The Puzzle of Missing Discussions

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Abstract

Institutional constraints to prevent abuses of power have been central to Western political thought. In contrast, no such tradition developed in Islamic political thought until the 18^{th}–19^{th} centuries, with the rise of Westernizing currents. This absence is striking, given Muslim scholars' concern with abuses of power and their access to Greek political discourse. We introduce this puzzle and offer an explanation, formalized in a model. There are two channels of political accountability: institutional constraints and collective action, whereby the community revolts to overturn harmful rulers or policies. Divine law specifies correct policies within its domain, thereby facilitating collective action by reducing uncertainty about the correct government policy. Islamic law encompassed a far broader scope than divine law in the West. Therefore, given the core assumptions of the Islamic normative tradition, collective action was a more effective mechanism of accountability than the institutional constraints favored in the Western tradition.

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1 Introduction

The political economy literature emphasizes that institutional constraints on rulers are essential for promoting governance in the collective interest (Persson, Roland and Tabellini, 1997; Boix, 2003; Aghion, Alesina and Trebbi, 2004; Maskin and Tirole, 2004; Acemoglu, Robinson and Torvik, 2013; Gieczewski, 2022). Some scholars attribute the "rise of Europe" to such institutions (North and Thomas, 1973; North and Weingast, 1989; Acemoglu, Johnson and Robinson, 2005). This reflects a Western intellectual tradition rooted in the political thought of figures such as Plato, Aristotle, Cicero, Aquinas, Montesquieu, and Madison.

Aristotle's *Politics* (Aristotle, 1996) offers examples of institutional mechanisms designed to constrain rulers, including the multiplicity of decision-makers (Book 3, Ch. 15, Par. 8), term limits (5, 8, 6–7 and 12–13), and the strategy of setting interest against interest (5, 8, 14)—"what later came to be called checks and balances" (Ryan, 2012, p. 99). Madison echoes this approach in *The Federalist* No. 51:

> If angels were to govern men, neither external nor internal controls on government would be necessary. In framing a government which is to be administered by men over men, the great difficulty lies in this: you must first enable the government to control the governed; and in the next place oblige it to control itself. A dependence on the people is... the primary control... but experience has taught mankind the necessity of auxiliary precautions. This policy of supplying, by opposite and rival interests, the defect of better motives, might be traced through the whole system of human affairs.

We identify a new puzzle: a similar intellectual tradition did not emerge in Islamic civilization until the 18th–19th centuries, with the rise of Westernization currents in the Ottoman Empire and Iran. Muslim thinkers, jurists, and philosophers did not engage with ideas about institutional mechanisms to constrain rulers. This absence is striking, given

their concern with abuses of power and their access to Greek philosophical discourse.[1] We introduce this puzzle and offer an explanation, formalized in a model.

To clarify the nature of our inquiry, we emphasize that we do not aim to explain the historical absence of *materialized* institutional constraints in Islamic civilization or its economic divergence from the West. A substantial literature examines these important questions (Lewis, 1982; Huntington, 1996; Blaydes and Chaney, 2013; Platteau, 2017; Rubin, 2017; Stasavage, 2020; Auriol, Platteau and Verdier, 2023), offering explanations based on, for example, particular Islamic laws (Kuran, 2012, 2023) or rulers' independence from the elite (Crone and Hinds, 1986, pp. 106–7). Our goal, instead, is to understand the puzzling historical absence of discussions of institutional constraints in Islamic political theory.

There are two channels of political accountability: institutional constraints and collective action, where the community revolts to overturn harmful policies or rulers. We argue that Muslim thinkers were aware that government "is to be administered by men over men," and that one must "enable the government to control the governed." However, given the core assumptions of their normative tradition, it made sense for them to emphasize "external controls" and "dependence on the people" as the means of accountability (collective action approach), rather than designing "internal controls" through "opposite and rival interests" to "oblige it to control itself" (institutional constraints approach).

In our model, the government chooses a policy, but citizens can overturn it through revolt. Rulers may have private interests, and citizens are uncertain about optimal policies. Policies fall into two categories: those governed by divine law and those outside its scope. Divine law specifies the correct policies within its domain, e.g., taxes on certain goods or lands. To a scholar within this normative tradition, such policies are deemed right for citizens. We compare citizen welfare, from the perspective of such a scholar, with and without institutional constraints. While institutional constraints limit government transgressions

[1]We do not claim that no Muslim ever discussed institutional constraints—some works may be lost or undiscovered; Nor do we suggest that our explanation is the sole reason; Our aim is to highlight the likely absence of a sustained normative tradition and to offer a plausible account.

by dividing state authority, they also impose deadweight losses through decision-making frictions and administrative costs.

We show that a broader scope of divine law facilitates collective action by making deviations from correct policy more observable, thereby strengthening citizens' ability to coordinate and reducing the marginal value of institutional constraints. In this sense, divine law functions as a substitute for institutional constraints. When its scope exceeds a certain threshold, societal welfare—viewed from within the normative tradition—is higher in the absence of institutional constraints. We then argue that scholars were more likely to engage with alternative theories when they expected these alternatives to yield greater societal welfare than the status quo. This reflects scholars' limited resources and their desire to focus on relevant and useful topics. This logic parallels hesitations to paradigm shifts: "As in manufacturing so in science [and so in normative traditions]—retooling is an extravagance to be reserved for the occasion that demands it" (Kuhn, 1962, p. 76).

To apply this theory, we highlight some core assumptions of the Islamic normative tradition. Islamic law was regarded divine, had a wide scope in public policy, and was not malleable (Abou El Fadl, 2001; Crone, 2004; Hallaq, 2009, 2014). Rulers would find "that the past which they were supposed to imitate consisted of narrowly defined rules, not... compatible with any interpretation they might wish to put on it. In practice, their hands had thus been tied" (Crone and Hinds, 1986, pp. 92–93). Rulers could not change even the laws of rebellion, where they had strong incentives to exert influence. These laws provided substantial protection for rebels: "At a minimum, the majority of Sunnī jurists agreed that the rebels are not to be held liable for life and property destroyed during the course of their rebellion, and that, as a general matter, rebels may not be executed and their properties may not be confiscated" (Abou El Fadl, 2001, p. 238); Shi'is were even more sympathetic. Even cosmopolitan figures like Ibn Rushd (d. 1198) described Islamic law as "definite, invariable, and permanent," contrasting it with laws "depend[ent] on what was more useful at each moment, as in the case of Byzantine laws" (Averroes and Ezzaher, 2015,

p. 130).[2] In contrast, the Greeks and Romans had virtually no divine law, and in Christian civilization it had limited scope. As Bernard of Clairvaux wrote to the Pope, "True, thy palace is made to resound daily with noisy discussions relating to law, but it is not the law of the Lord, but the law of Justinian" (Tierney, 2010, p. 92).

We interpret our results in light of these observations to offer an explanation for the puzzle of missing discussions. Divine law had far broader scope in the Islamic than in the Western tradition. As a result, from the perspective of scholars within the Islamic normative tradition, the collective action approach was a more effective means of accountability, while institutional constraints would have reduced societal welfare. Given their core assumptions, these scholars had little incentive to devote limited resources to engaging with the institutional constraints approach favored in the West.

We then provide evidence that the Islamic normative tradition encouraged opposition to rulers who persistently violated Islamic law, and that many prominent scholars supported revolts and emphasized legal protections for rebels. This contrasts with Western tradition, where the inferior magistrate theory and Locke's theory of resistance, developed in the sixteenth and seventeenth centuries, marked key innovations (Maier, 1972; Klosko, 2012). Ghazali's (d. 1111) views on resistance reflect the outlook of a relatively "conservative" and stringent defender of law and order within the Islamic normative tradition. Lambton (1981) argues that, among Muslim thinkers, Ghazali's "political thought is dominated rather by a fear of civil war (*fitna*) and disturbances (*fasād*) leading to disorder and anarchy" (p. 109). And yet, even in his *Faḍā'iḥ*, written primarily to defend the Abbasids, Ghazali argues (Abou El Fadl, 2001, p. 184):

> If the ruler's commands are illegal, or if he does not rely on jurists, and someone more qualified. . . is found, people should weigh the benefits and costs of attempting to overthrow him, and replace him with someone better.

[2]The Jewish normative tradition follows a similar pattern: like in Islam, divine law had wide scope, and institutional constraints were not discussed (Halpern, 1981; Walzer, 2012; Halbertal and Holmes, 2017).

In his *Iḥyā*, Ghazali dedicates a chapter to commanding and forbidding rulers, praising those who speak out against rulers and get killed. He argues that ordinary Muslims, *without the permission of rulers*, can band together, arm themselves, and use force and violence to forbid wrong (Cook, 2001, ch. 16). The Christian recension of Ghazali's *Iḥyā* in Gregory Barhebraeus's (d. 1286) *Ethicos* highlights the radically different attitude toward rebellion in the Christian and Islamic worlds. *Ethicos* closely follows Ghazali's structure of arguments, but Christianizes various aspects. In particular, in *Ethicos*, the duty of admonition and rebuke (corresponding to forbidding wrong) is reserved for ecclesiastical authority, because orders can be given only from superiors to inferiors. Moreover, even churchmen must not use force, which is reserved for secular authority (Cook, 2001, pp. 600–3).

To our knowledge, this is the first paper to identify the absence of discussions of institutional constraints in the Islamic normative tradition. This observation can emerge, for example, from surveying comprehensive studies of Islamic political thought (Rosenthal, 1958; Lambton, 1981; Crone and Hinds, 1986; Crone, 2004; Black, 2011; Cook, 2014). In Online Appendix B, we also examine key writings across the three major genres of Islamic political discourse: law, philosophy, and advice literature. While concerns about tyranny are common, we find no evidence of discussions of institutional constraints on rulers. Some scholars have hinted at this absence in passing. For example, Crone (2004, p. 277) observes: "One would have thought that there was only a short step... to the view that the scholars should... monitor [the ruler's] performance, for example by forming independent councils authorized to signal when the rules had been breached, to strike out illegal decisions, and to block their execution. Small though the step may seem, however, there were few who took it." Similarly, Roy (1994, p. 61) notes that the "poverty of Islamist thought on political institutions is striking," and Cook (2014, p. 312) highlights that "republics... were ignored by the normative tradition."

Our main contribution is to identify this puzzle and provide a formal explanation for it. The analysis also illustrates how formal positive theory can deepen our understanding

of normative traditions. A distinctive feature of such inquiries is that their assumptions must be grounded in the core premises of the normative traditions they seek to understand. Consequently, researchers must identify the foundational assumptions on which scholars within each tradition based their reasoning, even when those assumptions may appear false or unrealistic from an external perspective.

We also contribute to the literature on protest and revolution—see Chenoweth (2023), Egorov and Sonin (2024), and Cantoni et al. (2024) for recent reviews.[3] The literature has emphasized revolt as a mechanism of political accountability: revolts can overturn the status quo, and regimes may adjust their policies to avoid collective action (Tilly, 1978; Boix, 2003; Acemoglu and Robinson, 2006; Aidt and Franck, 2015; Tarrow, 2022). As noted, a parallel literature highlights institutional constraints as a means of disciplining rulers. To our knowledge, these two approaches have not been systematically compared. As part of our analysis, we assess the relative efficacy of protest and institutional constraints as alternative mechanisms of accountability, focusing on how their effectiveness depends on the clarity of optimal government policy.

2 Collective Action Approach

We begin by analyzing a setting without institutional constraints, in which revolt is the primary instrument of accountability.

Players There is a unit mass of citizens and a ruler, who can be either good or bad. A good ruler's preferences align with the citizens', while a bad ruler has conflicting interests. The ruler is bad with probability $q \in (0, 1)$.

[3]This vast literature includes a thriving branch that employs formal theory (Bueno de Mesquita, 2010; Shadmehr and Bernhardt, 2011; Little, 2012; Boix and Svolik, 2013; Casper and Tyson, 2014; Little, Tucker and LaGatta, 2015; Chen and Suen, 2017, 2021; Luo and Rozenas, 2018; Egorov and Sonin, 2021; Morris and Shadmehr, 2023, 2024; Chau, Hassan and Little, 2025; Gieczewski and Kocak, forthcoming).

Actions The ruler chooses a binary action $a \in \{0, 1\}$, representing government policy—e.g., whether an act is punished, the tax rate is high or low, a contract is enforced, or a testimony is admitted. After observing this action, citizens simultaneously decide whether to revolt. A revolution succeeds if and only if the measure of revolters exceeds a threshold $T \in (0, 1)$. If the revolt succeeds (denoted $r = 1$), the ruler's action is reversed, and the policy becomes $1 - a$. If it fails ($r = 0$), the initial policy is maintained. Thus, the final policy is

$$d(a, r) = a(1 - r) + (1 - a)r.$$

Payoffs A citizen receives a policy payoff of 1 if the final government policy d matches the state of the world $s \in \{0, 1\}$, and otherwise a payoff of -1. The state of the world reflects the appropriate policy or action—such as whether to spend tax revenues for certain purposes, enforce specific types of contracts, or punish particular behaviors.

	If $a \neq s$		If $a = s$	
	$k > T$	$k \leq T$	$k > T$	$k \leq T$
revolt	$(1 + \gamma) - c_i$	$-1 - c_i$	$-(1 + \gamma) - c_i$	$1 - c_i$
no revolt	1	-1	-1	1

Table 1: Citizens' payoffs.

Table 1 shows citizen i's payoffs, where k is the measure of revolters, $\gamma \in (0, 1)$ is the psychological payoff from participating in a revolt that overturns the status quo, and $c_i \geq 0$ is i's direct cost of revolting. When successful revolt improves citizens' payoffs (left panel), γ captures *pleasure-in-agency* rewards (Petersen, 2001; Wood, 2003; Pearlman, 2018; Morris and Shadmehr, 2023): "the positive effect associated with self-determination, autonomy, self-esteem, efficacy, and pride that come from the successful assertion of intention" (Wood, 2003, p. 235). It reflects the psychological payoffs from "being part of the making of history." Importantly, "it depends on the likelihood of success, which in turn increases with the number participating... Yet the pleasure in agency is undiminished by the fact that one's own contribution to the likelihood of victory is vanishingly small" (pp. 235–236). When a suc-

cessful revolt reduces citizens' payoffs (right panel), γ analogously captures the psychological costs of participating in a movement that changed the status quo for the worse.

