions of the Cave, which indicates an accepting stance toward ancient ethicists and a continuity of wisdom across diverse traditions. Al-Ghazālī advocates for the supremacy of divine inspiration in ethical development, in contrast to philosophers like al-Fārābī and Ibn Sīnā, who viewed religion as a derivative of philosophy. His approach emphasizes the practical benefits of religious practices and the moral exemplarity of prophethood as evidence of its authenticity (Kukkonen, 2016).

Despite his critique of philosophy in *Deliverance from Error*,² as well as *Incoherence of the Philosophers* (*Tahāfut al-falāsifa*),³ al-Ghazālī values philosophy. He admires syllogistic logic—a rational science based on inductive reasoning—and uses it to revive the religion. Griffel (2009) credits Al-Ghazālī with having made great contributions to the process of the naturalization of philosophy within the Islamic theological discourse. Al-Ghazālī publicly dismisses accusations of philosophical influence in *Deliverance from Error*, claiming that his teachings on the mysteries of the religious sciences [*asrār ‘ulūm al-dīn*] are partially “[his] own original ideas ... and some are found in the scriptures [*al-kutub al-shar‘īya*]; and the sense of most is found in the writings of the Šūfīs” (al-Ghazālī, 1967, p. 88; 1999, p. 39). Yet, at the same time, he subtly defends philosophy, arguing that philosophical statements can be reasonable when supported by demonstrative proofs in line with the Qur’ān and Sunna. He argues, “If we were to open this door and aim at forgoing every truth which had been first formulated by the mind of one in error, we would have to forgo much of what is true” (al-Ghazālī, 1967, p. 88; 1999, p. 39). Thus, a philosopher’s endorsement of an idea does not inherently make it false. Treiger (2011) suggests that al-Ghazālī’s “refutation” of philosophers did not negate their conclusions but rather undermined public confidence in their intellectual achievements, leaving the door open for endorsing the same conclusions in later work (Treiger, 2011).

Al-Ghazālī’s elitist vision permeates this text, asserting his expertise as a religious scholar to engage with philosophical material but denying this privilege to unqualified “commoners” (*‘awāmm*), including most scholars. He states:

The intelligent man, therefore, first knows the truth, then he considers what is actually said by someone. If it is true, he accepts it, whether the speaker be wrong or right in other matters. Indeed, such a man will often be intent on extracting what is true from the involved utterances of the erring [*ahl al-ḍalāl*], since he is aware

2 Al-Ghazālī argued that all divisions of philosophy bear “the stigma of unbelief and godlessness” (al-Ghazālī, 1999, p. 28).

3 Al-Ghazālī accuses the Muslim peripatetic philosophers in general and Ibn Sīnā and al-Fārābī in particular of committing heretical innovation concerning seventeen issues and of falling into infidelity regarding three issues (al-Ghazālī, 1999).

that gold is usually found mixed with dirt... [Since] most men have an overweening opinion of their own competence and cleverness and think they are perfectly equipped intellectually to discern truth from error, the door must be blocked to prevent the generality of men, as far as possible, from perusing the works of those addicted to error. (al-Ghazālī, 1967, p. 87; 1999, pp. 38–39)

For al-Ghazālī, the value of philosophy depends on a person's position: while he discourages commoners from engaging with it, he encourages elites to explore it, stating: "... the perusal of the philosophers' books must be prevented on the score of the deceit and danger they contain ... just as the snake charmer must not handle a snake in the presence of his little boy, since he knows that the boy will imitate him thinking he is like his father, but rather must caution his boy against that by being cautious himself in the boy's presence, so also the man of deep learning must comport himself" (al-Ghazālī, 1999, p. 41). This elitist perspective is not exclusive to al-Ghazālī; rather, it reflects a society divided between an educated class of scholars and the largely illiterate masses. In his work *The Decisive Treatise* (*Faṣl al-Maqāl*), Ibn Rushd (d. 1198) critiques al-Ghazālī for incorporating hermeneutical complexities—usually found in philosophical texts—into religious literature, which confused the populace (Belo, 2016). Al-Ghazālī justifies his reliance on philosophy by likening himself to a man sifting gold from dirt or gold from counterfeit coins, or a "skilled snake charmer" who invalidates philosophical demonstrations (neutralizing the snake's poison) but appropriates the theories (distilling the precious antidote) required to revive Islam and cure the Muslim community of its spiritual malaise (Treiger, 2011). He states:

