

Relationships and Commitments: Land Beyond Ownership

ויקרא כ"ה:א-י"ט

וַיְדַבֵּר יְהוָה אֶל־מֹשֶׁה בְּהַר סִינַי לֵאמֹר: דַּבֵּר אֶל־בְּנֵי יִשְׂרָאֵל וְאָמַרְתָּ אֲלֵהֶם כִּי תְבֹאוּ אֶל־הָאָרֶץ אֲשֶׁר אֲנִי נֹתֵן לָכֶם וּשְׁבַתָּה הָאָרֶץ שִׁבְתָּ לַיהוָה: שֵׁשׁ שָׁנִים תִּזְרַע שָׂדֶךְ וּשְׁשׁ שָׁנִים תִּזְמַר כַּרְמְךָ וְאִסַּפְתָּ אֶת־תְּבוּאָתָהּ: וּבַשְּׁנָה הַשְּׁבִיעִית שִׁבַת שְׁבַתֹּן יִהְיֶה לָאָרֶץ: שִׁבַת לַיהוָה שָׂדֶךְ לֹא תִזְרַע וְכַרְמְךָ לֹא תִזְמַר: אֶת סַפִּיחַ קְצִירְךָ לֹא תִקְצֹר וְאֶת־עֵנְבֵי נִזְרֶךְ לֹא תִבְצֹר שְׁנַת שְׁבַתֹּן יִהְיֶה לָאָרֶץ: וְהִיְתָה שִׁבַת הָאָרֶץ לָכֶם לֹא־לֶחֶל לָךְ וּלְעַבְדְּךָ וּלְאִמְתְּךָ וּלְשִׂכְרֶךָ וּלְתוֹשֵׁבֶיךָ הַגֵּרִים עִמָּךְ: וּלְבַהֲמֹתֶיךָ וּלְחַיָּה אֲשֶׁר בָּאֲרָצְךָ תִּהְיֶה כָל־תְּבוּאָתָה לְאֹכֵל: { ס } וּסְפַרְתָּ לָךְ שִׁבְעַת שָׁנִים שִׁבְעַת שָׁנִים: וְהָעִבְרִית שׁוֹפֵר תְּרוּעָה בַּחֹדֶשׁ הַשְּׁבִיעִי בְּעָשׂוֹר לַחֹדֶשׁ בְּיוֹם הַכִּפּוּרִים תַּעֲבִירוּ שׁוֹפֵר בְּכָל־אֲרָצְכֶם: וְקִדַּשְׁתֶּם אֶת שְׁנַת הַחֲמִשִּׁים שָׁנָה וּקְרִאתֶם דְּרוֹר בָּאָרֶץ לְכָל־יֹשְׁבֵיהָ יוֹבֵל הוּא תִּהְיֶה לָכֶם וּשְׁבַתְּם אִישׁ אֶל־אֲחֻזָּתוֹ וְאִישׁ אֶל־מִשְׁפַּחְתּוֹ תָּשְׁבוּ: יוֹבֵל הוּא שְׁנַת הַחֲמִשִּׁים שָׁנָה תִּהְיֶה לָכֶם לֹא תִזְרְעוּ וְלֹא תִקְצְרוּ אֶת־סַפִּיחֶיהָ וְלֹא תִבְצְרוּ אֶת־נִזְרֶיהָ: כִּי יוֹבֵל הוּא קֹדֶשׁ תִּהְיֶה לָכֶם מִן־הַשָּׂדֶה תֹאכְלוּ אֶת־תְּבוּאָתָהּ: בַּשְּׁנַת הַיּוֹבֵל הַזֹּאת תָּשְׁבוּ אִישׁ אֶל־אֲחֻזָּתוֹ: וְכִי־תִמְכְּרוּ מִמֶּכֶר לְעַמִּיתְךָ אוֹ קָנָה מִיַּד עַמִּיתְךָ אֶל־תּוֹנוּ אִישׁ אֶת־אֲחִיו: בְּמִסְפַּר שָׁנִים אַחֵר הַיּוֹבֵל תִּקְנֶה מֵאֵת עַמִּיתְךָ בְּמִסְפַּר שָׁנֵי־תְבוּאָתָה מִכֶּרֶךְ־לָךְ: לְפִי א רַב הַשָּׁנִים תִּרְבֶּה מִקְנָתוֹ וּלְפִי מְעַט הַשָּׁנִים תִּמְעִיט מִקְנָתוֹ כִּי מִסְפַּר תְּבוּאָתָה הוּא מִכֶּרֶךְ־לָךְ: וְלֹא תוֹנוּ אִישׁ אֶת־עַמִּיתוֹ וַיִּרְאֶת מְאֹלְהִיךָ כִּי אֲנִי יְהוָה אֱלֹהֵיכֶם: וְעִשִּׂיתֶם אֶת־חֻקֹּתַי וְאֶת־מִשְׁפָּטַי תִּשְׁמְרוּ וְעִשִּׂיתֶם אִתְּם וּשְׁבַתְּם עַל־הָאָרֶץ לְבָטַח: וְנִתְּנָה הָאָרֶץ פְּרִיָּה וְאָכַלְתֶּם לְשִׁבְעַת שָׁנִים וּשְׁבַתְּם לְבָטַח עָלֶיהָ:

Leviticus 25:1-19

GOD spoke to Moses on Mount Sinai: Speak to the Israelite people and say to them:

When you enter the land that I assign to you, the land shall observe a sabbath of GOD. Six years you may sow your field and six years you may prune your vineyard and gather in the yield. But in the seventh year the land shall have a sabbath of complete rest, a sabbath of GOD: you shall not sow your field or prune your vineyard. You shall not reap the aftergrowth of your harvest or gather the grapes of your untrimmed vines; it shall be a year of complete rest for the land. But you may eat whatever the land during its sabbath will produce—you, your male and female slaves, the hired and bound laborers who live with you, and your cattle and the beasts in your land may eat all its yield. You shall count off seven weeks of years—seven times seven years—so that the period of seven weeks of years gives you a total of forty-nine years. Then you shall sound the horn loud; in the seventh month, on the tenth day of the month—the Day of Atonement—you shall have the horn sounded throughout your land and you shall hallow the fiftieth year. You shall proclaim release throughout the land for all its inhabitants. It shall be a jubilee for you: each of you shall return to your holding and each of you shall return to your family. That fiftieth year shall be a jubilee for you: you shall not sow, neither shall you reap the aftergrowth or harvest the untrimmed vines, for it is a jubilee. It shall be holy to you: you may only eat the growth direct from the field. In this year of jubilee, each of you shall return to your holding. When you sell property to your neighbor, or buy any from your neighbor, you shall not wrong one another. In buying from your neighbor, you shall deduct only for the number of years since the jubilee; and in selling to you, you shall be charged only for the remaining crop years: the more such years, the higher the price you pay; the fewer such years, the lower the price; for what is being sold to you is a number of harvests. Do not wrong one another, but fear your God; for I the ETERNAL am your God. You shall observe My laws and faithfully keep My rules, that you may live upon the land in security; the land shall yield its fruit and you shall eat your fill, and you shall live upon it in security.