The good ruler is non-strategic, always taking the action that matches the state. The bad ruler's payoff, u, depends on his action, the state, and whether a successful revolt occurs:

$$u(a, r, s) = (a + (1 - a)\delta_s)(1 - r). \tag{1}$$

Specifically, the bad ruler receives a payoff of 0 if there is a successful revolt. Otherwise, he receives 1 for choosing action 1, and δ_s for choosing action 0 in state s. We assume $0 = \delta_1 < \delta_0 < 1$, so that the ruler always prefers action 1, more so when it matches the state.

Information It is common knowledge that $\Pr(s = 0) = 1/2$. The ruler observes the state s. Citizens do not observe the ruler's type, but they observe a truth-or-noise public signal $\hat{s}$:

$$\hat{s} = \begin{cases} s, & \text{with probability } p, \\ \emptyset, & \text{with probability } 1 - p. \end{cases}$$

That is, citizens observe the state and learn the correct government action with probability $p \in [0, 1]$. Our key comparative statics focus on p. There is a wide range of policy issues, from criminal law (e.g., punishment for burglary) to public finance (e.g., allocation of revenues). A policy issue may be preordained (canonical) or non-preordained (secular). When the issue is preordained, citizens are more informed about the appropriate policy. The probability that a preordained issue arises is p, so a higher p corresponds to a broader *scope of the preordained or divine law*.

A key element of our argument is that Islamic law had a wider scope than divine law in the Greco-Roman-Christian tradition—p was higher in the Islamic normative tradition. Critically, that is how scholars in the Islamic normative tradition viewed Islamic law. For example, in his commentary on Aristotle's *Rhetoric*, Ibn Rushd (d. 1198) wrote (Averroes

and Ezzaher, 2015, p. 130):

> Perhaps the laws instituted in these cities were definite, invariable, and permanent, as in the case of our Islamic law. And perhaps these cities did not have definite laws, but the matter was delegated to those who held the power, depending on what was more useful at each moment, as in the case of Byzantine laws.

Similarly, in his *Muqaddimah*, Ibn Khaldûn (2015, pp. 189–190) states:

> The religious laws govern all (governmental positions) and apply to each one of them in all its aspects, because the religious law governs all the actions of human beings. Jurists, therefore, are concerned with the rank of ruler... and with the conditions under which it is assumed... [they are concerned with the causes] that necessitate [the ruler's] removal, should [such causes] present themselves.

Costs of Revolt The costs of revolting c_i are correlated among citizens: $c_i = \bar{c} + \rho\epsilon_i$, $\rho > 0$, where $\bar{c} \sim H = U[0,1]$ and $\epsilon_i \sim_{\text{iid}} F$, with $F(0) = 0$ and a log-concave pdf. Each citizen's cost c_i is private information. We take a global-games approach to equilibrium selection (Morris and Shin, 2003), focusing on equilibrium outcomes in the limit as $\rho \to 0$.

Timing

1. Nature determines the ruler's type, the state of the world s (the correct policy), signal $\hat{s}$ (whether it is preordained), and cost parameters $\bar{c}$ and ϵ_i.
2. The ruler observes his type, s, and $\hat{s}$. Each citizen i observes $\hat{s}$ and her private cost c_i.
3. The ruler chooses a government policy a, which the citizens observe.
4. Citizens simultaneously decide whether to revolt.
5. The success of the revolution is determined, payoffs are received, and the game ends.

Strategies and Equilibrium A good ruler is a behavioral type who always chooses $a = s$. A bad ruler's strategy is a mapping from the state of the world s and signal $\hat{s}$ to a probability $\sigma(\hat{s}, s)$ of taking action 1: for every history $(\hat{s}, s) \in \{(0,0),(1,1),(\emptyset,0),(\emptyset,1)\}$, the bad ruler's strategy specifies $\sigma(\hat{s}, s) \in [0,1]$. A strategy for citizen i is a mapping from her signal $\hat{s}$, government policy a, and her private cost c_i to a decision of whether to revolt. We characterize Perfect Bayesian Equilibria in the limit as $\rho \to 0$.

Let q' be a citizen's posterior belief that the ruler's action a does not match the state s. The citizens' payoffs and information structure map into the coordination problem analyzed in Boleslavsky, Shadmehr and Sonin (2021). We follow their analysis and focus on monotone equilibria with strictly positive cutoffs when they exist.

Lemma 1. *In the limit when $\rho \to 0$, the likelihood of a successful revolution is $\beta(q') = H\left((1-T)\gamma(2q'-1)\right)$.*

The likelihood of a successful revolution, $\beta(q')$, increases with citizens' posterior belief that the ruler chose the wrong policy ($a \neq s$). Moreover, citizens must be sufficiently pessimistic about government policy to initiate a revolt: they have a dominant strategy not to revolt when $q' < 1/2$. This implies that revolution occurs only when the policy is preordained. Intuitively, good rulers always choose the correct action, while bad rulers always prefer action 1, but more so when it aligns with the state. Thus, when the policy is non-preordained, citizens never become sufficiently certain of wrongdoing to revolt.

This model of rebellion and its implications are consistent with how many jurists viewed Islamic law on rebellion: rebellion is costly and its success is uncertain; hence, it should only be attempted if its benefits and chances of success are sufficiently high. Abou El Fadl (2001, p. 286) summarizes:

> Rebels should balance the chance of success and weigh it against the potential harm that will result from the rebellion... if the chances of success are reasonably good, and the harm to society is limited, then rebellion is permitted.

Similarly, recall Ghazali's quote from the Introduction, which argues that "If the ruler's commands are illegal. . . people should weigh the benefits and costs of attempting to overthrow him" (Abou El Fadl, 2001, p. 184).

The above analysis shows that (1) bad rulers always take action 1 when the policy is non-preordained, and (2) when revolution occurs, $q' = 1$, and the probability of a successful revolution is $\overline{\beta} := H((1-T)\gamma)$.

Lemma 2. *Let $\overline{\beta}$ be the probability of successful revolt when citizens are certain that the government has taken a wrong policy ($a \neq s$). In equilibrium,*

$$\sigma(\hat{s}, 1) = \sigma(\hat{s} = \emptyset, 0) = 1 \quad \textit{and} \quad \sigma(\hat{s} = s, 0) = \begin{cases} 0 & ; \ \overline{\beta} > 1 - \delta_0 \\ 1 & ; \ \overline{\beta} < 1 - \delta_0 \end{cases}$$

There is a revolt only if $\hat{s} = 0$ and the ruler takes action 1. This revolt succeeds with probability $\overline{\beta}$. Moreover, a citizen's expected policy payoff is

$$\begin{cases} 1 - q(1-p) & ; \ \overline{\beta} > 1 - \delta_0 \\ 1 - q(1 - p\overline{\beta}) & ; \ \overline{\beta} < 1 - \delta_0 \end{cases}$$

Intuitively, when citizens have high mobilization capacity (high $\overline{\beta}$), the threat of a successful revolt deters rulers from taking wrong policies when the policy is preordained. Thus, a citizen's policy payoff is 1 unless both the ruler is bad and the policy issue is secular, in which case the citizen receives -1. When mobilization capacity is lower, there is no deterrence effect. In that case, a bad ruler always implements bad policies. However, when the policy issue is preordained, a revolt is attempted, which reverses the policy when it succeeds. Thus, a citizen's policy payoff is 1 unless the ruler is bad, except when the revolt succeeds.[4]

[4]One can show that accounting for direct costs of revolt in citizen payoffs amounts to substituting $\overline{\beta}$ with $\overline{\beta}_c := \overline{\beta} - (\overline{\beta}/2)^2 \in (0,1)$ in the expected payoffs, so that in Lemma 2 we have $1 - q(1 - p\overline{\beta}_c)$ instead of $1 - q(1 - p\overline{\beta})$.

3 Institutional Constraints Approach

To analyze the impact of institutional constraints, we now incorporate such constraints into the model using a separation-of-powers framework. Specifically, we represent institutional constraints as a division of decision-making authority between two rulers—analogous, for example, to the two Roman consuls.

The model remains the same, except that under institutional constraints there are two rulers, denoted ruler 1 and ruler 2, each with an independent type t_1 and t_2, respectively. Nature determines the state s, the signal $\hat{s}$, the rulers' types, and the cost parameters $\bar{c}$ and ϵ_i, all drawn independently. The state s is observed by both rulers, and the signal $\hat{s}$ is observed by all. Each ruler observes his own type and the type of the other ruler.[5] Each citizen i privately observes her revolution cost c_i.

Ruler 1 moves first, choosing an action $a_1 \in \{0, 1\}$. Ruler 2 observes a_1 and chooses $a_2 \in \{0, 1\}$. Absent a successful revolt, the government's aggregate policy is $A(a_1, a_2)$. After observing both rulers' actions, citizens simultaneously decide whether to revolt. If the revolution succeeds ($r = 1$), the aggregate policy is reversed; if it fails ($r = 0$), the policy is maintained. Thus, the final government policy is

$$d(a_1, a_2, r) = A(1 - r) + (1 - A)r.$$

Payoffs are then realized, and the game ends.

Rulers have the same payoffs as before, so that the bad ruler's payoff u is

$$u(a_1, a_2, r, s) = (A + (1 - A)\delta_s)(1 - r). \tag{2}$$

Citizens' payoffs are likewise identical to before, with the government's aggregate action A replacing the single ruler's action a.

[5] With the forward-induction refinement (Govindan and Wilson, 2009), results are the same if rulers do not observe each other's types.

Institutional constraints entail a deadweight loss $\mu \geq 0$, capturing administrative costs, delays, and decision-making frictions—costs that governments from the Roman Republic to the present have sought to avoid during crises via emergency powers.

If both rulers choose the same action, the aggregate policy A coincides with their actions. When actions differ, we assume the aggregate policy is $A = \min\{a_1, a_2\}$, so that a bad ruler is automatically disciplined when matched with a good one. We adopt this assumption because it represents the best-case scenario for institutional constraints and offers analytical simplicity. In Section 6.2, we show that our results remain robust to the alternative assumption $A = \max\{a_1, a_2\}$.

Strategies and Equilibrium Let g and b denote the types of a good and a bad ruler, respectively, so that $t_j \in \{g, b\}$ for $j \in \{1, 2\}$. As before, a ruler with type $t_j = g$ chooses $a_j = s$. Let σ_1 denote the strategy of ruler 1 with type $t_1 = b$, and σ_2 denote the strategy of ruler 2 with type $t_2 = b$. The strategy σ_1 is a mapping from the state s, signal $\hat{s}$, and ruler 2's type t_2 to the probability of choosing action 1: $\sigma_1(\hat{s}, s, t_2) \in [0, 1]$. The strategy σ_2 is a mapping from s, $\hat{s}$, and ruler 1's action a_1 and type t_1 to the probability of taking action 1. Since ruler 2 observes a_1, the type t_1 is not payoff-relevant, and we therefore drop it from the arguments, writing $\sigma_2(\hat{s}, s, a_1) \in [0, 1]$ instead.[6] A citizen i's strategy is a mapping from her signal $\hat{s}$, the rulers' actions (a_1, a_2), and her private cost c_i to a decision whether to revolt. We characterize Perfect Bayesian Equilibria in the limit as $\rho \to 0$.

As before, when policies are not preordained, citizens do not become sufficiently pessimistic about government actions to revolt. Intuitively, in equilibrium, the aggregate policy aligns with the state when the state is 1, so observing a high government action ($A = 1$) does not lead citizens to believe that the government has likely acted incorrectly:

$$q'(1,1) = \frac{\Pr(a_1 = a_2 = 1, s = 0)}{\sum_s \Pr(a_1 = a_2 = 1, s)} = \frac{\Pr(a_1 = a_2 = 1 \mid s = 0)}{1 + \Pr(a_1 = a_2 = 1 \mid s = 0)} \leq \frac{1}{2}.$$

[6] When ruler 2 is indifferent between actions 0 and 1, he may condition his action on t_1, but this does not affect the equilibrium government policy A or citizens' decisions.

Building on this observation, Lemma 3 shows that institutional constraints discipline a bad ruler when paired with a good co-ruler, but do not alter his behavior when his co-ruler is also bad.

Lemma 3. *Let* $\Pr_{(t_1,t_2)}(A)$ *be the probability of the aggregate government action* A *conditional on rulers' types* (t_1, t_2)*. In equilibrium, if* $(t_1, t_2) \neq (b, b)$*, then* $\Pr_{(t_1,t_2)}(A = s) = 1$*. Otherwise,*

$$\Pr_{(b,b)}(A = 1|\hat{s}, s = 1) = \Pr_{(b,b)}(A = 1|\hat{s} = \emptyset, s = 0) = 1$$

$$\Pr_{(b,b)}(A = 1|\hat{s} = s, s = 0) = \begin{cases} 1 & ; \ \overline{\beta} < 1 - \delta_0 \\ 0 & ; \ \overline{\beta} > 1 - \delta_0 \end{cases}$$

There is a revolt only if $\hat{s} = 0$ *and both rulers take action* 1*. This revolt succeeds with probability* $\overline{\beta}$*. Moreover, a citizen's expected policy payoff is*

$$\begin{cases} 1 - q^2(1-p) - \mu & ; \ \overline{\beta} > 1 - \delta_0 \\ 1 - q^2(1 - p\overline{\beta}) - \mu & ; \ \overline{\beta} < 1 - \delta_0 \end{cases}$$

With institutional constraints, a bad ruler can choose the wrong policy only if she is matched with a bad co-ruler. In Lemma 4 below, we consider an alternative setting in which institutional constraints provide citizens with information about the correct policy in equilibrium, without directly limiting a bad ruler's ability to implement the wrong government policy.

4 Institutional Constraints and Scope of Divine Law

We next compare citizens' expected policy payoffs under the collective action and institutional constraint approaches. Drawing on these results, we then offer an explanation for the absence of discussions of institutional constraints in the Islamic normative tradition.

When the policy is not preordained, a bad ruler implements the wrong policy in state $s = 0$ in the absence of institutional constraints. With institutional constraints, however, a bad ruler matched with a good one is disciplined. Thus, institutional constraints yield a marginal benefit of $(q - q^2)$.

When the policy is preordained and citizens' mobilization capacity is high, the threat of revolt alone deters bad rulers, and institutional constraints provide no additional benefit. In contrast, when mobilization capacity is lower and bad rulers are willing to risk revolt, institutional constraints improve citizens' payoffs—but only when the revolt fails. Thus, the marginal benefit of institutional constraints is $(1 - \overline{\beta})(q - q^2)$.

In sum, institutional constraints improve citizens' expected policy payoffs in both cases, but by a greater margin when the policy is not preordained. It follows that a broader scope of divine law reduces the marginal benefit of institutional constraints.