When a skilled snake charmer takes a snake and separates the antidote from the poison and draws forth the antidote and renders the poison harmless, he is not free to withhold the antidote from anyone in need of it. So, too, when the money changer skilled in picking out coins puts his hand in the trickster's sack and takes out the genuine pure gold and discards the spurious and counterfeit coins, he is not free to withhold the good and acceptable coins from anyone who needs them. The same holds good for the true scholar. (al-Ghazālī, 1999, p. 41)

7. AL-GHAZĀLĪ'S STANCE TOWARD TRADITIONAL LEGALISTIC APPROACHES

7.1 Criticism of the Conformity-Oriented Epistemology of Law

Al-Ghazālī criticizes the epistemological basis of *kalām* from a philosophical perspective, noting that *kalām* lacks solid grounding in "primary truths" (*al-awwālīyāt*). Despite the claim of the *mutakallimūn* to being "men of independent judgment and reasoning" (*'ahlu al-ra'y wa al-naẓar*), al-Ghazālī claims that they base their arguments on "uncritical acceptance" (*taqlīd*), "the community's consensus" (*'ijmā' al-umma*), or "simple acceptance deriving from the Qur'ān and the Traditions" (*qabūl min al-Qur'ān wa al-akhbār*) (al-Ghazālī, 1967, p. 72; 1999, p. 26). According to al-Ghazālī, these

foundations are merely inherited beliefs (*al-'aqā'id al-mawrūtha*) and do not constitute genuine knowledge (*dark ḥaqā'iq al-umūr*). Indeed, much of al-Ghazālī's critique of *kalām* can be extended to the discipline of law, as it also lacks the qualities of being self-evident, universally valid, or based on philosophical inquiry.

Ibn Khaldūn (d. 1406) discusses the regression of knowledge production within legal schools from independent reasoning (*ijtihād*) to imitation (*taqlīd*) in his *Muqaddima*. With the establishment of the dominant legal schools and the increasing complexity and specialization of the various religious sciences, it became nearly impossible for any individual to encompass all the knowledge required to qualify as a *mujtahid*, prompting scholars to declare the gates of *ijtihād* closed. The spirit of intellectual plurality, diversity, and *ijtihād* became confined to *taqlīd* and mere transmission of rulings and legal theories within the schools (Ibn Khaldūn, 1958).

Ibn Khaldūn's perspective on *kalām* and philosophy contrasts with al-Ghazālī's. According to Ibn Khaldūn, speculative theologians and philosophers differ significantly in their approaches. While philosophers employ rational arguments to investigate the truth of previously unknown articles of faith, speculative theologians use rational arguments to defend articles of faith derived from religious law. They use rational arguments only after the correctness of the established articles of faith has been confirmed to refute theological innovations and dispel doubts regarding faith. Although the theologians' arguments may *appear* to search for faith through rational means, their ultimate purpose is to refute heretical views. Ibn Khaldūn emphasizes that the tenets of faith are based on divine light and, therefore, are beyond the canon of rational speculation and perceptions (Ibn Khaldūn, 1958).

In his account of his quest for genuine knowledge, al-Ghazālī does not consider the state of natural disposition (*fiṭra*) within Muslims as theologians do. He recalls that upon hearing the prophetic ḥadīth "Every infant is born endowed with the *fiṭra*: then his parents make him Jew or Christian or Magian," he sought "the true meaning of the original *fiṭra* and the true meaning of beliefs arising (*al-'aqā'id al-āriḍa*) through slavish aping (*taqlīdāt*) of parents and teachers. I wanted to sift out these uncritical beliefs (*taqlīdāt*), the beginnings of which are suggestions imposed from without, since there are differences of opinion in the discernment of those that are true from those which are false" (al-Ghazālī, 1967, p. 63; 1999, pp. 19–20). For al-Ghazālī, *fiṭra* is a set of universally shared primary judgments among all humans, regardless of their life experiences or acquired knowledge (Griffel, 2011). Muslims are just as culpable of blindly following authority and becoming distant from the natural disposition as Jews and Christians. While the inherited beliefs of Muslims happen to align with Islamic teachings and are therefore correct, they remain inherited beliefs and not true knowledge (Griffel, 2012). Al-Ghazālī likens this situation to the rust from vices clouding the mirror of the heart. These need to be polished for the heart to reflect intelligible objects. Similarly, he believes that uncritical beliefs based on imitation (*taqlīd*) of parents or teachers should be replaced by true knowledge (Treiger, 2011).