ויקרא כ"ה:כ"ה-כ"ט

כִּי־יִמּוֹךְ אַחִיךָ וּמָכַר מֵאֲחֻזָּתוֹ וּבָא גֹאֲלוֹ הַקָּרֵב
אֵלָיו וּגְאָל אֶת מִמְכָּר אַחִיו: וְאִישׁ כִּי לֹא
יְהִי־לּוֹ גֹאֵל וְהִשְׁגָּה יָדוֹ וּמָצָא כְּדֵי גְאֻלָּתוֹ:
וְחָשַׁב אֶת־שְׁנֵי מִמְכָּרוֹ וְהָשִׁיב אֶת־הָעֶדֶף לְאִישׁ
אֲשֶׁר מָכַרְלוֹ וְשָׁב לְאֲחֻזָּתוֹ: וְאִם לֹא־מָצָא
יָדוֹ דֵּי־הָשִׁיב לוֹ וְהָיָה מִמְכָּרוֹ בְּיַד הַקֹּנֵה אֹתוֹ
עַד שְׁנַת הַיּוֹבֵל וַיֵּצֵא בַּיּוֹבֵל וְשָׁב לְאֲחֻזָּתוֹ: { ס }
וְאִישׁ כִּי־יִמְכַר בֵּית־מוֹשָׁב עִיר חוֹמָה וְהִיתָה
גְּאֻלָּתוֹ עֲדַתְּם שְׁנַת מִמְכָּרוֹ יָמִים תְּהִיָּה
גְּאֻלָּתוֹ:

ויקרא כ"ה:ל"ה-ל"ו:ב'

וְכִי־יִמּוֹךְ אַחִיךָ וּמָטָה יָדוֹ עִמָּךְ וְהִחַזְקֵת בּוֹ גֵר
וְתוֹשֵׁב וְחִי עִמָּךְ: אֲל־תִּקַּח מֵאִתּוֹ נֶשֶׁךְ וְתִרְבִּית
וַיֵּרֵאת מֵאֲלֹהֶיךָ וְחִי אַחִיךָ עִמָּךְ: אֲתִכְסֹפֶךָ לֹא־
תִתֵּן לוֹ בְּנֶשֶׁךְ וּבְמִרְבִּית לֹא־תִתֵּן אֲכֹלְךָ: אֲנִי
יְהוָה אֱלֹהֵיכֶם אֲשֶׁר־הוֹצֵאתִי אֶתְכֶם מֵאֶרֶץ
מִצְרַיִם לְתֵת לְכֶם אֶת־אֶרֶץ כְּנָעַן לְהִיּוֹת לְכֶם
לְאֱלֹהִים: { ס } וְכִי־יִמּוֹךְ אַחִיךָ עִמָּךְ וּנְמַכְרְלֶךָ
לֹא־תַעֲבֹד בּוֹ עֲבַדְת עֶבֶד: כְּשֹׁכֵר כְּתוֹשֵׁב יְהִיָּה
עִמָּךְ עַד־שְׁנַת הַיּוֹבֵל יַעֲבֹד עִמָּךְ: וַיֵּצֵא מֵעִמָּךְ
הוּא וּבְנָיו עִמּוֹ וְשָׁב אֶל־מִשְׁפַּחְתּוֹ וְאֶל־אֲחֻזָּת
אֲבֹתָיו יָשׁוּב: כִּי־עֲבַדְתָּ הֵם אֲשֶׁר־הוֹצֵאתִי אֶתְּךָ
מֵאֶרֶץ מִצְרַיִם לֹא יִמְכְּרוּ מִמְכַרְת עֶבֶד: לֹא־
תִרְדֶּה בּוֹ בַּפֶּרֶךְ וַיֵּרֵאת מֵאֲלֹהֶיךָ: וְעֲבַדְתָּ
וְאָמַתְךָ אֲשֶׁר יְהִי־לְךָ מֵאֵת הַגּוֹיִם אֲשֶׁר
סָבִיבְתִיכֶם מִהֶם תִּקְנוּ עֶבֶד וְאִמָּה: וְגַם מִבְּנֵי
הַתּוֹשְׁבִים הַגֵּרִים עִמָּכֶם מִהֶם תִּקְנוּ
וּמִמִּשְׁפַּחְתָּם אֲשֶׁר עִמָּכֶם אֲשֶׁר הוֹלִידוּ
בְּאֶרְצְכֶם וְהָיוּ לְכֶם לְאֲחֻזָּה: וְהִתְנַחַלְתֶּם אֹתָם
לְבָנֵיכֶם אַחֲרֵיכֶם לְרִשְׁת אֲחֻזָּה לְעַלְמֵם בְּהֵם
תַּעֲבֹדוּ וּבְאֲחֵיכֶם בְּנֵי־יִשְׂרָאֵל אִישׁ בְּאֲחִיו לֹא־
תִרְדֶּה בּוֹ בַּפֶּרֶךְ: { ס } וְכִי תִשְׁגֵּי יָד גֵּר וְתוֹשֵׁב
עִמָּךְ וּמָךְ אַחִיךָ עִמּוֹ וּנְמַכְר לְגֵר תוֹשֵׁב עִמָּךְ אוֹ
לְעַקֵּר מִשְׁפַּחַת גֵּר: אַחֲרֵי נִמְכַר גֹּאֲלָה תְהִיָּה־
לוֹ אֶחָד מֵאֲחֵי יְגֻאֲלָנוּ: אוֹ־דָדוֹ אוֹ בְּנִדְדוֹ
יְגֻאֲלָנוּ אוֹ־מִשְׁאֵר בְּשָׂרוֹ מִמִּשְׁפַּחְתּוֹ יְגֻאֲלָנוּ אוֹ־
הַשִּׁגָּה יָדוֹ וּנְגָאֵל: וְחָשַׁב עִם־קִנְיָהּ מִשְׁנַת

Leviticus 25:25-29

If one of your kin is in straits and has to sell part of a holding, the nearest redeemer shall come and redeem what that relative has sold. Regarding anyone who has no one to be redeemer but prospers and acquires enough to redeem with: the years since its sale shall be computed and the difference shall be refunded to the party to whom it was sold, so that [the seller] returns to their holding. If [the seller] lacks sufficient means to recover it, what was sold shall remain with the purchaser until the jubilee; in the jubilee year it shall be released, so that they return to their holding. Regarding anyone who sells a dwelling house in a walled city: It may be redeemed until a year has elapsed since its sale; the redemption period shall be a year.