Proposition 1. *A citizen's expected policy payoff is higher without institutional constraints if and only if the scope of the divine law p is above a threshold p^*, where*

$$p^* = \begin{cases} 1 - \mu/q(1-q) & ;\ \overline{\beta} > 1 - \delta_0 \\ (1 - \mu/q(1-q)) \,/\, \overline{\beta} & ;\ \overline{\beta} < 1 - \delta_0 \end{cases}$$

In the collective action approach, rulers are disciplined solely by revolt or its threat. In the institutional constraint approach, rulers are disciplined by dividing their decision-making power. Net gains from institutional constraints are lower when the scope of divine law is broader. In this sense, a broader scope of divine law and institutional constraints are substitutes.[7]

[7] One may posit that higher mobilization capacity ($\overline{\beta}$) should favor the collective action approach. Indeed, Proposition 1 shows that p^* is decreasing in $\overline{\beta}$; however, when institutional constraints merely provide information, the corresponding threshold $p^*_{\max}$ (Proposition 3) is *increasing* in mobilization capacity:

$$\frac{\partial p^*}{\partial \overline{\beta}} = -\frac{1 - \mu/q(1-q)}{\overline{\beta}^2} < 0 < \frac{\partial p^*_{\max}}{\partial \overline{\beta}} = \frac{1 + \mu/q(1-q)}{\overline{\beta}^2}.$$

Hence, mobilization capacity and institutional constraints may be complements or substitutes.

We now apply Proposition 1 to suggest an explanation for the absence of discussions of institutional constraints in the Islamic normative tradition. This application rests on two characteristics of that tradition.

First, despite regional variation, the narrow range of acceptable interpretations in a given time and place projected a coherent view of Islamic law—from Andalus (recall Ibn Rushd's quote) to North Africa (recall Ibn Khaldun's quote) to India, where, for example, "Alexander Dow observed that the Sharia 'circumscribed the will of the Prince' and 'the House of Timur always observed [the law]' " (Hallaq, 2009, p. 211). Islamic law was not monolithic (Coulson, 1964), and scholars recognized the legitimacy of disagreement. Yet these differences occurred within a tightly bounded space.

By implication, the law was not malleable—"the freedom to interpret Islam was bounded" (Kuran, 2023, p. 278)—and rulers' attempts to alter it were forcefully resisted (Lapidus 1975, p. 380; Watt 2003, p. 88). When Islamic law prescribed a policy, it was considered the correct policy for society, and rulers were expected to implement it. In this sense, the Islamic normative tradition was constitutionalist in character (Watt, 2003). As Cook (2014) notes, "[b]y locating the power to legislate outside the political system, [Islamic law] denied to rulers the ability to make law to suit their fancies. It is thus a significant point about the Sharīʿa that. . . it is. . . the antithesis of the legislative autocracy or a traditional patrimonial state or a modern dictatorship" (pp. 329–330). Even in matters of rebellion—where rulers had strong incentives to reshape the law—Islamic law offered substantial protections to rebels (Abou El Fadl, 2001). It was seen as "definite, invariable, and permanent," as Ibn Rushd put it (Averroes and Ezzaher, 2015, p. 130), and as being protected by God, so that "even the greatest tyrants cannot alter," in the words of Namık Kemal (Mardin, 1962, p. 315).

Second, Islamic law had a broad scope. It covered "subjects such as taxation, the conduct of holy war, the suppression of rebels, the punishment of criminals, and the appointment of judges" (Crone, 2004, p. 282). As Crone and Hinds (1986, pp. 92–93) argue, rulers' "hands had thus been tied. . . The law. . . dealt with every aspect of life from taxation

to... moustaches." Hallaq (2009, pp. 551–555) identifies fifty-seven topics addressed in Islamic legal texts, including taxation, inheritance, contracts, torts, and procedural rules such as evidentiary requirements. As noted earlier, Ibn Khaldûn (2015, pp. 189–190) projected this view when stating that "religious law governs all the actions of human beings." Consequently, there was a common perception of relatively little uncertainty about the correct policy on a broad range of issues covered by Islamic law. For example, as Hallaq (2014, p. 62) notes, "the benchmark of taxation was the Sharʿī-stipulated rates... taxation could be determined by fixed and objective criteria, and thus overtaxation was relatively easy to evaluate."

There is a clear contrast with the Western tradition. We thus interpret this as suggesting that p was much higher in the Islamic tradition than in the Western one. We posit that $p > p^*$ from the perspective of Muslim scholars working within the Islamic normative framework and its assumptions, implying that institutional constraints would have reduced societal welfare. As a result, scholars working within that normative tradition and its core assumptions had little incentive to devote scarce resources to analyzing institutional constraints: from their perspective, the collective action approach was a more effective form of accountability than the institutional constraints approach.

The perception of the efficacy of the collective action approach to accountability within the Islamic normative tradition can be gleaned from two anecdotes concerning interactions between Muslims and rulers in the idealized early years of Islam. The first caliph, Abū Bakr, in his speech upon assuming leadership after the Prophet Muhammad's death, stated: "I have been given the authority over you, and I am not the best of you. If I do well, help me; and if I do wrong, set me right... Obey me so long as I obey Allah and His Messenger. But if I disobey Allah and His Messenger, you owe me no obedience" (Cook, 2014, p. 320). In a similar vein, ʿUmar, the second caliph, "asks that anyone who sees any crookedness in him should tell him; [a] Companion of the Prophet responds that in that event 'we will straighten you out with our swords,' a sentiment to which ʿUmar responds with strong

approval," reflecting "a political culture in which it is not just conceded that subjects are entitled, and perhaps obligated, to act in such ways; they are portrayed as ready to do so" (Cook, 2014, pp. 320–321).

These anecdotes highlight: (1) the presence and importance of Islamic law, reflected, for example, in "obey Allah and His Messenger"; (2) deviations from the law are presumed clear and observable; (3) revolt against rulers who do not follow the law is not only permitted but encouraged; and (4) Muslims are vigilant in holding rulers accountable through revolt if needed. In the Islamic normative tradition, where God's law was seen as clear and rulers' task was to implement it, revolt appeared far more effective than in the Western tradition, where "the matter was delegated to those who held the power, depending on what was more useful at each moment" (Averroes and Ezzaher, 2015, p. 130).

5 Rebellion and Its Status in the Islamic Normative Tradition

We have argued that the Islamic normative tradition regarded dissent and rebellion as more effective means of political accountability than did the Western tradition. This view is reflected in the historical record, in Islamic legal provisions concerning the protection of rebels, and in the writings of prominent thinkers such as Ghazali, as discussed in the Introduction. In this section, we expand on this evidence by highlighting two points. First, rebellion occurred frequently, and many rebel leaders explicitly invoked the rulers' violations of Islamic law as their justification for revolt. Second, the Islamic normative tradition encouraged open opposition to rulers who persistently violated Islamic law, with many prominent scholars—actively or passively—supporting revolts and emphasizing legal protections for rebels.

The speed of the Islamic conquests and the relative prosperity of Islamic civilization for centuries may give the impression of political stability within the Islamic polity. This, however, is a false impression. Revolt by Muslims against Muslim rulers was ubiquitous

throughout Islamic history. There were revolts against Abu Bakr (d. 634) (Donner, 1981, pp. 82–90), and against the third and fourth caliphs, ʿUthmān and ʿAlī—both of whom were killed—including the Battles of the Camel, Siffin, and Nahrawan, in which different groups of Muslims fought each other. This First Fitna (civil war) led to the establishment of the Umayyad Caliphate in Damascus. The Second Fitna (680–692) began two decades later and included the revolts of Husayn ibn ʿAlī, the Tawwābīn, Mukhtār, and ʿAbd Allāh ibn al-Zubayr. The Third Fitna, another civil war in the 740s, blended into the Fourth Fitna, the Abbasid Revolution, and the establishment of the Abbasid Caliphate in 750.

Rebellions are common occurrences in Islamic history books, from the general histories of Tabari (d. 923) and Ibn Khaldun (d. 1406) to specialized histories in the genres of *Maqātal* (e.g., Abu al-Faraj al-Isbahānī's (d. 967)) or *Ṭabaqāt*. For example, Ibn Khaldûn (2015, p. 127) discusses

> revolutionaries from among the common people and of jurists who undertake to reform evil practices. Many religious people... come to revolt against unjust amirs [rulers]. They call for a change in, and prohibition of, evil practices.

Similarly, Tabari records a rebel leader's speech who declared (Ṭabarī, 1990, pp. 95–96):

> these authorities [the Umayyad rulers]... have neglected the [religious] punishment (*ḥudūd*) laid down by God... they have permitted what God has forbidden, and they have forbidden what He has permitted.

He quotes another leader's call for rebellion (Ṭabarī, 1989, pp. 37–38):

> We are only summoning you to the Book of God and the *sunnah* of His prophet so that God's ordinances (*sunan*) may be revived.

Rebellions were routinely motivated by grievances over violations of Islamic law. Consistent with the logic of our model, Cook (2014, p. 321) notes that it was "their knowledge of this law that enables the believers at large to judge the rectitude of the caliph and take action where necessary."

The ubiquity of revolt is well known in the secondary literature. For example, Abou El Fadl (2001, p. 107) mentions numerous instances and notes that "there is hardly any period in Islamic history that was not plagued by rebellions." Likewise, Finer (1999, p. 703) observes that between the seventh and tenth centuries, "on average, Byzantium suffered a violent incident every 16.7 years, while the Caliphate did so every 7.4 years—*at more than double the rate*."

The ubiquity of revolt was not an anomaly. An Islamic juristic tradition highlighted the participation of jurists in rebellions, their advocacy for the rights of rebels, and juristic writings on the conditions for legitimate—and even obligatory—rebellion. This is surprising. As Abou El Fadl (2001, p. 26) observes, "A legal system does not easily endorse a state of anarchy or the potential for instability." Given that Islamic jurists were legal scholars and judges, one would expect, as Abou El Fadl (2001, p. 26) further argues, that "Jurists. . . will be concerned with issues of order, conflict resolution, and stability. They may demand that this order be just, or that it would comply with the divine command, but they can hardly be expected to advocate lawlessness or anarchy." And yet, many prominent jurists opposed rulers, participated in revolts, emphasized the legal protection of rebels, and at times explicitly stated that rebellion against unjust rulers is permissible or even obligatory. For example, according to Abou El Fadl (2001, p. 194), Simnānī (d. 1105) argues that

> if the ruler becomes oppressive and unjust, and usurps property, then it becomes incumbent upon the jurists and Muslims to overthrow him, and. . . that this has been the consistent practice of Muslims in dealing with corrupt rulers.

Simnānī was a contemporary of Ghazali, whom we discussed in the Introduction. Similarly, Ghazali's teacher, Juwayni (d. 1085), writes in *Irshād* (Cook, 2001, p. 346):

> If the ruler of the time (*wālī al-waqt*) acts in a manifestly unjust fashion, and does not respond to verbal admonition, then it is for 'the people of binding and loosing' (*ahl al-ḥall waʾl-ʿaqd*) to prevent him, even if this means doing battle with him. [See Abou El Fadl (2001, p. 182) for a discussion.]

Cook (2001, pp. 337, 346, 385–86, 390) and Abou El Fadl (2001, pp. 286–87, fn. 161) document various other examples. Moreover, some jurists who opposed rebellion or assisting rebels nevertheless insisted that Muslims must not aid an unjust ruler in repressing rebels who have a just cause. Instead, they should remain entirely outside the conflict. This more nuanced form of collective action would effectively render the ruler defenseless, thereby ensuring the rebels' victory.

The behavior and attitude of some of the most prominent classical Muslim jurists toward rebellion and dissent reflect how deeply embedded revolt is in the Islamic normative tradition. For brevity, we focus on the Sunni branch of Islam. There are four major Sunni schools of jurisprudence—Hanafi, Maliki, Shafi'i, and Hanbali—whose origins are associated with four prominent jurists: Abu Hanifa (d. 767), Malik ibn Anas (d. 795), Shafi'i (d. 820), and Ahmad ibn Hanbal (d. 855), respectively. The interaction between Abu Hanifa and a certain goldsmith is illuminating about the logic of his attitude toward revolt and those of many other jurists (Cook, 2001, Ch. 1). The goldsmith discusses with Abu Hanifa whether forbidding wrong is obligatory. Abu Hanifa confirms that it is. The goldsmith then proposes that he give his allegiance to Abu Hanifa to start a rebellion. Abu Hanifa refuses, arguing that the rebellion will fail and that the goldsmith will be killed without bringing any good to others. Abu Hanifa repeats the same logic in subsequent interactions. All the while, the jurist transmits to the goldsmith the Prophetic tradition that:

> The lord of the martyrs is Hamza ibn Abd al-Muttalib [Muhammad's paternal uncle, killed in the Battle of Uhud in 625] and a man who stands up to an unjust ruler, commanding and forbidding, and is killed by him.

The goldsmith is also said to have transmitted another Prophetic tradition from Abu Hanifa:

> The finest form of holy war [jihad] is speaking out in the presence of an unjust ruler, and getting killed for it.

The goldsmith was later killed while forbidding wrong. Variations of this last tradition

appear in various canonical hadith collections. In fact, the topics of forbidding wrong and holy war are discussed together in various law books (Cook, 2001, Ch. 1 and p. 490). Abu Hanifa (d. 767) himself was imprisoned, tortured, and died in an Abbasid prison for his defiance toward the caliph (Abou El Fadl, 2001, p. 73, pp. 76–78). While the exact reason for his imprisonment and death is disputed, according to Schacht (*Encyclopaedia of Islam, 2nd Ed.*), "The truth is probably that he compromised himself by unguarded remarks at the time of the rising of the ʿAlids al-Nafs al-Zakiyya and his brother"—see also Cook (2001, pp. 8–9). There are also reports of his support for Zayd's rebellion (Abou El Fadl, 2001, pp. 72–73).

Similar reports exist about the founders of the other schools. Asked whether it was legal to join a rebellion, Mālik responded that it was, arguing that "the *bayʿa* [oath of allegiance] given to the caliph al-Manṣūr was obtained under duress." Later, the governor "had Mālik beaten and flogged for his views on duress and, possibly, for supporting the rebellion" (Abou El Fadl, 2001, p. 76). Even the "quietist" Ibn Hanbal was imprisoned during the Abbasid inquisition for refusing to accept the Abbasid doctrine that the Quran is created, which would allow the caliph discretion to alter the law.