7.2 Criticism of the Limited Scope of Law

Al-Ghazālī distinguishes two types of scholars: “scholars of the afterlife” (*‘ulamā’ al-ākhirah*) who fulfill the prophetic mission of guiding people toward salvation (*najāt*) and felicity (*sa’āda*), and “scholars of this world” (*‘ulamā’ al-dunyā*), whom he identifies as “lawyers” (*fuqahā’*). Al-Ghazālī criticizes the disciplines of *fiqh* (Islamic law), *kalām*, and rhetoric for deviating from the true aim of religious scholarship. In *The Revival*, Al-Ghazālī criticizes the scholars of this world, stating: “They caused people to imagine that there is no other knowledge than an authoritative ruling (*fatwā*), employed by the judges in settling a dispute when the mob riots, or debating (*jadāl*) with which a seeker of vanity arms himself to overcome and silence [his opponent], or embellished rhymed prose (*saj’*) employed by the preacher to influence the common folk. ... As for the Science of the Path to the Afterlife (*‘ilm ṭarīq al-ākhirah*), which the righteous forebears (*al-salaf al-ṣāliḥ*) pursued and which God in His Book called Understanding (*fiqh*), Wisdom, Knowledge, Brightness, Light, Guidance, and Direction, it has vanished among the people and is completely forgotten” (al-Ghazālī cited in Treiger, 2011, p. 36).

Reflecting on his time at the Nizāmīya, al-Ghazālī regards the sciences he taught as “unimportant and useless” in the journey to the Hereafter (al-Ghazālī, 1967, pp. 38–67; 1999, p. 53). He recounts the inefficacy of the proofs (*naẓm dalīl*) and arguments (*tartīb kalām*) of the theologians in addressing his skepticism in the Nizāmīya, since *kalām* only defends orthodoxy and refutes innovations. Al-Ghazālī states that “*kalām* was not sufficient in my case, nor was it a remedy for the malady of which I was complaining” (al-Ghazālī, 1999, p. 26). Additionally, referring to the inefficacy of *kalām* in addressing skepticism, Al-Ghazālī states that its aim is “simply to conserve the creed of the orthodox for the orthodox and to guard it from the confusion introduced by the innovators” (al-Ghazālī, 1999, p. 25). Al-Ghazālī stresses that his healing came not from structured proofs (*al-adilla al-muḥarrara*), but rather from divine “unveiling” (*kashf*), which he explains as “a light which God Most High cast into my breast (*bi nūrīn qadhafahu llāhu ta’ālā fī sadr*). And that light is the key to most knowledge. Therefore, whoever thinks that unveiling of truth (*kashf*) depends on precisely formulated proofs (*mawqūf al-adilla al-muḥarrara*) has indeed strained the broad mercy of God” (al-Ghazālī, 1967, pp. 67–68; 1999, p. 23). He argues that skill in structured arguments and clever debates—mastered by lawyers and theologians—do not lead to *kashf*. Instead, *kashf* requires asceticism, ethical discipline, and polishing the mirror of the heart (Treiger, 2011). In his work *Revival of the Religious Sciences*, he aims to revive Islam based on the Science of the Path to the Afterlife, seeking to diminish the influence of “worldly” sciences that have wrongly taken precedence and contributed to the decline of religion (Treiger, 2011).

Furthermore, Al-Ghazālī distinguishes between sincere inner faith and outer action, which is not in itself enough to lead to salvation. Since the scope of law pertains only to the external, legal doctrine is not fully autonomous and is ill-equipped to discern the possibility of internal contradiction. Al-Ghazālī recounts addressing individuals who were “remiss in fulfilling the law” (*yaqṣuru fī mutāba’at al-shar’*), inquiring about the cause of

their “outward boldness” (*jur’a*) and concluding that it was because of their inner “hidden unbelief” (*kufr khafi*) if not their stupidity⁴. He emphasizes that human beings are beckoned beyond mere adherence to the external dictates of law, as external actions must be accompanied by an inner state to be of spiritual value. Al-Ghazālī thus established a framework designed to purify the heart and harmonize knowledge with practice (*‘ilm wa ‘amal*). While emphasizing the primacy of the inner life and the proper disposition of the heart, he never dismisses external actions as unnecessary. Al-Ghazālī asserts that adherence to the law and the proper performance of ritual acts are fundamental pillars of the Science of the Hereafter. To integrate legal and spiritual guidance, al-Ghazālī supplements his legal teachings with extensive discussions of their inner dimensions in *Revival of the Religious Sciences* (Ralston, 2016).