Leviticus 25:35-26:2

If your kin, being in straits, come under your authority, and are held by you as though resident aliens, let them live by your side: do not exact advance or accrued interest, but fear your God. Let your kin live by your side as such. Do not lend your money at advance interest, nor give your food at accrued interest. I am the ETERNAL your God, who brought you out of the land of Egypt, to give you the land of Canaan, to be your God. If your kin under you continue in straits and must be given over to you, do not subject them to the treatment of a slave. Remaining with you as a hired or bound laborer, they shall serve with you only until the jubilee year. Then they, along with any children, shall be free of your authority; they shall go back to their family and return to the ancestral holding.— For they are My servants, whom I freed from the land of Egypt; they may not give themselves over into servitude.— You shall not rule over them ruthlessly; you shall fear your God. Such male and female slaves as you may have—it is from the nations round about you that you may acquire male and female slaves. You may also buy them from among the children of the resident aliens among you, or from their families that are among you, whom they begot in your land. These shall become your property: you may keep them as a possession for your children after you, for them to inherit as

המכרו לו עד שנת היבל והיה כסף ממכרו
במספר שנים כימי שכיר יהיה עמו: אם עוד
רבות בשנים לפיהן ישיב גאלתו מכסף
מקנתו: ואם מעט נשאר בשנים עד שנת
היבל וחשבלו כפי שניו ישיב את גאלתו:
כשכיר שנה בשנה יהיה עמו לא ירדנו בפרד
לעיניך: ואם לא יגאל בגלה ויצא בשנת
היבל הוא ובניו עמו: כילי בני ישראל עבדים
עבדי הם אשר הוצאתי אותם מארץ מצרים
אני יהוה אלהיכם: לא תעשו לכם אילים
ופסל ומצבה לא תקימו לכם ואבן משלית
לא תתנו בארצכם להשתחוות עליה כי אני
יהוה אלהיכם: את שבתתי תשמרו ומקדשי
תיראו אני יהוה: {פ}

property for all time. Such you may treat as slaves. But as for your Israelite kin, no one shall rule ruthlessly over another. If a resident alien among you has prospered, and your kin, being in straits, comes under that one's authority and is given over to the resident alien among you, or to an offshoot of an alien's family, [your kin] shall have the right of redemption even afterward. [Typically,] a brother shall do the redeeming, or an uncle or an uncle's son shall do the redeeming—anyone in the family who is of the same flesh shall do the redeeming; or, having prospered, [your formerly impoverished kin] may do the redeeming. The total shall be computed with the purchaser as from the year of being given over to the other until the jubilee year; the price of sale shall be applied to the number of years, as though it were for a term as a hired laborer under the other's authority. If many years remain, [your kin] shall pay back for the redemption in proportion to the purchase price; and if few years remain until the jubilee year, so shall it be computed: payment shall be made for the redemption according to the years involved. One shall be under the other's authority as a laborer hired by the year; the other shall not rule ruthlessly in your sight. If not redeemed in any of those ways, [your kin], along with any children, shall go free in the jubilee year. For it is to Me that the Israelites are servants: they are My servants, whom I freed from the land of Egypt—I, the ETERNAL, your God. You shall not make idols for yourselves, or set up for yourselves carved images or pillars, or place figured stones in your land to worship upon, for I the ETERNAL am your God. You shall keep My sabbaths and venerate My sanctuary, Mine, GOD's.

Tanhuma (Buber) on Leviticus 25

R. Samuel ben Gedaliah said: There is no section in the Torah that does not have a capital above and a pedestal below. How does it (Leviticus 25) begin? "Speak unto the children of Israel...the land shall have a sabbath of complete rest." After that, the section on the Jubilee: "You shall count off seven sabbaths of years." And if one has not observed the Sabbatical Year and the Jubilee, he will end up selling his movable property: "When you sell property to your neighbor". If he repents, well and good; but if not, he will end up selling his land: "When your brother is in straits and has to sell part of his land holding...". If he repents, well and good; but if not, he will end up selling his house: "If a man sells a dwelling house..." If he repents, well and good; but if not, he will end up going around begging from door to door: "If your brother, being in straits, comes under your authority, you shall maintain him as though a resident alien." If he repents, well and good; but if not, he will end up being sold to you: "If your brother under you continues in straits and must sell himself to you." If he repents, well and good; but if not, he will end up being sold to the gentiles: "If a resident alien among you has prospered, and your brother, being in straits, is sold to the resident alien among you..." Nor is it just merely the individual himself (who is degraded in this way), but it is both that person and all of Israel.

The Letter of Imam ʿAlī to Mālik al-Ashtar (Excerpts)

Let the most beloved of affairs to you be those most centred upon the right, the most comprehensive in justice, and the most inclusive of popular contentment, for the discontent of the common folk (al-ʿāmma) undermines the contentment of the elite (al-khāssa); while the discontent of the elite is compensated by the contentment of the common folk. In times of prosperity no subjects are more of a burden to the ruler as regards seeking his favour than the elite, and none who are less helpful to him in times of trial; none more repelled than they by justice, more importunate in making demands, less grateful when granted favour, slower to pardon when deprived, less patient in the face of the vicissitudes of time. By contrast, the pillar of the religion, the cohesion of the Muslims, and the implement [for fighting] the enemies are constituted by the common folk, so be well disposed to them and incline towards them.

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Carefully examine the question of the kharāj land-tax, so that those subject to it are maintained in a proper state of well-being, for it is from their welfare, and the proper collection of the tax itself, that the benefit of others is derived. There can be no welfare of others except through them [the peasants], for all without exception are dependent on the [revenues of the] kharāj and those subject to it. Let your concern with the cultivation of the land outweigh your concern with the collection of the tax, for no tax will be collected if there be no cultivation. And whoever exacts the tax, without cultivating the land, ruins the land and destroys the people. His rule will not endure for long.

So if they complain of a heavy burden—or of some deficiency, or the cutting of irrigation supplies, or lack of rain, or a change in the condition of the soil as a result of flooding or drought—then lighten their burden, inasmuch as your hope is that their situation be set right. Do not let any favour you bestow upon them—by way of lightening their burden—weigh heavily upon you; for this will be an investment, which will yield a return for you in terms of the prosperity of your land and the adornment of your rule, through your reaping the finest praise from them, and taking pride in dispensing justice among them. You can then depend upon an increase in their potential as a result of what you have invested in them when you gave them respite; and you can trust them inasmuch as you have accustomed them to receiving your justice and kindness.