Shafiʿi was among the "Several jurists [who], even before Hārūn al-Rashīd came to power, had either sympathized with or pledged their allegiance to al-Daylamī" associated with some Alid rebels (Abou El Fadl, 2001, pp. 80–81). Shafiʿi was later arrested on suspicion of plotting against the caliph, or, according to a different report, for criticizing the governor (pp. 83–84). Once released, he settled in Egypt and developed a legal discourse on rebellion. The juristic tradition that he initiated was such that, centuries later, "Ibn Taymiyya [d. 1328]... even accused him and those who preceded him or followed in his footsteps of suborning rebellion and spreading *fitna*" (p. 98). For example, he defined a rebel (*bāghī*) as "one who refuses to obey the just ruler (*al-imām al-ʿādil*), and intends to rebel by fighting him." Jurists discussed extensively whether Shafiʿi meant a ruler who initially came to power lawfully or a ruler who behaves justly. He "seems to have used the expression to mean the substantively

just ruler. This implies that those who rebel against an unjust ruler are not rebels at all, and in fact later jurists explicitly argue that if the ruler is unjust and the rebels are just, then the ruler is to be considered the *bāghī* and not the rebels" (Abou El Fadl, 2001, pp. 148–149).

The juristic tradition that developed included the law of rebellion, which specified a significant degree of protection and leniency toward rebels, regardless of whether the ruler against whom they had rebelled was just or unjust. Abou El Fadl (2001, p. 238) summarizes:

> At a minimum, the majority of Sunnī jurists agreed that the rebels are not to be held liable for life and property destroyed during the course of their rebellion, and that, as a general matter, rebels may not be executed and their properties may not be confiscated.

This critical attitude of distinguished jurists was not limited to the founders of the schools. Abou El Fadl (2001, pp. 96–98, 166) and Cook (2001, pp. 148–149, 348, 355–356, 383–385) provide many examples from Thawrī (d. 788) to Nūr al-Dīn al-Bakrī (d. 1324). Jurists under the Ottoman Empire continued this tradition. Islamic law was invoked in matters of "succession, the legitimacy of a particular sultan, and the question of legitimate revolt against the government" (Tezcan, 2010, p. 237). For example, jurists were involved in the rebellions against Othman II in 1622, Ibrahim in 1648, Mehmed IV in 1678 (Tezcan, 2010), and Mustafa II in 1703 (Abou-El-Haj, 1984). In fact, Abdurrahim, the chief jurist, "gave the legal opinion that legitimized the regicide [of Ibrahim], and oversaw the execution personally" (Tezcan, 2010, p. 220). Abou-El-Haj (1984, pp. 71–72) provides legal opinions (*fatwā*s) by Ottoman jurists that legitimized revolt against an unjust ruler and rendered supporting such an unjust ruler against the rebels unlawful. Of these legal opinions, Aksan (2022, ch. 2) describes, "The second legitimated the right of a Muslim community to stand up to an unjust ruler. The third condemned those who sided with an unjust ruler." The ability to constrain the sultan through rebellion, Tezcan (2010, p. 238) argues, contributed to the longevity of the dynasty: "If an emperor could be 'recalled' and replaced by another one... there was also a considerable incentive to keep the dynasty in operation to maintain its openness to

political representation." "The idea of a revolt as a means to power was neither alien nor abhorrent to Muslim jurists" (Abou El Fadl, 2001, p. 75)—see also Abou El Fadl (2001, pp. 70–71, 100, 205) and Lapidus (1975, p. 381) for further examples. Revolt was not an anomaly in the Islamic normative tradition. It was a means of accountability.

6 Robustness

While our argument is intuitive, we acknowledge that no model is robust to all alternative specifications and assumptions. In this section, we show that our findings are robust to allowing for the co-option of jurists or to the details of the government's aggregate policy function, $A(a_1, a_2)$. As noted in footnotes 4 and 5, one can further show that the results remain robust to incorporating the cost of rebellion into citizens' payoffs and to rulers not observing each other's types.

6.1 Co-optation of Jurists

Our analysis assumed that rulers take the scope of divine law as given. Yet rulers could at times attempt to co-opt jurists to produce interpretations of the law aligned with their own preferences. As noted above, however, Islamic law was not readily malleable. Even in the context of the Islamic law of rebellion, as Abou El Fadl (2001) argues, "Once legal precedent is set... legal doctrines often assume a life of their own. These legal doctrines set their own base of authority and their own doctrinal imperative" (p. 162). Moreover, as discussed in the previous section, many jurists chose punishment over co-optation, including prominent figures such as Abu Hanifa, Ibn Hanbal, Mālik, and Shafi'i.

More broadly, Muslim thinkers would regard environments in which rulers could effectively alter Islamic law as theologically unrealistic, given the repeated failures of rulers to do so and the Qur'anic assurance that "Indeed, it is We who sent down the Qur'an, and indeed, We will be its guardian" (15:9). Still, they recognized the danger of corrupt scholars

and devoted significant attention to warning against them. For example, the first book of Ghazali's *Iḥyā* discusses in detail the *ʿulamāʾ al-dunyā* (worldly scholars) and *ʿulamāʾ al-sūʾ* (evil scholars) (Ghazālī, 1962, Sec. 6); see also "Allowances and Gifts of Rulers" in Book Two and "Administration of Justice" in Book Three of the *Iḥyā*.[8]

In sum, while rulers could not fundamentally reshape Islamic law, they could co-opt individual jurists, thereby influencing some citizens' beliefs about the law—though only at the margins.[9]

To capture the ruler's ability to co-opt jurists, we extend the model to allow the ruler to pay a cost to induce jurists to offer favorable interpretations of the law that support the ruler's interests. In our setting, such favorable interpretations correspond to a reduction in the scope of the law. Specifically, suppose that the ruler can pay a cost $C_i(\alpha)$ to reduce the scope of the law from p to

$$p_\alpha = \max\{0,\, p - \alpha\}, \qquad \alpha \geq 0,$$

where $i = 1, 2$ correspond to settings with and without institutional constraints, respectively. We assume $C_i(0) = C_i'(0) = 0$ and $0 < C_i'(\alpha)$, $C_i''(\alpha)$ for $\alpha > 0$, and we allow co-optation to be more costly under institutional constraints. Let $\widetilde{\alpha}_i$ denote the (bad) government's optimal choice, and $\widetilde{p}_i = p_{\widetilde{\alpha}_i}$ the corresponding scope of the law after co-optation.

Proposition 2. *Suppose co-optation is not absolute, so that $\widetilde{p}_i > 0$ for $i = 1, 2$. The value of institutional constraints is then the same as in Lemma 3, but with an effective cost $\widetilde{\mu} < \mu$, where*

$$\widetilde{\mu} = \begin{cases} \mu - (q\widetilde{\alpha}_1 - q^2\widetilde{\alpha}_2) & ;\ \overline{\beta} > 1 - \delta_0 \\ \mu - (q\widetilde{\alpha}_1 - q^2\widetilde{\alpha}_2)\overline{\beta} & ;\ \overline{\beta} < 1 - \delta_0 \end{cases} \quad \textit{with} \quad C_i'(\widetilde{\alpha}_i) = \begin{cases} 1/2 & ;\ \overline{\beta} > 1 - \delta_0 \\ \overline{\beta}/2 & ;\ \overline{\beta} < 1 - \delta_0 \end{cases}$$

[8] An English translation is available at http://ghazali.org.

[9] Platteau (2017) argues that the decentralized structure of the Islamic "clergy," compared to the Christian clergy, made it more difficult for rulers to co-opt them.

A citizen's policy payoff is higher without institutional constraints if and only if the scope of the divine law p is above a threshold $p^*(\mu = \widetilde{\mu})$, given in Proposition 1.

From Lemmas 2 and 3, citizens revolt when the state is 0, they observe the state, and the government takes action 1. When rulers are bad (i.e., when there are two bad rulers under institutional constraints), they may seek to co-opt jurists. When $\overline{\beta} < 1 - \delta_0$ ($\overline{\beta} > 1 - \delta_0$), the marginal benefit of reducing p is $\overline{\beta}/2$ (1/2), both with and without institutional constraints. Balancing the marginal costs and benefits of co-optation, the ruler reduces the scope of divine law to $\widetilde{p}_i < p$. While there may be less (or more) co-optation under institutional constraints, the extent of co-optation does not depend on the initial scope of divine law. We can thus interpret this as effectively reducing (or increasing) the cost of institutional constraints from μ to $\widetilde{\mu}$, thereby preserving the qualitative result of Proposition 1.

6.2 Informational Advantage of Institutional Constraints

Our baseline analysis assumed that by dividing power among multiple rulers, institutional constraints discipline bad rulers when they are matched with good co-rulers. While citizens may infer information about the correct policy from disagreements among co-rulers, this *informational advantage* of institutional constraints was previously irrelevant: when rulers disagreed, we assumed that the good ruler would prevail. The underlying logic was that, even if the good ruler could not succeed alone, citizens' knowledge of the correct policy and the support of an ally in power (the good ruler) would ensure that the appropriate government action is implemented with little difficulty.

In this section, we instead emphasize the informational advantage of institutional constraints by modifying the model so that a bad ruler can implement her preferred action even when matched with a good co-ruler, unless citizens successfully revolt. Formally, we now set

$$A = \max\{a_1, a_2\}$$

As before, we characterize the Perfect Bayesian Equilibria of the model. When indifferent, we assume that a bad ruler takes action 1 (tie-breaking rule).

Under this formulation, the added value of institutional constraints arises from providing citizens with additional information when co-rulers disagree in equilibrium.

Lemma 4. *Suppose* $A = \max\{a_1, a_2\}$. *In equilibrium:*

- *If* $\overline{\beta} > 1 - \delta_0$, *then* $\Pr_{(t_1,t_2)}(A = s) = 1$ *for* $(t_1, t_2) \neq (b, b)$. *For* $(t_1, t_2) = (b, b)$,

  $$\Pr_{(b,b)}(A = 1|\hat{s}, s = 1) = \Pr_{(b,b)}(A = 1|\hat{s} = \emptyset, s = 0) = 1 \text{ and } \Pr_{(b,b)}(A = 1|\hat{s} = s, s = 0) = 0 .$$

  There is no revolt.

- *If* $\overline{\beta} < 1 - \delta_0$, *unless both rulers are good, the aggregate government action will always be the high action:* $\Pr_{(t_1,t_2)}(A = 1) = \Pr_{(g,g)}(A = s) = 1$, *for all* $(t_1, t_2) \neq (g, g)$. *There is a revolt when* $\hat{s} = 0$ *and at least one ruler takes action* 1, *or when* $\hat{s} = \emptyset$ *and the rulers' actions do not match. These revolts succeed with probability* $\overline{\beta}$.

- *A citizen's expected policy payoff is*

$$\begin{cases} 1 - q^2(1-p) - \mu & ; \ \overline{\beta} > 1 - \delta_0 \\ (1-q)^2 + (2q(1-q) + pq^2)\,\overline{\beta} - \mu & ; \ \overline{\beta} < 1 - \delta_0 \end{cases}$$

Institutional constraints provide information to citizens when co-rulers take different actions in equilibrium. In particular, when one ruler takes action 0 while the other takes action 1, citizens infer that the correct policy is 0, even when the policy is not preordained. When mobilization capacity is high, the deterrence effect prevents a bad ruler from misbehaving when matched with a good one, and outcomes remain unchanged. However, when mobilization capacity is lower, a bad ruler may risk revolt and implement the wrong policy unless citizens mount a successful revolt.

In this case, expected policy payoffs are reduced by $2q(1-q)(1-\overline{\beta})$, which is the probability that a bad ruler is matched with a good one—so that citizens learn that the government's policy is incorrect—and that the resulting revolt fails. Moreover, this reduction is independent of whether the policy falls under divine law: institutional constraints reveal the correct policy even when it is not preordained. This suggests that a broader scope of divine law strengthens the effectiveness of the collective-action approach to accountability.

Proposition 3. *Suppose* $A = \max\{a_1, a_2\}$. *A citizen's expected policy payoff is higher without institutional constraints if and only if the scope of the divine law* p *is above a threshold* $p^*_{\max}$, *where*

$$p^*_{\max} = \begin{cases} p^* & ;\ \overline{\beta} > 1 - \delta_0 \\ p^* - 2(1-\overline{\beta})/\overline{\beta} & ;\ \overline{\beta} < 1 - \delta_0 \end{cases}$$

When mobilization capacity is high, the deterrence effect, combined with the informational effect of institutional constraints, disciplines a bad ruler who is matched with a good one. In this case, $p^*_{\max} = p^*$. When mobilization capacity is lower, citizens' expected policy payoffs are reduced, so that $p^*_{\max} < p^*$. In sum, whether the aggregate government policy is $A = \min\{a_1, a_2\}$ or $A = \max\{a_1, a_2\}$, there exists a threshold on the scope of divine law above which citizens' expected policy payoff is higher *without* institutional constraints.

7 Alternative Explanations

Our proposed explanation is likely one of several factors underlying the historical absence of institutional constraints in the Islamic normative tradition. Because the puzzle we identify is new, there is no established framework against which to evaluate the contribution of our mechanism. In what follows, we consider several alternative explanations and discuss why we believe they are less compelling in accounting for this puzzle.

Already Constitutionalist One view holds that scholars in the Islamic tradition were already "constitutionalists" (Watt, 2003). Governments were expected to respect and implement Islamic law, which had been developed largely by jurists operating outside the state and constrained by the Quran, Prophetic traditions, established doctrines, and legal precedents (Hallaq, 2009; Abou El Fadl, 2001). (See Klosko (2012, pp. 297–99) for this narrow conception of constitutionalism.) Yet the existence of a pre-specified law does not guarantee its enforcement. In the context of Islamic civilization, the central problem was that "the subjects could not compel their ruler to observe the law in the exercise of government" (Crone, 2004, pp. 282–84). Our point is that the Islamic tradition contained no systematic discussion of institutional mechanisms to ensure that rulers complied with the law. It is this absence that has long puzzled several scholars of the Islamic normative tradition (e.g., Crone, Roy, and Cook; see the Introduction).

Limited Access to Greco-Roman Normative Traditions Another possibility is that Muslim thinkers had limited access to Greco-Roman philosophy and history. For example, while Plato's *Republic* and *Laws* and Aristotle's *Ethics* were familiar to them, works such as Cicero's *De re publica* and Aristotle's *Politics* appear not to have been available (Melamed, 2011). This interpretation, however, implies that without the intellectual inheritance of the Greeks, Muslim thinkers could not have taken what Crone calls "a short step" toward even a theoretical discussion of institutional constraints. Their "political horizon . . . did not reach to suggesting reforms or offering alternative institutions," as Halbertal and Holmes (2017, p. 166) write of their earlier Jewish counterparts (see also Walzer, 2012, pp. 71, 211). This view is implausible. Thinkers in the Islamic tradition, working from distinct foundational assumptions—particularly regarding the existence and scope of divine law—developed alternative responses to tyranny. While we may reject those assumptions, there is little reason to doubt their reasoning, creativity, or intellectual depth.