7.3 Criticism of the Inefficacy of Law as a Unifying Factor

As previously mentioned, Safi (2006) highlights the deep commitment of the Seljuk state to restoring social cohesion and order. To achieve this, the Seljuks promoted religious orthodoxy by establishing *madrasas* that propagated the state-sanctioned version of orthodoxy. Al-Ghazālī, as the chief instructor, perceived differences in the religious creed as a critical cosmic battle between good and evil, where differences needed to be completely eradicated. He argued that despite the theologians’ efforts to develop their discipline by grounding their defense of orthodoxy in rational arguments, they fell short of “dispel[ing] entirely” (*yamḥaq bi al-kullīya*) the “darkness due to the bewilderment about the differences dividing men” (*ẓulumāt al-ḥīra fī ikhtilāfāt al-khalq*) (al-Ghazālī, 1967, p. 72; 1999, pp. 26–27). Al-Ghazālī’s critique extends beyond *kalām* to encompass the discipline of law since law is also insufficient to unify society. This sheds light on why al-Ghazālī may have been disinterested in law and why law did not occupy a central role in his pursuit of Truth.

Another related criticism of the divisiveness of law was the intractability of juristic disagreements. An interlocutor who al-Ghazālī addresses in his investigation of the reasons behind the lack of conformity to religious law complains of the challenges posed by the myriad legal rulings and disagreements (*al-ikhtilāf*) within the juridical community, stating that “the truth is doubtful, the way to it hard, there is much disagreement (*al-ikhtilāf*) about it, and no one view is preferable to any other. Moreover, rational proofs contradict one another so that no reliance can be placed on the opinion of independent thinkers” (al-Ghazālī, 1967, p. 119; 1999, p. 68). The common people, grappling with this multitude of viewpoints, found it increasingly difficult to navigate the intricacies of religious law. The interlocutor proposed a solution: abandoning reliance on proofs altogether and instead following the certainty provided by the authoritative teachings of an infallible imam, as was the practice of the *bāṭinīyah*. According to the interlocutor, this approach would simplify matters and provide clarity. Of course, Al-Ghazālī was

4 Al-Ghazālī addresses the question of whether failure to act according to one’s convictions signifies disbelief (*kufr*) in his book *Scale of Action* (*Mīzān al-‘amal*). He concludes that the underlying cause is heedlessness (*ghafla*), not *kufr* (Leites, 2024).

theologically opposed to the idea of an infallible *imām*, since the Prophet is the only infallible individual.⁵

In his *Muqaddima*, Ibn Khaldūn offers a more favorable perspective on the diversity of legal opinions. He advocates for the utility of the science of juristic disagreements (*khilāf*) and recognizes that the inevitable divergence among jurists' opinions arises from their reliance on various sources, including (1) the intricacy of the Arabic language, (2) varying approaches to authenticating the *sunna*, (3) apparently conflicting *ḥadīths*, and (4) disagreements regarding the authority of consensus (*ijmā'*) and analogy (*qyās*) (Ibn Khaldūn, 1958).

7.4 Criticism of the Deficient Moral Integrity of the Juristic Class

Al-Ghazālī recounts an irreligious interlocutor justifying his negligence in fulfilling the obligations of the law, arguing that if adherence to the law were indeed obligatory, then the jurists who are most deeply versed in legal matters would naturally be the foremost in compliance. Instead, those very jurists are seen contravening normative standards in multiple ways. The interlocutor proceeds to cite six specific examples, some related to individual practice (failure to conform to prescriptions of sacred law such as neglecting prescribed prayers and indulging in wine) and others related to the inadequate exercise of legal functions (judges exploiting religious endowments and property of orphans, accepting bribes for judgments and testimony, and maintaining relationships with political authorities in contravention of the stipulations mentioned in *adab al-qādī* literature). The litany of transgressions continues, as he concludes with the ominous phrase, “and so on in many similar instances!” hinting at a broader pattern of noncompliance (al-Ghazālī, 1999, p. 68). Also, it is important to note that this criticism originates from al-Ghazālī's interlocutor, not al-Ghazālī himself, signifying the fact that such sentiments were widely circulated and acknowledged within the public sphere.

