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# Civil Society and the Islamic Experience

MOHAMMED A. BAMYEH

The vast majority of works containing in their title the term "civil society" or other related items, such as the "public sphere," date from the latter part of the 1990's. The intellectual genealogy of such concepts as "the public sphere" or "civil society" are rooted in European social history, thus they need to be adjusted somewhat when applied to other parts

of the world to allow for local and regional histories and experiences. One approach would be to begin with a survey of the subject in question, not with the concept itself. Through such an approach one may reconfigure the concept of "civil society" in ways that are at once appropriate to local circumstances and informed by global patterns and trends. What would such a survey look for?

If we think of civil society, in its most general sense, as society organized outside of the state, we can readily identify various corresponding historical lineages and categories of social organization in the Muslim world. Many of those lineages may have little to do with "Islam" as an idea or even as social practice. Rather, they exist in a discursive context where Islam operates generally as a namesake of collective cul-

**Studies of civil society currently constitute one of the liveliest trends in Islamic studies, especially in the context of the Arab World. These works respond to an intense demand among educated publics and academic circles for any exploration of the democratizing potential of Islam; they also explore the very notion of civil society as a conceptual category.**

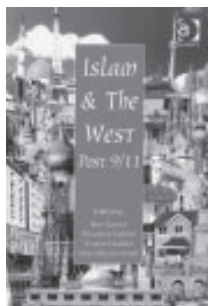
ture. These lineages may include, for example, "tribe," "millet," "family," "urban notables" (*ayan*), "merchants," "colonial bourgeoisie," or the "learned networks" (*ulama*). Despite overlaps in membership to a given group, each category presupposes a quite distinct social worldview, rules of membership, and patterns of relations to the outside—

i.e. to other groups as well as to the state.

An approach of this kind possesses many advantages. First, it frees the very concept of civil society from the specificities of the European bourgeois experience, making it possible to detect different permutations and possibilities within the larger social environs of Islam. Second, it allows for a grounding of civil society in a rich historical matrix rather than positing it as a specific outcome of modernity and thus a mark of a break from the past. Third, it situates the study of civil society within a larger repertoire of existing scholarship which may not explicitly or consciously explore civil society as such. Fourth, it allows a proper appraisal of *non* state-centred social formations and ideas, and as such detects civil society's *sui generis* manner of life, away from the grip of a state-centred "oriental despotism" framework.

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### Historical genealogies of civil society

Historical categories embodied in such terms as "tribe," "millet," "ayan," and "ulama" help to explain how mores and norms of civic culture evolved when states appeared to most of their subject population as transient, half-legitimate, unpredictable, or self-serving. Under conditions typified by incomplete state diffusion into society—that is, for most of Islamic history—the civic mores governing social and economic life evolved out of patterns of everyday life and remained more negotiable than the usually distant or unaccountable state. Such mores of civic life included not simply minor everyday transactions but also larger questions of "moral authority" and "justice."

Literature in the social history of Islam widely confirms that basic social structures of obligations and reciprocity tended to become less reliable once they reached the level of state politics. One general and persistent expectation was that the state transformed far more the *personality* of those who governed it than the culture and ethics of the population it governed. The expectation that rulers could not be counted upon to fulfil social obligations they otherwise would be beholden to, was basic to Ibn Khaldun's theory of dynastic change. Likewise, the notion that governing was by its very nature "infertile" (*al-mulk aqim*),<sup>1</sup> flowed from the principle that a person could no longer be expected to act in accordance with ordinary ethics or rules of social obligations once he assumed the rule of a state.

The Islamic "mirror of princes" genre confirms the notion that governing a state could not simply be informed by common ethical norms. Basing their work on the experiences of different Islamic states, such varied commentators as Nizam al-Mulk, Ibn al-Muqaffa, At-Tartushi, Ash-Shatibi, or Al-Muradi, all took for granted centuries before the writings of Machiavelli, a principle which in recent times has been traced by Michel Foucault only to Machiavelli, namely the "exteriority of the prince to the principality." The common expectation was that the state had its own *autonomous* ethics, whose autogenesis lay in the logic of the state itself rather than in the prior ethics of any other social category (e.g. tribe or class). The state thus did not flow naturally from social developments; it was parasitic upon society, and the role of religion was in effect to limit its despotism rather than justify it. Richard Bulliet has argued that "Islam" functioned historically in a manner equivalent to that of "the people" in the West, namely as a source of limitation on state power.<sup>2</sup> In a more restricted sense, John Kelsay identified in the

activity of the ulama a means of limiting despotism—especially in their self-designated role as “heirs” to the prophet, in a different and somewhat balancing way to the idea of the “caliph.”<sup>3</sup>