The Islamic Empire encompassed people from diverse geographical and religious back-

grounds, many of whom interacted routinely with Muslim scholars and played key roles in translating Greek knowledge into Arabic (Gutas, 1998). It is therefore unlikely that Muslim scholars were entirely unfamiliar with the political structures of the Greek city-states, the Roman Republic, or the Roman Empire. As Gutas (1998, p. 23) notes, "as late as... tenth century, the historian Ḥamza al-Iṣfahānī (d. after 350/961) relates that when 'he needed information on Graeco-Roman history, he asked an old Greek... to translate for him a Greek historical work orally.'... oral translation by native speakers of whatever language within the Islamic domain did occur and... widely practiced."

Spillover from Iranian Kingship Normative Tradition At the other extreme, perhaps the notions of absolutism from Iranian kingship dominated the discourse, preventing theorizing about institutional constraints. Scholars, bureaucrats, and viziers of Iranian origins such as Ibn Muqaffaʿand Nizam al-Mulk show deference to authority and state building as reflected in their works in the genre of mirrors for princes—see the Online Appendix B.3. However, such absolutism contradicted basic tenets of Islam, where only God's authority is absolute and government is constrained by God's law—e.g., Mawardi explicitly opposed the title of "king of kings." Even Nizam al-Mulk (d. 1092) emphasized in his *Sīyāsat Nāmih* that the ruler must follow God's law and routinely seek the advice of religious scholars. Moreover, even the "divine charisma" (*farrah īzadī*) bestowed upon some rulers will depart if they misbehave. Ferdowsi's classic *Book of Kings* includes good rulers who turn bad (e.g., *Jamshīd* lost his *farrah*), bad rulers who turn worse (e.g., *Zahhāk*), and revolts against bad rulers (e.g., the story of *Kāvih*).

Absence of Materialized Institutional Constraints A related argument is that institutional constraints were not discussed in the normative tradition because they had not yet been materialized in reality. However, normative traditions are not mere justifications for what already exists; they also make recommendations for improving existing arrangements. Muslim thinkers were keenly aware of the problem of tyranny and familiar with Greco-Roman

traditions. It therefore seems implausible that they would have avoided engaging with institutional constraints as a potential remedy simply because such constraints had not yet been realized in their own environments.

Censorship and Self-censorship A fifth possibility is that Muslim thinkers were so fearful of rulers that none dared to articulate institutional constraints. However, many did engage in discussions and writings that provoked accusations of unbelief and heresy (Fierro, 2013; Adang et al., 2015). Numerous scholars, including jurists, actively or passively participated in revolts and were punished by rulers for their involvement—see Section 5. Despite widespread censorship and self-censorship, a vast body of heterodox and dissenting literature has survived. The historical record therefore suggests that fear of repression did not eliminate critical thought or public contestation of political authority.

Illegitimacy of Settled State A sixth argument, derived from Crone (1980)'s *Slaves on Horses*, could be that "[p]olitics in Islam had remained the domain of the barbarian," while the Islamic ideal remained a "tribal state" inspired by pre-Islamic Arab tribes, lacking "a form of settled government" (p. 91). Thus, one could argue that Muslim thinkers did not discuss institutional constraints because they viewed the "settled state" as illegitimate. However, as Crone clarifies in her subsequent works (e.g., *God's Rule: Government and Islam*), "neither the pre-Islamic Arabs nor the tribesmen... were regarded as a model of inspiration or imitation for Muslims as far as political organization was concerned." From the Islamic perspective, they were "in a state of ignorant barbarism (*jāhiliyya*)... Since Muslims did not have a notion of aboriginal state of freedom and innocence, they were not inclined to credit members of simple societies with the preservation of virtues they had lost" (Crone, 2004, pp. 268–69). Indeed, Muslim scholars devoted enormous intellectual energy to theorizing "settled" Islamic government from the early period—for example, Abu Yusuf's (d. 798) *Kitāb al-Kharāj* (Modarressi, 1983) or *Kitāb al-Qunīy* in the ninth century (Bosworth, 1975, p. 106)—throughout the Middle Ages, such as Mawardi's (d. 1058) *al-*

Aḥkām al-Sulṭāniyah (*The Ordinances of Government*).

Weak States A seventh explanation may be that Islamic states were too weak to matter, and hence there was little need to discuss constraining the government. However, Islamic states taxed[10] and spent heavily on large and elaborate armies (Kennedy, 2001), bureaucracies (van Berkel, 2013; Lassner, 1980; Mottahedeh, 1975), and public projects (Kennedy, 2005). They appointed market inspectors and judges and regulated various economic and social activities. Islamic civilization featured numerous strong states that exercised substantial influence over society.

8 Conclusion

For over a millennium, Islamic civilization developed a sophisticated political normative tradition. Yet this rich intellectual tradition did not include a discourse on institutional constraints on rulers. This paper identifies this puzzling feature and offers an explanation: given the core assumptions of the Islamic normative tradition, collective action as a mechanism of political accountability was more effective than the institutional-constraint approach favored in the West, with its distinct set of normative premises. Two directions for future research stand out. (1) Our suggestive evidence draws on qualitative research. With advances in data science (Gentzkow, Kelly and Taddy, 2019; Ash and Hansen, 2023), quantitative analysis of Islamic texts in Arabic, Farsi, and Ottoman Turkish is increasingly feasible. These methods can help assess the "missing discussions" and trace historical trends in normative views on tyranny and its prevention. (2) While we focused on Islamic and Western traditions, extending the analysis to others—e.g., the Chinese normative tradition (Jia, Roland and Xie, 2023)—offers a promising avenue for future work.

We conclude by highlighting a policy implication of our analysis. Among religious scholars and politicians, many have come to recognize that the vast transformations of the past 150

[10]See Haldon (1999, p. 47) to gauge the tax value of Islamic conquests through Byzantium's lost revenue.

years have so expanded the range of policy issues that the scope of traditional Islamic law has effectively narrowed. For example, Khomeini revised his theory of the guardian jurist to authorize policies that appeared contrary to traditional Islamic law, justifying these departures by invoking the requirements of the time (Schirazi, 1997; Ghamari-Tabrizi, 2008). Regardless of his underlying motive, the theory implied that divine law no longer offers adequate guidance for a wide range of modern issues. However, the legacy of the Islamic political tradition may lead to an underappreciation of institutions as tools of accountability among those operating in that milieu—whether secular or religious. Emphasizing the value of institutions can shift the centuries-old paradigm of accountability and encourage the adoption of institutional constraints that, while falling short of liberal democracy, nonetheless enhance welfare and facilitate gradual democratization.

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The Puzzle of Missing Discussions

Supporting Information

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A Proofs

Proof of Lemma 1. In the coordination model of Boleslavsky, Shadmehr and Sonin (2021), set $u_r = u_o = u = 1$, $\delta = \gamma$, $\theta = T$, and $G = H$. The result follows from their Proposition 1 by recognizing that their Assumption 1 is satisfied, because $\delta u = \gamma < 1$. □

Proof of Lemma 2. First, consider preordained policy issues, so that citizens observe the state and $q' \in \{0, 1\}$. When $s = 1$, so that there is no conflict of interest between the ruler and citizens, the ruler chooses action 1. When $s = 0$, so that there is conflict of interest, the ruler faces a trade-off. Take action 1 and risk revolt for a payoff of 1, or take action 0 and receive a payoff of $\delta_0 < 1$ with certainty. From Lemma 1, the probability of a successful revolt following action 1 is $\beta(1) = \overline{\beta}$. Thus, the ruler takes action 1 whenever $\delta_0 < 1 - \overline{\beta}$.

Next, consider non-preordained issues, so that $\hat{s} = \emptyset$, and hence citizens have to infer whether the state matches the ruler's action in equilibrium. Let $q'(a)$ be citizen posterior that the state does not match the ruler's action a: $q'(a) = Pr(s \neq a|a) = \frac{Pr(s \neq a, a)}{Pr(a)}$. Observe that $q'(a) \leq 1/2$ if and only if, in equilibrium, $Pr(s \neq a, a) \leq Pr(s = a, a)$. A good ruler's action always matches the state. Thus, in equilibrium, a sufficient condition for $Pr(s \neq a, a) \leq Pr(s = a, a)$ is that the bad ruler takes action 1 with a weakly higher probability in state 1 than in state 0; that is, $\sigma(\emptyset, 1) \geq \sigma(\emptyset, 0)$. This is ensured by $\delta_0 > \delta_1$, so that the ruler has more incentives to take action 1 in state 1 than in state 0. Now, because $q'(a) \leq 1/2$, no one revolts and the probability of successful revolution is 0 for any a (Lemma 1). Because there is no risk of revolt, the bad ruler always takes action 1.

We now compute the expected payoffs. First, suppose $\overline{\beta} > 1 - \delta_0$. Government action always matches the state and citizens receive policy payoff 1 unless both the ruler is bad (which happens with probability q) and the policy issue is non-preordained (which happens with probability $1 - p$), in which case citizens receive policy payoff -1. Next, suppose $\overline{\beta} < 1 - \delta_0$. Government action always matches the state and citizens receive policy payoff 1 unless the ruler is bad, except when the ruler is bad and the policy issue is non-preordained,

and there is successful revolution to reverse the policy: $1 - q + qp\overline{\beta} = 1 - q(1-p)\overline{\beta}$. $\square$

Proof of Lemma 3. First, consider preordained policies, so that $\hat{s} = s$. When at least one ruler is good, or when $s = 1$ (so that there is no conflict of interest), the aggregate policy will match the state. When both rulers are bad and $s = 0$, the bad rulers face a trade-off. As in Lemma 2, both of them take action 1 whenever $\overline{\beta} < 1 - \delta_0$.

Next, consider non-preordained policies, so that $\hat{s} = \emptyset$. Let $q'(a_1, a_2)$ be the citizen posterior that the state does not match the aggregate policy A: $q'(a_1, a_2) = \Pr(s \neq A | a_1, a_2)$. Suppose $s = 1$. The good ruler takes action 1. If $a_1 = 1$, the bad ruler 2 takes action 1, because action 0 will yield a payoff of 0 whereas action 1 yields a strictly positive payoff; even if a revolution attempt follows, it fails with a non-zero probability. Similarly, the bad ruler 1 also always chooses $a_1 = 1$ when $s = 1$. This implies that $\Pr_{(t_1,t_2)}(A = 1 | \hat{s} = \emptyset, s = 1) = 1$ in any equilibrium. Moreover,

$$q'(1,1) = \frac{\Pr(a_1 = a_2 = 1, s = 0)}{\sum_s \Pr(a_1 = a_2 = 1, s)} = \frac{\Pr(a_1 = a_2 = 1 | s = 0)}{1 + \Pr(a_1 = a_2 = 1 | s = 0)} \leq \frac{1}{2}.$$

Thus, $(a_1, a_2) = (1, 1)$ does not provide enough information in favor of $s = 0$, and no revolts follow this action profile. Therefore, $\sigma_2(\emptyset, 0, 1) = 1$ in any equilibrium: upon observing $a_1 = 1$, if ruler 2 takes action 0, he at most gets δ_0; if he takes action 1, he will get $1 > \delta_0$. Knowing that the bad ruler 2 will follow suit, a bad ruler 1 also takes action 1 even when $s = 0$: $\sigma_1(\emptyset, 0, b) = 1$. Thus, $\Pr_{(b,b)}(A = 1 | \hat{s} = \emptyset, s = 0) = 1$. This also implies $q'(0, 0) = 0$, so that there is no revolt following $(a_1, a_2) = (0, 0)$.

Finally, suppose $s = 0$ and rulers have different types. Suppose ruler 1 is good, and ruler 2 is bad. If $(a_1, a_2) = (0, 1)$ is observed on the equilibrium path, citizens will deduce that $s = 0$, and they will not revolt because $A = 0$. Thus, ruler 2 is indifferent between the two actions, which is consistent with observing $(a_1, a_2) = (0, 1)$ on the equilibrium path: there is an equilibrium where $\sigma_2(\emptyset, 0, 0) > 0$. Alternatively, if $(a_1, a_2) = (0, 1)$ is never observed on the equilibrium path, Bayesian updating does not restrict $q'(0, 1)$. If $q'(0, 1)$ is high enough, ruler

2 is deterred from taking action 1, which is consistent with never observing $(a_1, a_2) = (0, 1)$ on the equilibrium path: there is an equilibrium where $\sigma_2(\emptyset, 0, 0) = 0$. Regardless, in any equilibrium, the aggregate action is 0 and there is no revolt: the good ruler 1 will discipline the bad ruler 2. The same logic applies when the order is reversed. □

Proof of Proposition 1. From Lemmas 2 and 3, the net policy payoff from having institutional constraints is

$$\begin{cases} (1-p)(q-q^2) - \mu & ; \ \overline{\beta} > 1 - \delta_0 \\ (1-p\overline{\beta})(q-q^2) - \mu & ; \ \overline{\beta} < 1 - \delta_0 \end{cases} \tag{3}$$

Rearranging the terms by moving the scope of divine law p to one side yields the result. □

Proof of Proposition 2. We already established the first order condition in the text. From Lemmas 2 and 3, the net policy payoff from having institutional constraints is

$$\begin{cases} (1-\widetilde{p}_1)q - q^2(1-\widetilde{p}_2) - \mu & ; \ \overline{\beta} > 1 - \delta_0 \\ -\overline{\beta}(q\widetilde{p}_1 - q^2\widetilde{p}_2) + (q-q^2) - \mu & ; \ \overline{\beta} < 1 - \delta_0 \end{cases}$$

Substituting for $\widetilde{p}_i = p - \widetilde{\alpha}_i$ yields

$$\begin{cases} (1-p+\widetilde{\alpha}_1)q - q^2(1-p+\widetilde{\alpha}_2) - \mu & ; \ \overline{\beta} > 1 - \delta_0 \\ -\overline{\beta}(q(p-\widetilde{\alpha}_1) - q^2(p-\widetilde{\alpha}_2)) + (q-q^2) - \mu & ; \ \overline{\beta} < 1 - \delta_0 \end{cases}$$

Rearranging yields

$$\begin{cases} (1-p)(q-q^2) + (q\widetilde{\alpha}_1 - q^2\widetilde{\alpha}_2) - \mu & ; \ \overline{\beta} > 1 - \delta_0 \\ (q-q^2)(1-\overline{\beta}p) + \overline{\beta}(q\widetilde{\alpha}_1 - q^2\widetilde{\alpha}_2) - \mu & ; \ \overline{\beta} < 1 - \delta_0 \end{cases}$$