7.5 Criticism of Insincerity in Juristic Pedagogical Functions

Al-Ghazālī paints a critical portrait of the juristic class, highlighting their lack of sincerity toward their pedagogical roles. He admits that his public teaching at the Nizāmīya was not solely directed toward God; rather, it was motivated by a yearning for “fame (*al-jāh*) and widespread prestige (*al-ṣayt*)” (al-Ghazālī, 1967, pp. 103–104; 1999, pp. 53–54). Caught up in “eyeservice (*ruyā'*) and fakery (*takhyīl*),” al-Ghazālī grappled with conflicted motivations. He recalls his 6-month-long struggle to abandon the allure of his “renowned and splendid position” (*al-jāh al-'arīḍ wa al-sha'n al-manẓūm*), which, in hindsight, he recognized as the seductive “pull of worldly desires” (*tajādhub shahawāt al-dunyā*) (al-Ghazālī, 1967, pp. 103–104; 1999, p. 54). He recounts the divine intervention as God making it easy for his heart to “turn away from fame and fortune” (*al-jāh wa al-māl*). In recounting his experience, he also notes that the religious leaders in Iraq who remained

5 For a discussion of individual moral responsibility in the face of contradicting legal opinions, comparing the views of al-Ghazālī, Ibn Taymiyya, and al-Shāṭibī, see al-Khatib (2022).

insincere were perplexed by his decision to relinquish his esteemed post, which they understood as the highest dignity in the religion.

8. A SHIFT TO SPIRITUAL PRACTICE IN THE SCIENCE OF THE PATH TO THE AFTERLIFE

Al-Ghazālī's revision of Islamic thinking culminates in a foundation for effective religious life, which he called Science of the Path to the Afterlife, comprised of two branches: (1) the science of practice (*'ilm al-mu'āmalā*) and (2) the science of unveiling (*'ilm al-mukāshafa*). The science of practice encompasses external actions, including worship and social interactions, as well as internal actions of the heart. Through practice, the heart is oriented toward God, and "the mirror of the heart" becomes receptive to reflecting divine realities. This revelation of divine realities to the individual constitutes the science of unveiling (*mukāshafa*) which brings about knowledge of God (*ma'rifat Allāh*) in this world and felicity (*sa'āda*) in the afterlife (Treiger, 2011). Once this state is attained, one can experience immediate witnessing, which Al-Ghazālī considers to be the only true path to certainty. All other forms of knowledge rely on confirmation through imitation (*taqlīd*), particularly in fields like jurisprudence and theology (Lumbard, 2019).

9. CONCLUSION

In his work *The Deliverance from Error*, Al-Ghazālī indirectly sheds light on the role of law in 12th-century Iran. Discontent with prevailing social complacency, Al-Ghazālī embarked on a mission to reform the understanding and practice of legal matters. His critique encompasses several aspects: he challenged the prevailing mindset that prioritizes conformity, highlighted the external focus of legal discourse, and emphasized that law alone cannot unify society. Importantly, Al-Ghazālī did not view law as the central pivot of religion or the sole means to Truth and felicity in the Hereafter. Instead, he sought to reposition law as a practical science on the journey to the hereafter.