It is possible that a situation might arise in which you depend upon them: they would then bear this responsibility gladly, for a prosperous land can bear a burden which you place upon it. The devastation of the land only comes about through the destitution of its inhabitants; and the destitution of its inhabitants only comes about when the desire to amass wealth rules the souls of the governors, when they have doubts about what endures, and when they profit little from exemplary teachings.

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The Letter of Imam ‘Alī to Mālīk al-Ashtar

(Written when the Imam appointed him as governor of Egypt and its regions, at a time when the rule of its governor, Muḥammad b. Abī Bakr, was unstable; it is the longest of the letters written by the Imam, and the most all-embracing as regards beauty of form and excellence of meaning.)¹

In the Name of God, the Compassionate, the Merciful.

This is what the servant of God, ‘Alī, Commander of the Faithful, enjoins upon Mālīk b. al-Ḥārith al-Ashtar, in his mandate (*‘ahd*) to him, appointing him as governor of Egypt: to collect its revenues; to fight its enemies; to establish the welfare of its inhabitants; and to bring prosperity to its lands.

He enjoins him to have fear of God; to prefer obedience to God [above all things]; and to abide by what He has commanded in His Book—acts both obligatory and recommended—for no one prospers except through abiding by them, and no one is wretched except through repudiating and neglecting them. [He further enjoins him] to assist God with his heart, his hand and his tongue: for truly He—majestic is His Name—has undertaken to grant victory to him who assists Him, and to elevate him who exalts Him.² He enjoins him to break the passionate desires of his soul, and to restrain it when it is beset with whim and caprice, for truly the soul incites to evil, unless God has mercy.

And be aware, Mālīk, that I am directing you to a land which has been ruled by states—just and unjust—before you; and that the people

will evaluate your conduct, just as you have evaluated the conduct of governors before you. They will speak about you just as you spoke about them; and the righteous are proven such only through what God has caused to flow from the tongues of His servants. So let your most beloved treasure be the treasure of virtuous acts. Dominate your inclinations, and exercise self-restraint in the face of that which is unlawful for you—for indeed self-restraint engenders within the soul a proper balance as regards what it likes and what it dislikes.

Infuse your heart with mercy for the subjects, love for them and kindness towards them. Be not like a ravenous beast of prey above them, seeking to devour them. For they are of two types: either your brother in religion or your like in creation.³ Mistakes slip from them, defects emerge from them, deliberately or accidentally. So bestow upon them your forgiveness and your pardon, just as you would have God bestow upon you His forgiveness and pardon; for you are above them, and the one who has authority over you is above you, and God is above him who appointed you. He expects you to satisfy their needs; and through them He tests you.

Do not set your soul up for war with God. For before His retribution you have no resistance, and in the face of His forgiveness and mercy, no independence. So feel no regret when you pardon, and do not rejoice when you punish. Do not let an impulse propel you rashly towards any course of action, if you can see an alternative to it. Do not say, 'I have been given authority, I order and am obeyed', for this leads to corruption in the heart and the erosion of religion; and it brings closer the adversities of fate. If the authority of your position engenders vanity and arrogance, then look at the grandeur of God's dominion above you, and at His power to do for you that which you have no power to do for yourself. This will calm your ambition, restrain you from your own vehemence, and restore to you what had strayed from your intellect. Beware of comparing [yourself] with God in greatness and likening [yourself] to Him in might, for God abases every tyrant and disgraces every braggart. Be just with God and be just with people [giving them what is their due] from yourself, from your close relatives, and from those of your subjects towards whom you are most affectionate. If you fail to do this, you will be an oppressor. And he who oppresses the servants of God will find

that God, as well as His servants, will oppose him. God refutes the argument of whomever He opposes. He [the oppressor] remains at war with God until he desists and repents. Nothing so surely induces the removal of God's grace and hastens His retribution as persistence in oppression. For God hears the cry of the oppressed and keeps a vigilant watch over the oppressors.

Let the most beloved of affairs to you be those most centred upon the right, the most comprehensive in justice, and the most inclusive of popular contentment, for the discontent of the common folk (*al-ʿamma*) undermines the contentment of the elite (*al-khāssa*); while the discontent of the elite is compensated by the contentment of the common folk. In times of prosperity no subjects are more of a burden to the ruler as regards seeking his favour than the elite, and none who are less helpful to him in times of trial; none more repelled than they by justice, more importunate in making demands, less grateful when granted favour, slower to pardon when deprived, less patient in the face of the vicissitudes of time. By contrast, the pillar of the religion, the cohesion of the Muslims, and the implement [for fighting] the enemies are constituted by the common folk, so be well disposed to them and incline towards them.

Let those of your subjects who most keenly seek out the faults of others be the ones furthest away from you and the most despicable in your eyes. For people do have faults which it behoves the governor—above all others—to conceal. So do not disclose those faults which remain hidden from you. Your duty is but to purify that which has become apparent and obvious to you; God will judge concerning those things which remain hidden from you. So try and veil deficiencies as much as you can, so that God may veil from your subjects that in yourself which you wish to be veiled. Untie the knot of all resentment amongst the people, and cut from yourself the rope of all rancour. Ignore everything which is obscure to you. Never be quick to believe a slanderer, for a slanderer is a deceiver, even if he appear in the guise of a good adviser.

Do not allow into your sphere of consultation any misers, for they would deflect you from generosity and threaten you with poverty; nor any cowards, who would weaken you in your affairs; nor those who are avaricious, for they would adorn avidity for you with injustice.⁴

Truly, miserliness, cowardice and avarice are so many diverse inclinations comprised within a bad opinion of God. The worst of your ministers is he who ministered to evil [rulers] before you, participating in their sins. So do not allow them to enter your inner circle, for they are assistants to sinners, brothers of tyrants. The best alternatives to them will be found among those who are as intelligent and capable as they are, but who are not saddled with their burden of sin, and have not assisted any tyrant in his tyranny nor any sinner in his sin. Such people will be less of a burden for you as regards provision, most helpful to you as regards succour, most deeply inclined towards you in affection, and least attached to people other than you. So choose such people as intimate companions, to be with you in private and in public. Within this group, give preference to the one who most sincerely speaks the truth, however bitter it may be to you, and who supports you least in doing that which God dislikes for His friends, however painfully this may strike at your desires.

Attach yourself to those who are known for their piety and sincerity, and train them in such a manner that they do not flatter you or lavish praise upon you for doing something which you have not in fact done. For excessive praise breeds pride and carries one headlong towards vainglory. Do not place the virtuous and the wicked in the same rank before you, for this would result in the virtuous belittling the virtues and the wicked entrenching their vices. Impose upon them [the appropriate reward or punishment for] what they have imposed on themselves. Be aware that nothing so effectively engenders the governor's confidence⁵ in his subjects than his virtuous behaviour towards them, his relieving of their hardship, and his refraining from compelling them to do what is beyond their power.