Substituting for the definition of $\widetilde{\mu}$ yields

$$\begin{cases} (1-p)(q-q^2) - \widetilde{\mu} & ; \ \overline{\beta} > 1 - \delta_0 \\ (q-q^2)(1-\overline{\beta}p) - \widetilde{\mu} & ; \ \overline{\beta} < 1 - \delta_0 \end{cases}$$

where we recognize that $\widetilde{\mu}$ does not depend on p. The result follows from comparison with (3) in the proof of Proposition 1. □

Proof of Lemma 4. We begin by specifying strategies and equilibrium requirements. A good ruler always chooses $a_j = s$. The bad ruler 1's strategy given state s, signal $\hat{s}$, and ruler 2's type $t_2 \in \{b, g\}$ is $\sigma_1(\widehat{s}, s, t_2) \equiv \Pr(a_1 = 1 | s, \widehat{s}, t_2)$. The bad ruler 2's strategy given s, $\widehat{s}$, and ruler 1's action a_1 is $\sigma_2(\widehat{s}, s, a_1) \equiv \Pr(a_2 = 1 | s, \widehat{s}, a_1)$. Similarly to the min case, because t_1 is not payoff-relevant for ruler 2, it can be dropped. Given $(\widehat{s}, a_1, a_2)$, a citizen's posterior belief that the state does not match the aggregate government action A is

$$q(\widehat{s}, a_1, a_2) \equiv \Pr\left(\max\{a_1, a_2\} \neq s | \widehat{s}, a_1, a_2\right)$$

Citizen i's strategy given posterior belief q' and the cost of revolt c_i is

$$\varphi(q', c_i) \equiv \Pr(i \text{ revolts} \mid q', c_i)$$

The Perfect Bayesian Nash Equilibrium of the game is a quadruple $(\sigma_1^*, \sigma_2^*, \varphi^*, q^*)$ such that

1. $\varphi^*(q', c_i)$ maximizes a citizen's payoff for any $q' = q^*(\widehat{s}, a_1, a_2)$.
2. $q^*(\widehat{s}, a_1, a_2)$ is given by Bayes' Rule.
3. Given φ^* and σ_2^*, σ_1^* maximizes the bad ruler 1's payoff. Similarly, given φ^* and σ_1^*, σ_2^* maximizes the bad ruler 2's payoff.

We proceed with characterizing the citizens' equilibrium beliefs.

Citizen Beliefs When $\widehat{s} \in \{0,1\}$, $q^*(\widehat{s}, a_1, a_2) = |\widehat{s} - \max\{a_1, a_2\}| \in \{0,1\}$. When $\widehat{s} = \emptyset$, the posterior beliefs are given by:

$$q^*(\emptyset,0,0) \equiv \Pr(\max\{a_1,a_2\} \neq s | a_1 = a_2 = 0, \hat{s} = \emptyset) = \Pr(s = 1 | a_1 = a_2 = 0, \hat{s} = \emptyset) \tag{4}$$
$$= \frac{\Pr(s=1, a_1 = a_2 = 0, \hat{s} = \emptyset)}{\Pr(s=1, a_1 = a_2 = 0, \hat{s} = \emptyset) + \Pr(s=0, a_1 = a_2 = 0, \hat{s} = \emptyset)}$$
$$= \frac{\frac{1}{2}q^2(1-\sigma_1^*(\emptyset,1,b))(1-\sigma_2^*(\emptyset,1,0))}{\frac{1}{2}q^2(1-\sigma_1^*(\emptyset,1,b))(1-\sigma_2^*(\emptyset,1,0)) + \frac{1}{2}\left(q^2(1-\sigma_1^*(\emptyset,0,b))(1-\sigma_2^*(\emptyset,0,0)) + q(1-q)(1-\sigma_1^*(\emptyset,0,g)) + (1-q)q(1-\sigma_2^*(\emptyset,0,0)) + (1-q)^2\right)}$$
$$= \frac{q^2(1-\sigma_1^*(\emptyset,1,b))(1-\sigma_2^*(\emptyset,1,0))}{q^2(1-\sigma_1^*(\emptyset,1,b))(1-\sigma_2^*(\emptyset,1,0)) + \left(q^2(1-\sigma_1^*(\emptyset,0,b))(1-\sigma_2^*(\emptyset,0,0)) + q(1-q)(1-\sigma_1^*(\emptyset,0,g)) + (1-q)q(1-\sigma_2^*(\emptyset,0,0)) + (1-q)^2\right)}$$

$$q^*(\emptyset,0,1) \equiv \Pr(\max\{a_1,a_2\} \neq s | a_1 = 0, a_2 = 1, \hat{s} = \emptyset) = \Pr(s = 0 | a_1 = 0, a_2 = 1, \hat{s} = \emptyset)$$
$$= \frac{\Pr(s=0, a_1 = 0, a_2 = 1, \hat{s} = \emptyset)}{\Pr(s=0, a_1 = 0, a_2 = 1, \hat{s} = \emptyset) + \Pr(s=1, a_1 = 0, a_2 = 1, \hat{s} = \emptyset)}$$
$$= \frac{\frac{1}{2}q^2(1-\sigma_1^*(\emptyset,0,b))\sigma_2^*(\emptyset,0,0) + (1-q)q(1-\sigma_2^*(\emptyset,0,0))}{\frac{1}{2}q^2(1-\sigma_1^*(\emptyset,0,b))\sigma_2^*(\emptyset,0,0) + (1-q)q(1-\sigma_2^*(\emptyset,0,0)) + \frac{1}{2}\left(q^2(1-\sigma_1^*(\emptyset,1,b))\sigma_2^*(\emptyset,1,0) + q(1-q)(1-\sigma_1^*(\emptyset,1,g))\right)} \tag{5}$$

$$q^*(\emptyset,1,0) \equiv \Pr(\max\{a_1,a_2\} \neq s | a_1 = 1, a_2 = 0, \hat{s} = \emptyset) = \Pr(s = 0 | a_1 = 1, a_2 = 0, \hat{s} = \emptyset)$$
$$= \frac{\Pr(s=0, a_1 = 1, a_2 = 0, \hat{s} = \emptyset)}{\Pr(s=0, a_1 = 1, a_2 = 0, \hat{s} = \emptyset) + \Pr(s=1, a_1 = 1, a_2 = 0, \hat{s} = \emptyset)}$$
$$= \frac{\frac{1}{2}q^2\sigma_1^*(\emptyset,0,b)(1-\sigma_2^*(\emptyset,0,1)) + q(1-q)\sigma_1^*(\emptyset,0,g)}{\frac{1}{2}q^2\sigma_1^*(\emptyset,0,b)(1-\sigma_2^*(\emptyset,0,1)) + q(1-q)\sigma_1^*(\emptyset,0,g) + \frac{1}{2}\left(q^2\sigma_1^*(\emptyset,1,b)(1-\sigma_2^*(\emptyset,1,1)) + (1-q)q(1-\sigma_2^*(\emptyset,1,1))\right)} \tag{6}$$

$$q^*(\emptyset,1,1) \equiv \Pr(\max\{a_1,a_2\} \neq s | a_1 = a_2 = 1, \hat{s} = \emptyset) = \Pr(s = 0 | a_1 = a_2 = 1, \hat{s} = \emptyset)$$
$$= \frac{\Pr(s=0, a_1 = a_2 = 1, \hat{s} = \emptyset)}{\Pr(s=0, a_1 = a_2 = 1, \hat{s} = \emptyset) + \Pr(s=1, a_1 = a_2 = 1, \hat{s} = \emptyset)}$$
$$= \frac{\frac{1}{2}q^2\sigma_1^*(\emptyset,0,b)\sigma_2^*(\emptyset,0,1)}{\frac{1}{2}q^2\sigma_1^*(\emptyset,0,b)\sigma_2^*(\emptyset,0,1) + \frac{1}{2}\left(q^2\sigma_1^*(\emptyset,1,b)\sigma_2^*(\emptyset,1,1) + q(1-q)\sigma_1^*(\emptyset,1,g) + (1-q)q\sigma_2^*(\emptyset,1,1) + (1-q)^2\right)} \tag{7}$$

We next characterize the rulers' equilibrium actions.

Ruler 2's Action When Policy Issue is Preordained:

1. Consider the case $\hat{s} = s = 0$ and $a_1 = 0$. In this case, $\max\{a_1, a_2\} = a_2$ and $q^*(0,0,a_2) = a_2$ for any $a_2 \in \{0,1\}$.

   The citizens never revolt against $a_2 = 0$. In contrast,the probability of a successful revolt against $a_2 = 1$ is $\overline{\beta}$. Thus, ruler 2's policy when $(\hat{s}, s, a_1) = (0,0,0)$ is:

$$\sigma_2^*(0,0,0) \in \arg\max_{\sigma \in [0,1]} \sigma \cdot (1 - \overline{\beta}) + (1 - \sigma) \cdot \delta_0$$

Therefore, ruler 2's equilibrium strategy is:

$$\sigma_2^*(0,0,0) = \begin{cases} 0 & ;\overline{\beta} > 1-\delta_0 \\ 1 & ;\overline{\beta} < 1-\delta_0 \end{cases}$$

2. Consider the case $\hat{s} = s = 0$ and $a_1 = 1$. In this case, $\max\{a_1, a_2\} = 1$ regardless of a_2, and $q^*(0,1,a_2) = 1$ for any $a_2 \in \{0,1\}$. Ruler 2 is indifferent between the two actions, and hence $\sigma_2^*(0,0,1) = 1$.

3. Consider the case $\hat{s} = s = 1$ and $a_1 = 0$. In this case, $\max\{a_1, a_2\} = a_2$ and $q^*(1,0,a_2) = 1 - a_2$ for any $a_2 \in \{0,1\}$.

   Because $\delta_1 = 0$, ruler 2 receives a payoff of 0 if he chooses $a_2 = 0$. If he chooses $a_2 = 1$, the citizens will not revolt, and ruler 2 will receive a payoff of 1. Therefore, $\sigma_2^*(1,1,0) = 1$.

4. Consider the case $\hat{s} = s = 1$ and $a_1 = 1$. In this case, $\max\{a_1, a_2\} = 1$ regardless of a_2, and $q^*(1,1,a_2) = 0$ for any $a_2 \in \{0,1\}$. Ruler 2 is indifferent between the two actions, and hence $\sigma_2^*(1,1,1) = 1$.

Ruler 1's Action When Policy Issue is Preordained:

1. Suppose $\widehat{s} = s = 0$ and $t_2 = g$. Then, $a_2 = 0$, and $\max\{a_1, a_2\} = a_1$. Moreover, $q^*(0,a_1,a_2) = a_1$ for any a_1. Thus, the probability of a successful revolt against $a_1 = 1$ is $\overline{\beta}$. Thus, ruler 1's policy when $(\widehat{s}, s, t_2) = (0,0,g)$ is:

$$\sigma_1^*(0,0,g) \in \arg\max_{\sigma\in[0,1]} \sigma \cdot (1-\overline{\beta}) + (1-\sigma)\cdot\delta_0$$

Therefore, ruler 1's equilibrium strategy is:

$$\sigma_1^*(0,0,g) = \begin{cases} 0 & ;\overline{\beta} > 1-\delta_0 \\ 1 & ;\overline{\beta} < 1-\delta_0 \end{cases}$$

2. Suppose $\widehat{s} = s = 0$ and $t_2 = b$. Then,

$$a_2 = \begin{cases} 0 & ;\delta_0 > 1-\overline{\beta} \\ 1 & ;\delta_0 < 1-\overline{\beta} \end{cases}$$

   - If $\delta_0 > 1-\overline{\beta}$, ruler 1's equilibrium strategy is:

$$\sigma_1^*(0,0,b) \in \arg\max_{\sigma\in[0,1]} \sigma\cdot(1-\overline{\beta}) + (1-\sigma)\cdot\delta_0$$

     which implies $\sigma_1^*(0,0,b) = 0$.

   - If $\delta_0 < 1-\overline{\beta}$, $\max\{a_1,a_2\} = 1$ for any $a_1 \in \{0,1\}$ in any PBE. Ruler 1 is indifferent between the two actions, and hence $\sigma_1^*(0,0,b) = 1$.

3. Suppose $\widehat{s} = s = 1$ and $t_2 = g$. Then, $a_2 = 1$, and $\max\{a_1,a_2\} = 1$ for any $a_1 \in \{0,1\}$ in any PBE. Ruler 1 is indifferent between the two actions, and hence $\sigma_1^*(1,1,g) = 1$.

4. Suppose $\widehat{s} = s = 1$ and $t_2 = b$. Since $\sigma_2^*(1,1,0) = \sigma_2^*(1,1,1) = 1$, $a_2 = 1$ with probability one. Then, $\max\{a_1,a_2\} = 1$ for any a_1 in any PBE. Ruler 1 is indifferent between the two actions, and hence $\sigma_1^*(1,1,b) = 1$.

Note that $\sigma_1^*(1,1,t_2) = \sigma_2^*(1,1,1) = 1$ in any PBE. That is, when $\widehat{s} = s = 1$, the aggregate action is $A = 1$.

If $\delta_0 < 1-\overline{\beta}$, then $\sigma_1^*(0,0,b) = \sigma_1^*(0,0,g) = \sigma_2^*(0,0,0) = 1$. That is, when $\widehat{s} = s = 0$, when at least one ruler is bad, $A = 1$ with an equilibrium revolt probability $\overline{\beta}$. If, instead, $\delta_0 > 1-\overline{\beta}$, then $\sigma_1^*(0,0,b) = \sigma_1^*(0,0,g) = \sigma_2^*(0,0,0) = 0$. That is, when $\widehat{s} = s = 0$, $A = 0$.

When Policy Issue is Non-Preordained We begin with two observations.

Remark 1. *In any PBE, $\sigma_2^*(\emptyset, 1, 0) = 1$. This is because when $s = 1$ and $a_1 = 0$, choosing $a_2 = 0$ yields a payoff of 0 to ruler 2. On the other hand, choosing $a_2 = 1$ yields a strictly positive payoff because the probability of revolt is strictly less than one.*

Remark 2. *In any PBE, $q^*(\emptyset, 0, 0) = 0$. This follows from Remark 1 and $q^*(\emptyset, 0, 0)$ in (4). Citizens know that when $s = 1$, $a_1 = 0$ is followed by $a_2 = 1$. Thus, whenever $a_1 = 0$ is followed by $a_2 = 0$, citizens deduce that the state is $s = 0$.*

By Remark 2, citizens do not revolt upon observing $(\widehat{s}, a_1, a_2) = (\emptyset, 0, 0)$. In any other $(\widehat{s}, a_1, a_2) = (\emptyset, a_1, a_2)$, the aggregate action is $A = 1$, and the probability of revolt is $\beta(q')$.