Indeed, the idea that Islam possesses an *inherent* civic character seems to be spurring a flurry of recent studies (e.g. Sohail Hashmi, Abdulaziz Sachedina, Ahmad Moussalli, to highlight just a few), which seek to articulate a theoretical conception of civil society on the bases of classical Islamic traditions rather than European theories. Such approaches are clearly illuminating. However, they frequently miss an important starting point, which involves identifying the basis of historical civil society not so much in “doctrines” as in *social* conditions, settings, requirements, and experiences.

Charting out such social foundations helps us approximate models and parameters of civil society in the Muslim world in ways that are historically informed as well as relevant to the present. If the unrelenting authoritarian hold of the modern Arab state in particular is explained by the fact that the state itself remains contested from within and thus has a reason for paranoia, we may infer that such a state never managed to replace social structures that had been built over centuries and in such a way as to outlast the *contingency of states*. The evolution of modern states in the Middle East required moving directly against three distinct historical principles which were essential to the civic culture of global Islam: namely, the principle of *partial control*; the principle of *free movement*; and the principle of *cultural heteroglossia*<sup>4</sup>. These were precisely the principles that had provided the supportive conditions in Islamic history for the networks, institutions, habits, and practices that at a later point in Europe would be captured as “civil society” by Locke, Hegel, and Tocqueville. Beyond the Islamic experience, these very principles also seem to inform the organizational and ideational logic of the emergent *global* civil society today.

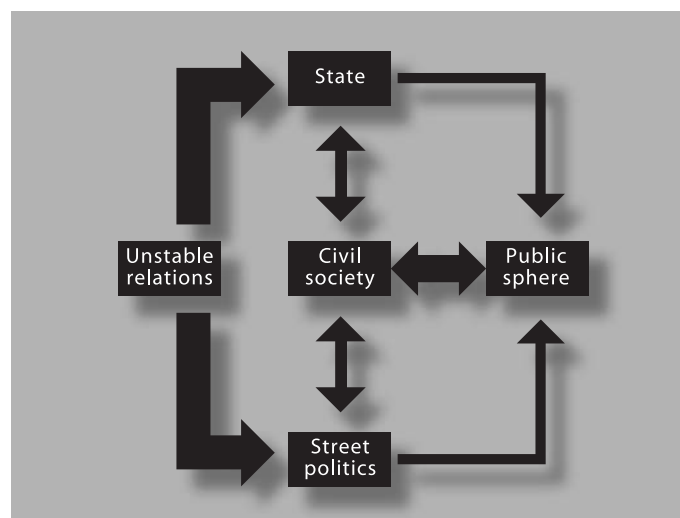
## Civil society groups and state building

Voluntary civic life is often deformed by states’ efforts at cooptation. An encounter between state and tribe, for example, almost always results in either endangering the existence of the tribe, or in distorting the character and function of the tribe.<sup>5</sup> A revealing exception however is the case of Yemen, where the incomplete diffusion of the state in society meant that tribal life could adjust to the state through a gradual and lengthy process of mutual learning. In Hodeida, for example, the commerce-based, “modern” rationality of city governance emerged out of a “traditional” base rather than in opposition to it.<sup>6</sup> The outcome was flexible tribalism in which the tribe functioned as a voluntary network, with tribal solidarity being exchangeable for, shared or coextensive with other types of group solidarity. This flexibility may in part account for the unique democratic development experienced by Yemen in recent years, in spite of pervasive poverty and a heritage of civil wars. The surviving features of customary tribalism include voluntary association and coexistence of tribal identity with other forms of association. Another includes the extension of tribal ethics of mutual help into diasporic Yemeni networks, stretching from Singapore to the suburban United States. These networks tend to revolve around extended kin, and owe their resilience, it seems, to the absence of obvious alternatives, including state largesse. In many ways, therefore, Yemen exemplifies the path that has so far been most suitable for the maturation of the civic traditions of tribalism *in particular* into the fabric of modern society.