Let there thus arise a situation in which you can enjoy confidence in your subjects, for such an attitude will spare you much trouble. He who is most worthy of your confidence is he by whom your trial was deemed good, while he who is most deserving of your distrust is he by whom your trial was deemed bad.⁶

Do not rupture any beneficial tradition established by the leaders of this community, as a result of which unity has been harmoniously established, and from which the subjects have prospered. Do not set up some new practice which is detrimental to the already established

traditions; if you do so, the reward for their observance will redound to him who established them, while the onus of their destruction will be upon you.

Study much with the scholars (*al-‘ulamā’*) and hold much discourse with the sages (*al-ḥukamā’*), in order to consolidate that which brings well-being to your lands, and to further entrench that which has already been established by your predecessors. Be aware that the subjects consist of various classes, none of which can be sound without the others being so, and none can function independently of the others. Among these classes are the soldiers of God (*junūd Allāh*); the scribes (*kuttāb*, sing. *kātib*) administering to the common people and the elite; the judges (*quḍāt al-‘adl*); officials responsible for upholding fairness, and establishing the right of redress (*rifq*);⁷ those who pay the *jizya* (poll-tax) and the *kharāj* (land-tax) from among the ‘protected people’ (*ahl al-dhimma*)⁸ and the Muslims; the merchants and artisans; and the lowest class, comprising the needy and destitute. God has prescribed to each [class] its share and has ordained—as a binding covenant (*‘ahdan*) with us from Him—for each its limits and its duties, according to His Book or the *Sunna* of the Prophet—God bless him and his family.

So as regards the soldiers, they are—by the grace of God—the fortresses of the subjects, the adornment of the governors, the power of religion, and the pathways to security (*subul al-amn*). The subjects cannot maintain themselves except by means of the soldiers, and the soldiers for their part cannot be maintained except by means of the [revenues of the] *kharāj* which God extracts for them; with this, they have the wherewithal to wage war on their enemies, establish their welfare, and fulfill their needs.

These two classes [the soldiers and the peasants] cannot be maintained except through the third: the judges, administrators and scribes, inasmuch as they uphold all contracts, harmonize and organize all interests and benefits, being charged with the maintenance of the specific and general affairs [of state and society]. All of these classes need for their proper functioning the merchants and artisans, who gather the requisite goods, and establish the appropriate markets. They fulfill [the needs of the other classes] by procuring through their specific functions those resources which cannot be obtained

by the work of others. Finally, there is the lowest class, consisting of the needy and the destitute—those deserving assistance and favour. For each [class] there is plenitude with God; and each has, in relation to the governor, a right proportioned to the needs of its welfare. The governor cannot fully accomplish the tasks imposed upon him by God without resolute determination and resorting to God's help (*al-ih̄timām wa'l-isti'āna*), galvanizing himself for the prerogatives of rectitude, and manifesting patience in the face of ease and difficulty.

Appoint as the commander of your soldiers the person whom you feel deeply is the most sincere in relation to God, the Prophet and your Imam, the purest of heart, the one most excellent in forbearance (*h̄ilm*); who is slow to anger, happy to pardon, kind to the weak, severe with the strong; one who is neither moved by violence, nor held back by weakness. Cleave to those of noble descent, belonging to pious families of established name and repute, and to men known for their bravery, courage, generosity (*al-sakhā'*) and tolerance (*al-samāha*)—for they constitute a group formed by nobility, and a party made of honour. Then supervise their affairs as parents would supervise their child. Let no act by which you strengthen them appear too great in your eyes. Do not belittle any kindness—however slight—which you have promised them, for such kindness is as a summoner (*dā'iya*) unto them, calling them to dispense good advice to you, and to enjoy trust in you. Do not abandon a close inspection of their affairs in favour of [ostensibly more] weighty matters, for there is a situation in which they benefit from even a small act of kindness, and one in which they cannot dispense with the weighty matters.

Let the most preferred of your commanders be one who is benevolent to the people, and most generous to them with his bounty, such that they have ample means, they and those among their relatives who succeed them. Let their concern be integrated within one resolve: to fight the enemy. Truly, your kindness towards them will cause their hearts to incline towards you.

The greatest source of joy for the governors is the establishment of justice in the land, and the emanation of love from his subjects. Such love will not be manifest unless their hearts be secure. And their advice will not be sound except through the governors' supervision

of those in charge of the subjects' affairs, and their ensuring that they find the burden of rule light and easy to bear, and that they no longer anxiously hope that the rule of the governor will be terminated. So raise their hopes, keep up your continuous praise of them, and your enumeration of the brave deeds of those who have been brave—for truly, abundant praise of their noble acts rouse the brave, and spur on the lazy, if God wills. Acknowledge the courageous deeds of every man, and do not ascribe the deeds of one to someone else, or fall short in granting due acknowledgement. Do not let the nobility of a man cause you to reckon a small accomplishment great; and do not allow the lowliness of a man cause you to reckon a great one small.

Refer to God and His Messenger any matter which weighs heavily on you, or which is unclear to you, for God the Exalted has declared to a folk whom He loved to guide: 'O ye who believe, obey God and obey the Messenger and those in authority among you. And if ye dispute with one another over anything, then refer it to God and the Messenger' (Qur'ān, 4: 59). To 'refer to God' means following that which is clear and unequivocal in His Book; and 'refer to the Messenger' means following that part of his Sunna which unites, rather than that which divides.

Choose as judges those whom you consider the most excellent of your subjects—those who are not confused by complex matters, nor angered by disputants; who do not persist in error, and are not reticent about turning to the truth when they perceive it; whose souls are not susceptible to avarice; who, dissatisfied with a superficial understanding, will probe deeply; who are most circumspect in the face of ambiguities; most consequent in argumentation; least perturbed by the appeals of litigants; most patient in efforts to disclose the true state of affairs; most resolute when the right judgement is clear; who are not beguiled by praise nor misled by blandishment. Such people are indeed rare!

Then examine carefully and frequently the execution of the judge's verdicts, and be generous in paying him, so that any deficiency [in terms of livelihood] will be removed, thus diminishing his need for help from people. And bestow upon him a rank of proximity to yourself, one which nobody else from among your close companions might hope to attain. He should be made safe in your presence,

protected against the attacks of other influential men. Scrutinize them with a piercing scrutiny, for this religion had been held captive in the hands of evil people, abused by them and their caprice, exploited by them for the sake of this world.