Thus, a bad ruler 2's remaining equilibrium behavior is characterized by

$$\sigma_2^*(\emptyset, 0, 0) \in \arg\max_{\sigma \in [0,1]} \sigma \cdot (1 - \beta(q^*(\emptyset, 0, 1))) + (1 - \sigma) \cdot \delta_0 \tag{8}$$

$$\sigma_2^*(\emptyset, 0, 1) \in \arg\max_{\sigma \in [0,1]} \sigma \cdot (1 - \beta(q^*(\emptyset, 1, 1))) + (1 - \sigma) \cdot (1 - \beta(q^*(\emptyset, 1, 0))) \tag{9}$$

$$\sigma_2^*(\emptyset, 1, 1) \in \arg\max_{\sigma \in [0,1]} \sigma \cdot (1 - \beta(q^*(\emptyset, 1, 1))) + (1 - \sigma) \cdot (1 - \beta(q^*(\emptyset, 1, 0))) \tag{10}$$

We now make two additional observations:

- In any PBE, $1 - \beta(q^*(\emptyset, 1, 1)) \geq 1 - \beta(q^*(\emptyset, 1, 0))$. Suppose not, i.e., $1 - \beta(q^*(\emptyset, 1, 1)) < 1 - \beta(q^*(\emptyset, 1, 0))$. Then, by (9), $\sigma_2^*(\emptyset, 0, 1) = 0$. Then, $q^*(\emptyset, 1, 1) = 0$ by (7). But then, $\beta(q^*(\emptyset, 1, 1)) = 0$, a contradiction.

- The above observation combined with the tie-breaking rule imply that $\sigma_2^*(\emptyset, 0, 1) = \sigma_2^*(\emptyset, 1, 1) = 1$ in any PBE.

We will return to characterizing $\sigma_2^*(\emptyset, 0, 0)$ later.

We now proceed with ruler 1. There are four possible histories.

1. Suppose $\widehat{s} = \emptyset$, $s = 0$ and $t_2 = g$. Ruler 2 chooses $a_2 = 0$ with probability one, and the aggregate action is $A = \max\{a_1, a_2\} = a_1$. If ruler 1 chooses $a_1 = 1$, there is a

revolt with probability $\beta(q^*(\emptyset, 1, 0))$. If ruler 1 chooses $a_1 = 0$, there is a revolt with probability $\beta(q^*(\emptyset, 0, 0)) = 0$. Thus, bad ruler 1's optimal strategy when $(\widehat{s}, s, t_2) = (\emptyset, 0, g)$ is:

$$\sigma_1^*(\emptyset, 0, g) \in \arg\max_{\sigma \in [0,1]} \sigma \cdot (1 - \beta(q^*(\emptyset, 1, 0))) + (1 - \sigma) \cdot \delta_0 \tag{11}$$

2. Suppose $\widehat{s} = \emptyset$, $s = 0$ and $t_2 = b$. If ruler 1 chooses $a_1 = 1$, ruler 2 will follow with $a_2 = 1$ with probability one, because we established that $\sigma_2^*(\emptyset, 0, 1) = 1$. The aggregate action will be $A = 1$ and there will be a revolt with probability $\beta(q^*(\emptyset, 1, 1))$. If, instead, ruler 1 chooses $a_1 = 0$, ruler 2 will follow with a_2 with probability $\sigma_2^*(\emptyset, 0, 0)$. The aggregate action will be a_2, and ruler 1's payoff will be:

$$\sigma_2^*(\emptyset, 0, 0) \cdot (1 - \beta(q^*(\emptyset, 0, 1))) + (1 - \sigma_2^*(\emptyset, 0, 0)) \cdot \delta_0$$

which, by (8), equals $\max\{1 - \beta(q^*(\emptyset, 0, 1)), \delta_0\}$.

Thus, bad ruler 1's optimal strategy when $(\widehat{s}, s, t_2) = (\emptyset, 0, b)$ is:

$$\sigma_1^*(\emptyset, 0, b) \in \arg\max_{\sigma \in [0,1]} \sigma \cdot (1 - \beta(q^*(\emptyset, 1, 1))) + (1 - \sigma) \cdot \max\{1 - \beta(q^*(\emptyset, 0, 1)), \delta_0\} \tag{12}$$

3. Suppose $\widehat{s} = \emptyset$, $s = 1$ and $t_2 = g$. Ruler 2 chooses $a_2 = 1$ with probability one, and the aggregate action will be $A = 1$ with probability one. If ruler 1 chooses $a_1 = 1$, there will be a revolt with probability $\beta(q^*(\emptyset, 1, 1))$. If, instead, ruler 1 chooses $a_1 = 0$, there will be a revolt with probability $\beta(q^*(\emptyset, 0, 1))$. Thus, bad ruler 1's optimal strategy when $(\widehat{s}, s, t_2) = (\emptyset, 1, g)$ is:

$$\sigma_1^*(\emptyset, 1, g) \in \arg\max_{\sigma \in [0,1]} \sigma \cdot (1 - \beta(q^*(\emptyset, 1, 1))) + (1 - \sigma) \cdot (1 - \beta(q^*(\emptyset, 0, 1))) \tag{13}$$

4. Suppose $\widehat{s} = \emptyset$, $s = 1$ and $t_2 = b$. We showed $\sigma_2^*(\emptyset, 1, 0) = \sigma_2^*(\emptyset, 1, 1) = 1$ in any PBE.

Thus, ruler 2 chooses $a_2 = 1$ with probability one, and the aggregate action will always be $A = 1$. If ruler 1 takes $a_1 = 1$, there will be a revolt with probability $\beta(q^*(\emptyset, 1, 1))$. If, instead, ruler 1 chooses $a_1 = 0$, there will be a revolt with probability $\beta(q^*(\emptyset, 0, 1))$. This, bad ruler 1's optimal strategy when $(\widehat{s}, s, t_2) = (\emptyset, 1, b)$ is:

$$\sigma_1^*(\emptyset, 1, b) \in \arg\max_{\sigma \in [0,1]} \sigma \cdot (1 - \beta(q^*(\emptyset, 1, 1))) + (1 - \sigma) \cdot (1 - \beta(q^*(\emptyset, 0, 1))) \tag{14}$$

We now make two further observations:

- In any PBE, $1-\beta(q^*(\emptyset, 1, 1)) \geq 1-\beta(q^*(\emptyset, 0, 1))$. Suppose not, i.e., $1-\beta(q^*(\emptyset, 1, 1)) < 1-\beta(q^*(\emptyset, 0, 1))$. Then, by (12), $\sigma_1^*(\emptyset, 0, b) = 0$. Then, $q^*(\emptyset, 1, 1) = 0$ by (7). But then, $\beta(q^*(\emptyset, 1, 1)) = 0$, a contradiction.

- The above observation above combined with our tie-breaking rule imply $\sigma_1^*(\emptyset, 1, g) = \sigma_1^*(\emptyset, 1, b) = 1$ in any PBE.

In sum, we have so far showed:

$$\sigma_2^*(\emptyset, 0, 1) = \sigma_2^*(\emptyset, 1, 1) = \sigma_1^*(\emptyset, 1, g) = \sigma_1^*(\emptyset, 1, b) = 1 \ .$$

Substituting these into (7) yields

$$\begin{aligned} q^*(\emptyset, 1, 1) &= \frac{q^2 \sigma_1^*(\emptyset, 0, b) \sigma_2^*(\emptyset, 0, 1)}{q^2 \sigma_1^*(\emptyset, 0, b) \sigma_2^*(\emptyset, 0, 1) + (q^2 \sigma_1^*(\emptyset, 1, b) \sigma_2^*(\emptyset, 1, 1) + q(1-q)\sigma_1^*(\emptyset, 1, g) + (1-q)q\sigma_2^*(\emptyset, 1, 1) + (1-q)^2)} \\ &= \frac{q^2 \sigma_1^*(\emptyset, 0, b)}{q^2 \sigma_1^*(\emptyset, 0, b) + q^2 + q(1-q) + (1-q)q + (1-q)^2} \leq \frac{1}{2} \end{aligned}$$

Thus, $\beta(q^*(\emptyset, 1, 1)) = 0$. Combined with our tie-breaking rule and $\delta_0 < 1$, this yields:

$$\sigma_1^*(\emptyset, 0, b) = 1$$

It remains to characterize $\sigma_1^*(\emptyset, 0, g)$. The rest of the analysis considers two separate cases.

- Suppose $\delta_0 < 1 - \overline{\beta}$. By (8) and (11),

$$\sigma_2^*(\emptyset, 0, 0) = \sigma_1^*(\emptyset, 0, g) = 1 \ .$$

This completes the characterization of equilibrium strategies. Given these strategies,

$$q^*(\emptyset, 1, 0) = q^*(\emptyset, 0, 1) = 1 \ .$$

Thus, whenever $(\widehat{s}, s) = (\emptyset, 0)$ and $t_1 \neq t_2$, there is a mismatch in rulers' actions, and there is a successful revolt with probability $\overline{\beta}$.

- Suppose $\delta_0 > 1 - \overline{\beta}$. First, we show that $\sigma_2^*(\emptyset, 0, 0) = 0$. Suppose not, i.e., $\sigma_2^*(\emptyset, 0, 0) > 0$. Given equilibrium strategies specified above and (5), $q^*(\emptyset, 0, 1) = 1$. But then, by (8), $\sigma_2^*(\emptyset, 0, 0) = 0$, a contradiction. On the other hand, when $\sigma_2^*(\emptyset, 0, 0) = 0$, the history $(\emptyset, 0, 1)$ is never reached on equilibrium path. The Bayes' rule does not apply to $q^*(\emptyset, 0, 1)$. Then, any choice of $q^*(\emptyset, 0, 1)$ high enough so that $1 - \beta(q^*(\emptyset, 0, 1)) \leq \delta_0$ is consistent with $\sigma_2^*(\emptyset, 0, 0) = 0$ as an equilibrium strategy.

  Next, we show that $\sigma_1^*(\emptyset, 0, g) = 0$. Suppose not, i.e., $\sigma_1^*(\emptyset, 0, g) > 0$. Given equilibrium strategies specified above and (6), $q^*(\emptyset, 1, 0) = 1$. But then, by (11), $\sigma_1^*(\emptyset, 0, g) = 0$, a contradiction. On the other hand, when $\sigma_1^*(\emptyset, 0, g) = 0$, the history $(\emptyset, 1, 0)$ is never reached on equilibrium path. The Bayes' rule does not apply to $q^*(\emptyset, 1, 0)$. Then, any choice of $q^*(\emptyset, 1, 0)$ high enough so that $1 - \beta(q^*(\emptyset, 1, 0)) \leq \delta_0$ is consistent with $\sigma_1^*(\emptyset, 0, g) = 0$ as an equilibrium strategy.

  Thus, if $\delta_0 > 1 - \overline{\beta}$, then $\sigma_2^*(\emptyset, 0, 0) = \sigma_1^*(\emptyset, 0, g) = 0$. Given these strategies, whenever $(\widehat{s}, s) = (\emptyset, 0)$ and $t_1 \neq t_2$, the aggregate action is $A = 0$ and there are no revolts.

□

Proof of Proposition 3. The result is immediate when $\overline{\beta} > 1 - \delta_0$. When $\overline{\beta} < 1 - \delta_0$, from Lemmas 2 and 4, $p^*_{\max} = \left(2\overline{\beta} - 1 - \mu/q(1-q)\right)/\overline{\beta} = p^* - 2(1 - \overline{\beta})/\overline{\beta}$. □

B Corpus of Islamic Political Thought

Following Rosenthal's (1971, pp. 17–33; see also Lambton (1981)) classification, we divide political writings in Islamic civilization into three groups, depending on whether their primary foundation lies in Islamic law, philosophy, or advice-giving in the manner of the Mirrors for Princes.[1] We provide brief discussions of a few well-known examples in each category to highlight the political themes that Muslim thinkers engaged with and to demonstrate the absence of discussions about institutional constraints on rulers. Such discussions are likewise absent in comprehensive surveys of Islamic political thought (Rosenthal, 1958; Lambton, 1981; Crone and Hinds, 1986; Crone, 2004; Black, 2011; Cook, 2014).

The corpus of Islamic writings with direct political implications is vast. For instance, the above categories do not include the writings and traditions of mystical orders, which sometimes had direct political implications (Babayan, 2002; Moin, 2012; Ziad, 2021). Yet these orders, with their emphasis on spiritual (and sometimes temporal) leaders endowed with divine inspiration, tended to be even less concerned with institutional constraints.

B.1 Juristic Writings

Jurists insisted that the caliph—the head of the Islamic state—was bound by Islamic law and resisted attempts by caliphs to modify the law. In this narrow conception of constitutionalism (Klosko, 2012, pp. 297–9), they were "constitutionalists" (Watt, 2003). For example, when the caliph Hārūn al-Rashīd commissioned his chief judge Abu Yusuf (d. 798) to review taxation, the resulting *Kitāb al-Kharāj* detailed Islamic law "for the rates of taxation and the expenditure of the revenue according to the source from which it derived" (Lambton, 1981, p. 55). Shāfiʿī's (d. 820) emphasis on the role of *ijmāʿ* (consensus) as a source of Islamic law (Bernand, *Encyclopaedia of Islam, 2nd Ed.*) further reduced the legislative power of caliphs: "To al-Shāfiʿī the ultimate arbiter was the consensus of the entire community: the

[1] Many writings incorporate multiple elements. For example, religious concerns and orthodoxy are intertwined with politics, justice, and stability in Nizam al-Mulk's *Sīyāsat Nāmih*, in contrast to Machiavelli's instrumentalist approach to Christianity. However, the dominant theme of each work is typically clear.

caliph counted only so far as every member of the *umma* did" (Crone and Hinds, 1986, p. 93). Hallaq (2009, p. 70) goes as far as arguing that "[w]hereas law – as a legislated system – was often 'state'–based in other imperial and complex civilizations, in Islam the ruling powers had, until the dawn of modernity, almost nothing to do with the production and promulgation of legal knowledge."