Other categories provide us with different kinds of nuance. The millet system, for example, included features analogous to modern nationalism, notably the notion that certain additional rights could be guaranteed or claimed only through specific forms of association. As it morphed into the modern nation-state, one option for the millet was to seek to evolve into a nation. And at that point it ceased to be an element of civil society. The consequences of this transformation were usually highly unpleasant, as evidenced in the Balkans and the Lebanese civil wars.

The point is that exploring various historical social categories in terms of civil society always reveals dynamics that have great and unexpected implications for public life, and especially regarding what trajectory that category would follow once it is contaminated by statist logic. Some categories have an inherent propensity to remain resolutely autonomous from the state, and it is in such cases that one may chart out the complex negotiations of ordinary social conservatism and the voluntary transformations of civic culture. As one such category the “family,” for example, while inhabiting the private sphere, also provides

the building materials of the public sphere.<sup>7</sup> Other historical examples include merchant communities, and Shelomoh D. Goitein’s seminal work *A Mediterranean Society*, showed how these provided a basis of civic public life. The same can be said of the role of the *ayan*, who are portrayed in recent studies of urban history to have played a central role in fostering public life, mediating between clients and state, and fostering the embeddedness of their cities in regional urban networks.<sup>8</sup> What is evident from these histories is that the attempted destruction of historic civil societies in the Middle East by modern states, whether through coercion or cooptation, has led to street level politics and violence as the *only* possible politics of opposition, as illustrated below.



Civil society relates to the state in three basic ways: as an element in *democratizing* the state; as a *support* pillar of the state; and as an *alternative* to the state. Civil society can of course oscillate between these roles, even in the same environment and within a short period. But what long-term structures and attitudes survive temporary or contingent oscillations? A survey of the genealogies of civil society in Islamic history would reveal, I suspect, that it was usually the third attitude that defined the long-range view of the state by the actors of civil society. The fact that civil society is now being paraded as a foundation of the democratic state is probably more due to the need to reduce the heavy weight of the state itself rather than to a discovery of an old or natural dynamic.

But once the state’s power over and reach within society become again limited—a development that is also contingent on external geopolitical factors and not only on what civil society does—civil society will turn back in its historic form as the natural alternative to a state that can be expected to do nothing for its people and everything for its elites, as it had always done. It took only about three decades after the death of Muhammad for the early Muslim community to discover that harsh fact and readjust its civic life accordingly. When this very old fact regarding the externality of the prince to the principality is highlighted again, civil society in Muslim lands may respond by reasserting itself as a direct participant in world affairs, rather than delegate the task to states which can always be counted upon to act in their own interest and no one else’s. It is not government and rulers, but civil society that has always humanized our past, and now it appears, our future.

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## Notes

1. On this point see Roy Mottahedeh, *Loyalty and Leadership in an Early Islamic Society* (London: I. B. Tauris, 2001).
2. Richard W. Bulliet, “Twenty Years of Islamic Politics,” *Middle East Journal* 53, no. 2 (Spring 1999): 189-200.
3. John Kelsay, “Civil Society and Government in Islam,” in *Islamic Political Ethics: Civil Society, Pluralism, and Conflict*, ed. Sohail Hashmi (Princeton: Princeton University Press, 2002).
4. Mohammed A. Bamyeh, “Global Order and the Historical Structures of *Dar al-Islam*,” in *Rethinking Globalism*, ed. Manfred Steger (Lanham: Rowan & Littlefield, 2003).
5. See Philip Khoury and Joseph Kostiner, eds., *Tribes and State Formation in the Middle East* (Berkeley: University of California Press, 1991); and Joseph Massad, *Colonial Effects* (New York: Columbia University Press, 2001).
6. Sheila Carapico, *Civil Society in the Yemen* (Cambridge: Cambridge University Press, 1998).
7. Hisham Sharabi, *Neopatriarchy* (New York: Oxford University Press, 1992); Soraya Altorki, *Women in Saudi Arabia* (New York: Columbia University Press, 1989).
8. For example, Beshara Doumani, *Rediscovering Palestine* (Berkeley: University of California Press, 1995); Phillip Khoury, *Urban Notables and Arab Nationalism* (Cambridge: Cambridge University Press, 2003); James Reilly, *A Small Town in Syria* (Oxford: Peter Lang, 2002).