Then consider your administrators. Employ them after due examination, and do not appoint them out any partiality or favouritism, for such indulgence will engender various forms of injustice and treachery. Look for men of proven experience and modesty from among the righteous households, families enjoying precedence in Islam,⁹ for they are the most noble in character, most rooted in dignity, least susceptible to greedy desires, and most acutely conscious of the consequences of all things. Provide them with a generous stipend, for this will be a source of strength for them, enabling them to establish their welfare, obviating any need to appropriate for themselves what that have power over, and providing an argument against them should they disobey your orders or betray your trust. Examine carefully their actions, by appointing supervisors known for their sincerity and reliability to watch over them. Your secret observation of their affairs will motivate them to fulfil their trust, and to be considerate towards the subjects. Pay attention also to your assistants: should any one of them stretch his hand towards some treacherous deed—and your observers are unanimous in their report, which you deem sufficient evidence of the act—then impose corporal punishment upon him. Let him be chastised on account of the affliction effected by his act. Let him be disgraced, brand him a traitor, and gird him with the ignominy of accusation.

Carefully examine the question of the *kharāj* land-tax, so that those subject to it are maintained in a proper state of well-being, for it is from their welfare, and the proper collection of the tax itself, that the benefit of others is derived. There can be no welfare of others except through them [the peasants], for all without exception are dependent on the [revenues of the] *kharāj* and those subject to it. Let your concern with the cultivation of the land outweigh your concern with the collection of the tax, for no tax will be collected if there be no cultivation. And whoever exacts the tax, without cultivating the land, ruins the land and destroys the people. His rule will not endure for long.

So if they complain of a heavy burden—or of some deficiency, or the cutting of irrigation supplies, or lack of rain, or a change in the condition of the soil as a result of flooding or drought—then lighten their burden, inasmuch as your hope is that their situation be set right. Do not let any favour you bestow upon them—by way of lightening their burden—weigh heavily upon you; for this will be an investment,¹⁰ which will yield a return for you in terms of the prosperity of your land and the adornment of your rule, through your reaping the finest praise from them, and taking pride in dispensing justice among them. You can then depend upon an increase in their potential as a result of what you have invested in them when you gave them respite; and you can trust them inasmuch as you have accustomed them to receiving your justice and kindness.

It is possible that a situation might arise in which you depend upon them: they would then bear this responsibility gladly, for a prosperous land can bear a burden which you place upon it. The devastation of the land only comes about through the destitution of its inhabitants; and the destitution of its inhabitants only comes about when the desire to amass wealth rules the souls of the governors, when they have doubts about what endures, and when they profit little from exemplary teachings.

Now consider with care the situation of your scribes, appointing the best of them in charge of your affairs. Assign those letters containing the most sensitive strategies and secrets to the scribe in whom you find the most comprehensive moral qualities; one who will not be emboldened by his elevated status to contradict you in the presence of others at a public assembly; one who is not negligent in delivering to you the correspondence of your officials, and properly despatching your replies, regarding what he takes and gives on your behalf. He must not weaken any agreement contracted for you, nor be incapable of repudiating that which has been contracted to your detriment. He must not be ignorant of the value of his own capabilities; for one who is unaware of the value of his own capabilities will be even more ignorant of the value of others. Do not allow yourself to make your selection only on the basis of your own discrimination, confidence and trust, for men know how to present themselves to the discrimination of rulers through pretence and good service, behind which there

is no sincerity or fidelity. Rather, investigate them carefully, doing so in relation to that with which they were entrusted by good people before you; and trust him whose virtue left the deepest impression upon the common people, and whose reputation for integrity is most widespread. This will be proof of your sincerity towards God and towards the one who appointed you.

Appoint for each of your affairs a head-officer among your officials, one who will not be daunted by the magnitude of affairs nor dispersed by their multiplicity. Any fault of your scribes which you have ignored will be ascribed to yourself.

Then attend to the merchants and artisans. Treat them well, urging the same on others. [Among them are] those of fixed abode, those who travel with their goods, and those who earn their livelihood with their hands. They are sources of benefit and the means by which conveniences are obtained. By them are procured goods from distant and remote places, brought by land and sea, from plains and mountains, and from places where men do not settle nor even dare to venture. They are in a state of reconciliation (*silḥ*), and from them no calamity need be feared; and they are in a state of peace (*ṣulḥ*), from them no disturbance need be feared. Examine their affairs attentively, both those which are close to you and those in all corners of your land. Be aware that, despite what has been said, there is in many of them a despicable stinginess, a repugnant greed, a propensity to hoard goods, and to arbitrarily fix prices. All of this brings about loss for the populace, and is a source of shame for the governors. So prohibit hoarding, for the Messenger of God—God bless him and his family—prohibited it. Let trading be carried out with propriety and fairness, according to prices which do not harm either of the two parties, the buyers or the sellers. So if any one of them succumbs to the temptation to hoard, after you have prohibited it, inflict upon him an exemplary—but not excessive—punishment.

Then—O God, O God!—[pay particular attention to] the lowest class, those who have no wherewithal, the destitute, the needy, the afflicted, the disabled. Within this class are those who beg, and those whose wretchedness calls out to be alleviated but do not beg.¹¹ Be mindful of God in regard to their rights, for He has entrusted these rights to your care. Assign to them a portion from your public

treasury (*bayt al-māl*), and a portion of the produce of what is taken as booty by the Muslims in every region, for those who are furthest have the same rights as those nearest. Upholding the right of each of them is incumbent upon you. Do not let any haughtiness on your part cause you to neglect them, for you will not be pardoned even the slightest shortcoming [in fulfilling your obligations towards them] as a result of attending to some important matter. So do not turn your concern away from them, nor assume a contemptuous attitude towards them. Keep a watchful eye over the affairs of those who have no access to you, and who are disdained by men of high standing. Appoint from among those you trust a God-fearing and humble person to be responsible for bringing their affairs to your attention. Treat these people in a manner such that God may excuse you on the day you meet Him, for they are more in need of justice from you than any others among your subjects. In regard to each of them, offer your excuse to God¹² in respect of fulfilling his right. Assume responsibility for the orphans and the elderly, those who have no resources yet cannot being themselves to beg. This is onerous for the governors, and [the fulfilment of] all rights is onerous, but God makes it light for those who aspire to the Hereafter, who restrain their souls in patience, and trust in the truth of that which is promised them by God.

Apportion a part of your time to those who have special needs, making yourself free to attend to them personally, sitting with them in a public assembly with all due humility before God, your Creator. Keep your soldiers, guards and officers away from them, so that they can speak to you in an uninhibited manner¹³ for I heard the Messenger of God say—God bless him and his family—on more than one occasion: ‘A nation in which the rights of the weak are not wrested in an uninhibited manner from the strong will never be blessed.’