Of course, rulers sought to expand their freedom to reinterpret or modify the law in ways that suited their interests. A prominent example is the inquisition (*mihna*), initiated in 833 by the Abbasid caliph al-Ma'mūn (d. 833) and lasting until 848/9. During the inquisition, religious judges and scholars were pressured to accept the doctrine that the Quran was created (Lapidus, 1975, p. 380). This theological position had far-reaching implications. Watt (2003, p. 88) explains that "if the Qur'ān was created, God could presumably have created a different Qur'ān in other circumstances. Or... God's plenipotentiary, the imam or the charismatic head of the state, acting with divine authority, could set aside... specific commands of the Qur'ān and, more generally, the provisions of the Sharī'a" (pp. 87–88). According to Lapidus (1975, p. 380), during the inquisition, "the theological opposition is clearly linked to popular demonstrations against the policy of the regime."

While jurists discussed the conditions that might disqualify a sitting imam, they did not "lay down any procedure by which an Imam may be deposed" (Gibb, 1982, p. 161).[2] According to Lambton (1981, p. 19), "a command contrary to *sharī'a* was not to be obeyed. The jurists, however, did not specify in what way or by what tribunal it was to be decided that the leader of the community had failed to remain faithful to the *sharī'a*." Some procedures for the election of caliphs did exist. Yet, as Crone (2004, p. 277) observes, "once elected, the caliph was free to ignore all the advice he received."

Jurists also developed systematic analyses of governmental authority. A prominent example is Mawardi's (d. 1058) *al-Aḥkām al-Sulṭāniyah* (The Ordinances of Government), which presents a juristic theory of the caliphate. He argued that the imam should be elected

[2]Throughout our discussion, *imam/imamate* and *caliph/caliphate* are used interchangeably.

by qualified electors from among qualified candidates; however, even a single elector could suffice, and a sitting imam could designate his successor or restrict the pool of candidates. Mawardi's main contribution was to construct a theory of the imamate grounded in the principles of necessity and expediency—one that allowed a caliph with little de facto power to remain in office, ensuring that the *umma* was not left without an imam even when effective authority rested with regional Muslim dynasties such as the Buyids (945–1055).

His theory responded to a crisis in the concept of the caliphate: on one hand, the imamate was deemed obligatory for the Muslim community and necessary for implementing Islamic law; on the other, the Abbasid caliphs were politically subordinate to the Buyid rulers. To resolve this tension, Mawardi formulated the notion of *imārat al-istīlā*, under which "the governor of a province, instead of being appointed and revocable by the caliphs, imposes his rule by force" (Gibb, 1982, p. 162). As long as such rulers maintained allegiance to the caliph and upheld the Sharī'a, Mawardi argued, the caliph was obliged to recognize and legitimize their authority. Thus, the imam or caliph could coexist with independent kings or sultans.

Importantly for our purposes, Mawardi specified conditions that could disqualify a sitting imam but offered no institutional mechanism for his removal. Nor did he propose institutional procedures for holding regional rulers accountable. Even when a sultan acted egregiously, Mawardi merely stated that "it becomes the duty of the Imam to call to his aid those who will restrain the usurper's hand" (Gibb, 1982, p. 160). Like other jurists, he appears to have regarded rebellion and warfare as the instruments of accountability. Baghdadi (d. 1037), Juwayni (d. 1085), and Ghazali (d. 1111) developed variations on these themes—see Hallaq (1984) on Juwayni's and Hillenbrand (1988) on Ghazali's political thought.

The next major development came after the fall of the Abbasid caliphate to the Mongols. The central problem was how to provide an Islamic foundation for government in the absence of the caliphate. Ibn Taymiyya (d. 1328), in *al-Sīyāsa al-Sharī'iyya*, argued that the legitimacy of government lay in upholding the Sharī'a, which encompassed obedience to God and the Prophet and the establishment of peace and prosperity. Accordingly, there could be

multiple imams and governments across different parts of the Islamic world, whether established by force or through some form of election. He conceived of the "oath of allegiance" between the community and the imam as a form of contract: "It was, he states, a contract and was, like all contracts, defined by its end, which was the common will to obey God and His prophet. Also, like all contracts, it presupposed two parties: on the one side there was the *imam* and on the other Ibn Taymiyya sets not only the *'ulama'* [(jurists)] but all those who by their learning, talent, wealth, or personal influence actually held authority over the community" (Lambton, 1981, p. 148).

The mutual obligations in this framework included the community's obedience, but also its duty to counsel the ruler, enjoin good, and forbid evil. Conversely, the ruler was obliged to consult the community, uphold justice (including equitable division of state resources), and appoint righteous officials. Whether the government was viewed as a contract or as "a harmonious association" between ruler and community, Ibn Taymiyya offered no institutional mechanism to hold rulers accountable. Khunji (d. 1521) later developed variations on these ideas, for example recognizing as imam anyone who effectively established government, thereby erasing the distinction between imams or caliphs and kings or sultans (Lambton, 1981, ch. XI).

By the sixteenth century, following the Ottoman conquests, the title of caliph was claimed by Ottoman sultans. By the seventeenth century, jurists had acquired significant influence within the empire. Islamic law was invoked in matters of "succession, the legitimacy of a particular sultan, and the question of legitimate revolt against the government" (Tezcan, 2010, p. 237). Jurists played direct roles in several rebellions—for example, against Othman II in 1622, Ibrahim in 1648, Mehmed IV in 1678 (Tezcan, 2010), and Mustafa II in 1703 (Abou-El-Haj, 1984).

Abdurrahim, the grand mufti (chief jurist), "gave the legal opinion that legitimized the regicide [of Ibrahim], and oversaw the execution personally" (Tezcan, 2010, p. 220). Abou-El-Haj (1984, pp. 71–72) documents legal opinions (*fatwā*s) by Ottoman jurists that legitimized

revolt against an unjust caliph/sultan, and declared supporting such a ruler against the rebels unlawful. Of these opinions, Aksan (2022, ch. 2) notes, "The second legitimated the right of a Muslim community to stand up to an unjust ruler. The third condemned those who sided with an unjust ruler."

According to Tezcan (2010, p. 238), the ability to constrain the sultan through rebellion contributed to the longevity of the Ottoman dynasty: "If an emperor could be 'recalled' and replaced by another one, not only was there no longer any need to challenge the dynasty but... there was also a considerable incentive to keep the dynasty in operation to maintain its openness to political representation." Ottoman jurists, like their predecessors, appear to have preferred the "revolt channel" over more institutional means of accountability.

Of course, there were various branches of Islam. Our focus on Sunni Islam reflects its predominance in Islamic history. In some regions, such as Iran, variations of Shia Islam became dominant, with Shi'i rulers exercising political power. Proto-Shi'i and Shi'i jurists, across their different divisions, believed in the divine spiritual and temporal mandates of their imams (Modarressi, 1993; Dakake, 2007). Given this theology, their minority position, and their messianic beliefs, Shi'i jurists did not contemplate institutional constraints on rulers.

A central tenet of Twelver Shi'ism holds that the twelfth imam, who possesses public authority, has been in occultation since the tenth century. Consequently, through the nineteenth century, to the extent that Twelver Shi'i jurists engaged in political thought, their efforts focused on justifying governmental authority in the absence of the twelfth imam. Most jurists avoided discussing political authority altogether; some, such as Majlisi (d. 1699), argued for a Shi'i kingship, while others, such as Naraqi (d. 1829), assigned political authority to Shi'i jurists. However, institutional constraints on rulers—whatever their identity—did not enter Shi'i discourse until the early twentieth century, when a sense of crisis under the threat of colonial domination prompted juristic justifications for institutional limits on power (Arjomand, 1984, 1988; Amanat, 2009).

B.2 Philosophical Writings

"From about the middle of the eighth century to the end of the tenth, almost *all* non-literary and non-historical secular Greek books that were available throughout the Eastern Byzantine Empire and the Near East were translated into Arabic" (Gutas, 1998, p. 1). Muslim philosophers adapted the Greek intellectual tradition while seeking to render it compatible with Islamic teachings. For example, al-Fārābī (d. 950)—often regarded as the founder of Islamic philosophy—argued that "Religion is an imitation of philosophy... In everything of which philosophy gives an account based on intellectual perception or conception, religion gives an account based on imagination" (Lerner and Mahdi, 1963, p. 77). Subsequent philosophers, most notably Ibn Sīnā (d. 1037) and Ibn Rushd (d. 1198), further developed this synthesis of Greek and Islamic thought. See Goodman (1992) on Ibn Sīnā and Leaman (1988) on Ibn Rushd.

In *al-Madīnah al-Fāḍilah* (The Virtuous City), al-Fārābī developed a political theory reminiscent of Plato's *Republic*. As Crone (2004, p. 178) and Rosenthal (1958, p. 128) explain, "the founder of a virtuous city was a person endowed with an exceptional set of outstanding characteristics... Such a man, the first or ultimate chief... was imam, king, philosopher, and prophet alike. In short, he was Plato's lawgiver and the prophet of the Islamic tradition rolled together." See also *al-Sīyāsat al-Madaniyyah* (known as *Political Regimes*) (Farabi and Butterworth, 2015).

"What is missing in al-Farabi is any concept – let alone discussion – of civic institutions as central to the political life" (Gutas, 2004, pp. 276, 263–264; quoted in Black, 2011). In the absence of an Islamicized "philosopher-king," lesser leaders must take charge, which necessitates the memorization of laws laid down by the founder. Farabi recognizes that "various qualities that went to make a first chief might also be dispersed in many people; if so, they could take the place of the first chief and rule as a team. This was how al-Farabi understood aristocracy (*riyasat al-afadil/al-akhyar*): a virtuous regime in which several philosophically trained people managed things together, perhaps as king, vizier, military leader, and ad-

visors, though he does not say precisely how" (Crone, 2004, p. 179). Critically, even this allusion to conciliar government did not lead to discussions of how dividing power could mitigate its abuses.

Ibn Sīnā (d. 1037) and Ibn Rushd (d. 1198) generally followed al-Fārābī. Ibn Sīnā "adopted a Sunni view on *succession* to Prophet-Legislator. This can be either by testamentary designation – the 'Abbasid practice – or by 'consensus of the elders'. Ibn Sina recommended designation because it avoids strife" (Black, 2011, p. 75, quoting Lerner and Mahdi, 1963). However, he "roundly condemns usurpation, and actually demands the death of a tyrant (*mutaghallib*) and the punishment of those who fail to carry out such a tyrannicide if they have means to do it" (Rosenthal, 1958, p. 153).

Ibn Rushd's political theory appears in his commentaries on Plato's *Republic* and Aristotle's *Ethics* and *Rhetoric*—he states that he did not have access to Aristotle's *Politics* (Averroes and Lerner, 1974, p. 4). Ibn Rushd's commentary on Plato's *Republic* adapts it to his Islamic environment, with the remarkable exception of promoting women's participation in public life. In discussing the philosopher-king, he writes: "Hence these names are... synonymous—i.e., 'philosopher,' 'king,' 'Lawgiver'; and so also is 'Imam,' since *imām* in Arabic means one who is followed in his action. He who is followed in these actions by which he is a philosopher, is an Imam in the absolute sense" (Averroes and Lerner, 1974, p. 72). He provides examples from his environment to illustrate regime types and their transformations, e.g., stating that during Mu'āwiyah's reign the government transformed from virtuous to timocratic (Averroes and Lerner, 1974, p. 121). Like al-Fārābī, Ibn Rushd recognizes that the characteristics of a good ruler may not all be present in one person (Averroes and Rosenthal, 1966, pp. 208–209):

> However, it may not happen that both these [qualifications] are found in one man, rather the one [capable of] waging Holy War being another than the legal expert. Yet of necessity both will share in the rule.

In his commentary on Aristotle's *Rhetoric*, Ibn Rushd also "Platonizes" Aristotle's brief

discussion of political regimes by elevating "rulership of the king" and "imamate" (Butterworth, 1998, pp. 236–237; Averroes and Ezzaher, 2015, pp. 129–131). Again, these allusions to divided authority or regime transformation fall short of any discussion of institutional constraints to check tyranny.

In sum, al-Fārābī, Ibn Sīnā, Ibn Rushd, and other Muslim philosophers, though deeply engaged in political theory, did not address institutional mechanisms to constrain rulers.

B.3 Mirrors for Princes (*Sīyāsat Nāmih*)

Among the earliest surviving political writings of the Islamic period are *Rasālih fi al-Ṣaḥābih* and *Adab Kabīr* by Ibn Muqaffa (d. 759), an Iranian bureaucrat and literary figure in the Umayyad and Abbasid caliphates. Ibn Muqaffa asserted that the general public cannot obtain their welfare on their own, and they need an imam to guide them. He advocated that the ruler impose consistency in law and argued that the imam's opinions and policies must be followed unless they explicitly contradict God's orders. Ibn Muqaffa was among the early transmitters of political writings in the Persian mirrors for princes tradition, which aimed to rationalize government to promote peace and prosperity.[3]

A classic writing in the Mirrors for Princes tradition is Nizam al-Mulk's (d. 1092) *Sīyāsat Nāmih*. Nizam al-Mulk was an Iranian vizier during the Seljuk Empire and the de facto ruler after Alp Arslan. In the tradition of Persian kingship, he asserts that just kings are chosen by God, have royal charisma, and are the shepherds of their people. When God becomes angry with the people, good kings disappear, and war replaces peace and prosperity, so that wrongdoers are killed. He highlights that power is fragile, because of overt and covert contenders, but a competent and just ruler maximizes peace and prosperity. The ruler should follow God's law and respect religious scholars and the pious. He should have religious scholars advise him "once or twice a week" on God's law and Islamic traditions and stories of past just kings (Tabatabai, 2006/1385, p. 97); see also Yavari (2014).

[3]Mirrors for Princes were also translated from Greek during the Umayyads, when Greek was the language of bureaucracy in Damascus, adapted from the Byzantine Empire (Gutas, 1998, p. 23).

Some works in this genre rely more on earlier philosophical writings (e.g., Tusi's *Akhlāq Nāṣirī*), while others have a stronger religious overtone (e.g., Ghazali's *Naṣīḥat al-Mulūk*). Overall, this genre occupies a middle ground between theoretical works on ethics and moral philosophy and manuals for governance.[4] While offering useful advice on good governance, like juristic and philosophical writings, these works do not provide discussions of institutional constraints on rulers. Rather, they rely on invoking the rulers' intrinsic motivations (moral or selfish interests in prosperity and longevity) to achieve good governance.

[4]Other examples include Davani's *Akhlāq Jalālī*, Amasi' *Kitāb Mirʾāt al-Mulūk*, Bitlisi's *Hasht Bihisht*, and Çelebi's *Akhlāq ʿAlāʾī*; Sariyannis (2019) discusses this genre in the Ottoman period.

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