ABOUT THE AUTHOR

Lida Larson

Lida Larson is a student of the Master's program in Contemporary Islamic Studies (Class of 2026) at the College of Islamic Studies (CIS) at Hamad Bin Khalifa University (HBKU). She holds a Master of Education from the University of Calgary and a Bachelor of Science in Nursing from McMaster University. Her research interests include legal and scriptural hermeneutics, intellectual history, ethics, and gender studies.

lida.larson@gmail.com

REFERENCES

- Ahmed, S. (2016). *What is Islam? The importance of being Islamic*. Princeton University Press.
- al-Ghazālī, A. H. (1967). In J. Ṣalībā & K. 'Ayyād (Eds.), *al-Munqidh min al-Dalāl* (7th ed.). Dār al-Andalus.
- al-Ghazālī, A. H. (1999). *Al-Ghazālī's path to Sufism: His Deliverance from Error al-Munqidh min al-Dalāl*. (R. J. McCarthy, Trans.) Fons Vitae.
- al-Khatib, M. (2022). Consult your heart: The self as a source of moral judgment. In M. al-Khatib (Ed.), *Hadīth and ethics through the lens of interdisciplinarity* (pp. 268–305). Brill. https://doi.org/10.1163/9789004525931_013
- Belo, C. (2016). Averroes (d. 1198), the decisive treatise. In K. El-Rouayheb & S. Schmidtke (Eds.), *The Oxford handbook of Islamic philosophy* (pp. 278–295). Oxford University Press. <https://doi.org/10.1093/oxfordhb/9780199917389.013.37>
- Garden, K. (2011). Coming down from the mountaintop: Al-Ghazālī's autobiographical writings in context. *The Muslim World*, 101, 581–596. <https://doi.org/10.1111/j.1478-1913.2011.01366.x>
- Griffel, F. (2009). *Al-Ghazālī's philosophical theology*. Oxford University Press.
- Griffel, F. (2011). Al-Ghazālī's use of "original human disposition" (*fiṭra*) and its background in the teachings of al-Fārābī and Avicenna. *The Muslim World*, 102(1), 1–32. <https://doi.org/10.1111/j.1478-1913.2011.01376.x>
- Heck, P. L. (2004). Law in 'Abbasid political thought from Ibn al-Muqaffā' (d. 139/756) to Qudāma b. Ja'far (d. 337/948). In J. E. Montgomery's (Ed.), *'Abbasid studies: Occasional papers of the School of 'Abbasid Studies* (pp. 83–109). Peeters Publishers.
- Hodgson, M. G. S. (1974). *The venture of Islam: Conscience and history in a world civilization* (Vol. 2). University of Chicago Press.
- Ibn Khaldūn. (1958). *The Muqaddimah* (F. Rosenthal, Trans.). Routledge & Kegan Paul.
- Kukkonen, T. (2016). Al-Ghazālī on the origins of ethics. *NUMEN*, 63(2–3), 271–298. <https://doi.org/10.1163/15685276-12341423>
- Leites, A. (2024). *Ghafla* in Ghazālī's scale of action meaningful word or device of argument? *The Muslim World*, 113(4), 447–468. <https://doi.org/10.1111/muw.12482>
- Lumbard, J. (2019). Abū Hāmid al-Ghazālī and the art of knowing. In J. J. Elias & B. Orfali (Eds.), *Light upon light: Essays in Islamic thought and history in honor of Gerhard Bowering* (pp. 401–419). Brill. https://doi.org/10.1163/9789004410121_018
- Mather, L. (2008). Law and Society. In G. A. Caldeira, R. D. Kelemen, & K. E. Whittington (Eds.), *The Oxford handbook of law and politics* (pp. 1–19). Oxford University Press. <https://doi.org/10.1093/oxfordhb/9780199208425.003.0039>
- Ormsby, E. L. (1991). The taste of truth: The structure of experience in al-Ghazālī's *Al-Munqidh Min Al-Dalāl*. In W. B. Hallaq & D. P. Little (Eds.), *Islamic studies presented to Charles J. Adams* (pp. 133–152). Brill. https://doi.org/10.1163/9789004661523_014
- Ralston, J. (2016). The way(s) of salvation: The function of the law in John Calvin and Abū Hāmid al-Ghazālī. In M. V. Roberts (Ed.), *Comparing faithfully: Insights for systematic theological reflection* (pp. 255–273). Fordham University Press.
- Safi, O. (2006). *The politics of knowledge in premodern Islam: Negotiating ideology and religious inquiry*. The University of North Carolina Press. <https://hdl.handle.net/10161/21557>
- Schacht, J. (1982). *An introduction to Islamic law*. Clarendon Press.
- Treiger, A. (2011). *Inspired knowledge in Islamic thought: Al-Ghazālī's theory of mystical cognition and its Avicennian foundation*. Routledge. <https://doi.org/10.4324/9780203806487>