Bear patiently any coarseness or inarticulate expression that they might manifest; do not show any irritation or disdain towards them—God will thereby extend the most extensive dimensions of His compassion to you and make incumbent the reward for your obedience to Him. Give whatever you give with beneficence, and withhold [if this be unavoidable] with grace and apology.

There are certain affairs which you must take care of personally—among which are replying to your officers if your scribes are

incapable of so doing; issuing [responses to] the requests of people when they are brought to you in person because your aides find their hearts constricted on their account.

Perform each day the task proper to it, for to each day belongs a particular task. Set apart the most excellent of your available time, and the greatest portions thereof, for your soul, for what is between you and God, even though all times [and actions performed therein] are for God, if the intention underlying them is good, and if your subjects derive security as a consequence. Let your observance of those duties (*farā'id*, sing. *farīda*) relating exclusively to God be the special means by which you purify your religion for God.¹⁴ Give unto God of your vital energy¹⁵ in your nights and your days, and perform fully that by which you draw near to God, doing so perfectly, without becoming dull or deficient, taking your body to its limits.¹⁶

When you lead the people in prayer, do so without repelling [them] or squandering [it],¹⁷ for there are people with infirmities or special needs. Indeed, I asked the Messenger of God—God bless him and his family—when he sent me [as his representative] to Yemen, ‘How should I lead them in prayer?’ He replied, ‘Lead them according to the prayer performed by the weakest among them; and be merciful to the believers.’

In addition to all of this, do not prolong any period of absence from your subjects, for the isolation of the governors from their subjects is a kind of constriction and causes deficiency in awareness of their affairs. Such isolation cuts rulers off from acquiring knowledge about things hidden from them, so that which is great will appear small, and that which is small, great; the beautiful will appear ugly, and the ugly, beautiful; the true will be mixed with the false. The governor is but a human being: he cannot know what people hide from him. There are no visible signs on the truth, by virtue of which apparent expressions of veracity can be distinguished from falsehood.

You can only be one of two types: either a man who gives himself generously for the sake of the truth—in which case why seclude yourself [thereby preventing yourself] from bestowing a necessary right or performing an honourable deed? Or else you are a man afflicted with refusal [to give of oneself] in which case, how quickly people will refrain from making requests of you, despairing of your generosity!

This, despite the fact that [fulfilling] most of the needs which people present to you is not burdensome, whether they be complaints against injustice or demands for fairness in transactions.

The governor has favourites and intimate friends, among whom some are prone to presumptuousness, arrogance and unfairness in transactions. Sever the root of these people by eliminating the causes of these vices, by not allotting any landed estates to anyone among your entourage or friends. Do not let them entertain any hope that you may grant them some estate; [were they to receive such an estate] it would be detrimental to those living adjacent to it, as regards [their access to] water resources, or any common undertaking, the burden of which would doubtless fall on them, while the profit therefrom would redound to those acquiring the estate, and not upon you. Upon you will fall only the resulting blame (*'ayb*), both in this world and the next.

Impose what is right upon whomsoever it is incumbent, whether he be close to you or distant. Be steadfast and vigilant in this matter, regardless of how it may affect your close ones and favourites. Always desire the consequences of [this principle], however heavily it may weigh upon you, for its outcome will be laudable.

If any of your subjects suspect you of an injustice, present your case such that you may be exonerated,¹⁸ thus deflecting their suspicions away from you through your clear explanations. Such conduct is a means of self-discipline, it is a form of kindness towards your subjects, and a way of presenting your plea which will help you to fulfill your need to keep them upright in accordance with the truth.

Never reject any call to peace made to you by your enemy, if there be divine acceptance of his call,¹⁹ for truly in peace lies repose for your soldiers, relaxation of your concerns, and security for your lands. But maintain all due vigilance regarding your enemies once you have contracted peace with them, for it is possible that the enemy is only making peace with you in order to lull you into a false sense of security.²⁰ So proceed with all due precaution, and be wary of having too trusting an opinion in such circumstances. But if you and your enemy enter into a solemn agreement, or if he obtain from you the right of protection (*dhimma*), then faithfully abide by what you have promised, and honourably uphold your obligation

of protection. Make your very life a shield for what you have promised, for there is no divine obligation which so strongly unites people—despite having diverse inclinations and multifarious opinions—as that of honouring the principle of fulfilling one’s pledge. The polytheists had observed this amongst themselves—even apart from their dealings with the Muslims—such was their dread of the consequences of treachery. So do not violate your pledge of protection, do not break your promises, and do not be treacherous towards your enemy—for only an ignorant wretch (*jāhil shaqiyy*) dares to oppose God.²¹ God has indeed made His pledge and His protection a means of security, spreading it over His servants by His mercy, a sanctuary in the impregnability of which they find peace, and towards the protective power of which they make haste. So let there be no corruption, no treachery, and no deception. Do not enter into any agreement which contains defects, nor fall back on ambiguous connotations once the agreement has been confirmed and solemnized. Do not let any difficult matter lead you to break unfairly an agreement which God has made binding upon you. For indeed, your patience in the face of a difficulty—hoping for its resolution and its positive outcome—is far better than acting treacherously and then fearing its consequence: being overwhelmed by an exacting demand (*tilba*) from God, from which you will not be able to seek exemption in this life or the next.

Beware of unlawfully shedding blood: nothing is more conducive to retribution, more momentous in consequence, more deserving of the cessation of blessings and the severance of one’s term [of life] than the unjust shedding of blood. On the Day of Resurrection, God—glorified be He—commences judgement of His servants by [calling them to account over] the blood they have shed. So do not try and strengthen your authority by unlawful bloodshed, for such action in fact weakens and debilitates it, indeed, brings it to an end and removes it.

You have no excuse before God or before me if you intentionally murder anyone, for this calls forth capital punishment. If you fall prey to some error, and your tongue or your hand goes too far in inflicting punishment—for even a punch, and other such assaults, can be a cause of death—do not allow pride in your power to make you seek

a way of avoiding payment of what is rightfully due as recompense to the relatives of the person killed.

Beware of being self-satisfied, of being over-confident in what you find impressive about yourself, and of loving to be flattered, for these are among Satan's most reliable opportunities to efface the virtue (*ihsān*) of the virtuous (*al-muhsinīn*). Beware of making your subjects beholden to you for your virtue towards them; of exaggerating your deeds; and of making promises to them which you break. For making people beholden ruins virtue; exaggeration removes the light of the truth; and breaking promises imposes upon you the hatred of God and men. God the Exalted has said: 'It is indeed hateful to God that ye say that which ye do not' (61:3). Beware of rushing your affairs before their proper time, of squandering the possibility of dealing with them, of obstinacy when they prove intractable, of feebleness in dealing with them when they become manifestly clear. Put every affair in its proper place, and deal with it in its proper time. Beware of appropriating that in which all men have an equal share, and of negligence in regard to what is urgent and has become self-evident, for this will be to the detriment of yourself, and to the benefit of others. Soon, the veil covering all affairs will be lifted for you, and justice will be sought from you by those who have been wronged.

Dominate the zeal of your pride, the vehemence of your castigation, the power of your hand, and the sharpness of your tongue. Guard against these vices by restraining all impulsiveness, and putting off all resort to force until your anger subsides, and you regain self-control. But you cannot attain such self-domination without increasing your pre-occupation with remembrance of your return to your Lord.

It is incumbent upon you to remember what transpired in earlier times as regards just rule and virtuous customs, the practices of the Prophet—God bless him and his family—and the obligations enshrined in the Book of God. So faithfully follow that which you have witnessed us performing in these respects, and strive with all your soul to act in accordance with the injunctions contained in this mandate of mine. I am confident that this [mandate] will furnish an argument for myself against you, so you have no excuse if your soul hastens instead to gratify its caprice.

I beseech God by the abundance of His compassion, and the magnitude of His power, to fulfill every desire, to cause me and you to do that which will please Him, to present a clear justification to Him and His creatures, to earn the fairest praise amongst the servants [of God], and leave behind us the most beautiful vestiges in the land. [I beseech him to grant us] perfect blessings and ever-increasing honour, and that He seal [the lives of] myself and yourself with felicity (*al-sa'āda*) and the testimony (*al-shahāda*).²² 'Truly unto him we are returning' (2: 156).²³

And peace be with the Messenger of God—God bless him and his good and pure progeny.

NOTES

1. These are the words of the compiler of the *Nahj*, al-Sharīf al-Raḍī.
2. *Takaffala bi-naṣri man naṣarahu, wa i'zāzi man a'azzahu.*
3. *Immā akhun laka fi'l-dīn, wa immā nazīrun laka fi'l-khalq.*
4. *Yuzayyinu laka'l-sharaha bi'l-jawr.* The meaning here appears to be this: an avaricious person will make greed for things of this world appear pleasing and good through disguising the means to obtain them—misappropriation, oppression, injustice; these vices will be presented as virtues inasmuch as they are means to the gratification of one's desires, this being the only 'virtue' which the avaricious recognise as such.
5. Literally, 'good opinion', *ḥusn al-ẓann*.
6. *Inna aḥaqqā man ḥasuna ẓannuka bihi laman ḥasuna balā'uka 'indahu; wa inna aḥaqqā man sā'a ẓannuka bihi laman sā'a balā'uka 'indahu.* This subtle point can be understood in the light of the statement of the Imam in his discourse to Kumayl, studied in chapter 1 of this work: the sage, or 'lordly knower' (*'ālim rabbāni*) is he who 'befriends that by which the ignorant are estranged'. One thing that the sages befriend and embrace (as a purification) is a trial (*balā'*), while those who are 'ignorant' are 'estranged' by trials, deeming them to be negative, seeing them only from a flat, horizontal and worldly point of view. (I am grateful to Shaykh Hamza Yusuf for helping me to understand the Arabic meaning of this difficult sentence in the Letter of the Imam.)
7. The primary meaning of *rifq* is 'gentleness, tenderness', but it can also refer to 'a thing by means of which one seeks help or assistance' (Lane, *Lexicon*, I, 1126); thus, it can be translated in this context as 'redress' given that the officer in question is chiefly responsible for establishing 'fairness' (*inṣaf*).

8. That is, 'the People of the Book', those recipients of earlier revelations (principally Christians and Jews but the category was also extended in practice to other faith-communities) who were granted protection by the Muslim authorities upon due payment of the *jizya* tax.

9. That is, those who embraced Islam earliest, at a time when doing so promised no earthly reward, quite the contrary. This willingness to sacrifice is a key criterion of what the Imam refers to as nobility (*karam*) of character.

10. *Dhukhr*, literally, 'treasure'.

11. The translation given here of the two types—*al-qāni'* and *al-mu'tarr*—is based on 'Abduh's gloss. See his edition of the *Nahj*, p.639.

12. That is, be prepared to justify your conduct before God.

13. *Ghayr mutata'ti'*, literally, 'without stammering', implicitly, through fear.

14. This could also be translated as 'that by which your religion is rendered sincere for God' (*mā tukhliṣu li'LLāhi bihi dīnaka*).

15. Literally, 'of your body' (*min badanika*).

16. *Bālighan min badanika mā balagha*.

17. *Lā takūnanna munaffiran wa lā muḍayyi'an*. The meaning here seems to be: do not repel the people by making the prayers too lengthy; but do not make the opposite mistake either, that of making the prayers too short, and thus squandering the blessings and the solidarity generated by congregational prayer.

18. *Fa'ṣḥir lahum bi-'udhrik*, literally: present your excuse to them. The primary meaning of the word '*udhr*' is indeed 'excuse', but it can also mean 'a plea whereby one excuses oneself' (Lane, *Lexicon*, II, 1984), thus, a means of exonerating oneself of any misconduct, and not just asking to be excused for misconduct. In this context, to translate the word as 'excuse' would carry the implication that an injustice had indeed been committed, and that one was seeking to be excused for it. It is clear, however, that the Imam expects Mālik to act justly in all circumstances, and thus never need to be 'excused' for acting unjustly. The governor may, however, be required to explain the circumstances pertaining to an apparent act of injustice on his part, the exigencies and ambiguities of political life being what they are.

19. That is, in legal terms: if it conforms outwardly to the conditions laid down in the sources of the divine revelation; and in spiritual terms: if it conforms with your innate sense of what accords with the principle of justice, which is at one with the divine nature itself, as discussed in Chapter 2 of this work.

20. *Rubbamā qāraba li-yataghaffala*.

21. In other words, any breaking of a promise—even to an enemy—is tantamount to daring ‘to oppose God’.

22. The word *shahāda* means testimony, witness, and also martyrdom, as in the Greek origin of the word, the martyr being the one who bears testimony to his faith by sacrificing his life for it.

23. *Innā ilayhi rāji’ūn*. Most editions of the *Nahj* have this phrase from the Qur’ān, but the Persian critical edition has the word *rāghibūn* instead of *rāji’ūn*, which would mean: ‘truly unto Him we make our request’. The editor notes that two manuscripts consulted for the edition do contain these words from the Qur’ān, which seem the most fitting way to seal the Imam’s mandate. See *Nahj*, p.383.